

City of Swartz Creek

AGENDA

Regular Council Meeting, Monday February 28, 2011 7:00 P.M.
City Hall Building, 8083 Civic Drive Swartz Creek, Michigan 48473

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **MOTION TO APPROVE MINUTES:**
 - 4A. Regular Council Meeting of February 14, 2011 MOTION Pg. 7, 9-14
 - 4B. Special Council Meeting of February 23, 2011 MOTION Pg. 7, 15-17
5. **APPROVE AGENDA**
 - 5A. Proposed / Amended Agenda MOTION Pg. 7
6. **REPORTS & COMMUNICATIONS:**
 - 6A. [City Manager's Report](#) (Agenda Item) MOTION Pg. 7, 2-6
 - 6B. Monthly Fire Report Pg. 18-42
 - 6C. MPSC Notice, Consumer Energy rates Pg. 43-47
 - 6D. Audit Report, EECBG Grant Pg. 48
 - 6E. Commitment Letter, Homeland Grant Pg. 49
 - 6F. Marathon Oil Company Proposal (Agenda Item) Pg. 50
 - 6G. GM MTT Judgments Pg. 51-74
 - 6H. SAD Procedure Pg. 75-78
 - 6I. Springbrook East Request, Road Closure Pg. 79-80
 - 6J. Planning Commission Packet, March Meeting Pg. CD
 - 6K. State Budget, Presentation, Misc Data Pg. CD
7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
 - 8A. Special Council Meeting of February 23, 2011, Waive Payment RESO. Pg. 8
 - 8B. Boards & Commissions, Appoint Replacement, Board of Review RESO. Pg. 8
 - 8C. Miller Elms Project, Family Farm & Home DISC. Pg. 3
 - 8D. Marathon Project DISC. Pg. 3, 50
 - 8E. Neighborhood Stabilization Program DISC. Pg. 5
9. **MEETING OPENED TO THE PUBLIC:**
 - 9A. General Public Comments
10. **REMARKS BY COUNCILMEMBERS:**
11. **EXECUTIVE SESSION:**
 - 11A. AFSCME & POLC Labor Agreements RESO. Pg. 8, 4
12. **ADJOURNMENT:**
 - 12A. General Motion MOTION

<p>City of Swartz Creek CITY MANAGER'S REPORT Regular Council Meeting of Monday February 28, 2011 7:00 P.M.</p>

TO: Honorable Mayor, Mayor Pro-Tem & Council Members
FROM: PAUL BUECHE // City Manager
DATE: 25-February-2011

OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

✓ **MTT APPEALS, GM BANKRUPTCY** (*Status*)

Included with tonight's packet is the 2009 MTT settlement judgment for GM's Tax Appeal. The 2010 settlement is due any day. The totals for both 2009 & 2010 of City money that we will be refunding is:

101 General Fund:	\$222,600
<u>226 Garbage Fund:</u>	<u>\$ 85,400</u>
TOTAL:	\$308,000

Upon payment, we will be square with GM. If they intend on appealing 2011, they have until May 31st to file. As you will see when we get into the budget in the very near future, these revenue reductions, now coming from all angles, are absolutely killing us.

✓ **2010-2011 FISCAL BUDGET** (*Status*)

While we're on the topic of finances, we might as well get on to that time of year when we have the esteemed honor of calculating the next year's finances. The staff began collecting and assembling data right after the start of the New Year. At the risk of sounding redundant, what we are seeing again is downright ugly. Here is a tentative schedule:

March:	Discussion, Direction
April 11 th :	Present Draft, Discussion, Set Public Hearing
May 9 th :	Public Hearing, Discussion
Middle May	Special Meeting, If Desired By Council
May 23 rd :	Adopt Budget
June 13 th :	Truth in Taxation Hearing, Set Levy, Set 2009-2010 Meeting Schedule, Year End Fiscal Adjustments
June 27 th :	Buffer Date, If Needed
June 30 th :	Fiscal Year End

✓ **PERSONNEL & POLICIES & PROCEDURES** (*Status*)

I know it's been a while on this (actually, quite a while). Not to make excuses, but it's been a wild ride here since late 2007 just to stay above water. I've made a good dent into finishing this and should have it in the near future.

✓ **MAJOR STREET FUND, TRAFFIC IMPROVEMENTS** (*See Individual Category*)

2011-2014 T.I.P. APPLICATION (*Status*)

Here is a schedule of City projects that are funded or in the queue (shaded).

TABLE #1 2011-2014 TIP, ALL PROJECTS, FUNDED & QUEUE (shaded)

Project	Year	Grant	City Match	P.E.	C.E.	Total
Miller Between Elms & Tallmadge	2011	\$338,997	\$184,903*	\$27,684	\$45,000	\$556,084
Bristol Road @ GM-SPO	2013	\$54,912	\$13,728	\$8,000	\$16,000	\$92,640
Trail, Elms Park to Heritage	2013	\$296,000	\$221,000	\$25,000	\$45,000	\$587,000
Miller Between Tallmadge & Dye	Unfunded	\$951,602	\$237,901	\$76,000	\$120,000	\$1,385,503
Miller Between Seymour & Elms	Unfunded	\$1,635,357	\$408,839	\$100,000	\$160,000	\$2,304,196

*Includes Developer Contribution of \$68,000

MILLER ROAD PROJECT, ELMS-TALLMADGE (Discussion)

This project is set to bid in March. The total estimated project costs are just shy of \$524,000. The City's match portion is \$185,000, or about 35.3%. Of the City's match of \$185k, we are seeking to collect a maximum of \$68,000 of this from the Family Farm and Home Project, reducing the City's match portion on the project to \$117,000. As you may recall, this project required extension of the left turn lane to accommodate left turns from southbound Elms into the property. The associated widening, curb, gutter and drainage make up these estimated costs. We have run into issues associated with this project as it relates to the Miller-Elms PDD Development and Family Farm and Home Project. I have set this for a short discussion to get some feedback from the Council before we decide what direction to head.

✓ **LOCAL STREET FUND, TRAFFIC IMPROVEMENTS**

2008 REPAIR ROSTER (Status)

As a re-cap, the contractor's are Maintenance & Construction Company, of Romulus Michigan, at \$101,547, with construction engineering and testing (\$1,980), the total being \$103,527, and Lang Construction of Flint Michigan, in the amount of \$8,523 for the storm sewer repairs. Totals are:

Total Project Cost				
Cape Seal	\$104,000			
Storm Repair	\$8,523	101 Fund	203 Fund	226 Fund
TOTAL	\$112,523	\$8,766	\$70,000	\$33,757

The storm sewer work has been completed. The Cape Seal work has been put off until weather permits in the spring.

✓ **COUNTY WWS ISSUES PENDING (See Individual Category)**

KAREGNONDI WATER AUTHORITY (Status)

Pending.

SEWER I&I PENALTIES, REHABILITATION (Status)

Implementation delayed until sometime in 2011.

SEWER USE ORDINANCE – INDUSTRIAL PRE-TREATMENT (Status)

I've had the first in a series of several meetings with the Drain Commissioner to discuss a number of items, inclusive of this one. I will be back with resolves to this matter and the others in the near future.

DELINQUENT COUNTY CAPITAL IMPROVEMENT FEE (C.C.I.F.) (Status)

Likewise as above, I've had the first in a series of several meetings with the Drain Commissioner to discuss a number of items, inclusive of this one. I will be back with resolves to this matter and the others in the near future.

✓ **MARATHON REDEVELOPMENT PROJECT** (*Discussion*)

Interesting twist on this project. Marathon Oil has proposed that we deed the property over to them and they will clean it up, all of it. Then, with our help, they will sell it to recover the expenses involved with the cleanup. I have set this for discussion before going any further with it.

✓ **SALE OF CITY PROPERTY 5129 MORRISH ROAD** (*Status*)

Pending a report back to the Council with recommendation on the structure as well as the house the City owns at Morrish & Fortino.

✓ **LABOR CONTRACTS** (*Resolution*)

As a short re-cap, all our labor contracts are frozen. The POLC agreement has been frozen since January 2009. The AFSCME agreement has been frozen since July 2008. The Supervisor's agreement has been frozen since July 2007, however, to even this agreement out a bit, an additional 40 hours of absent time was granted. The extra absent time cannot be cashed out, rolled over, accrued or paid out in any way. The City Manager Contract has been frozen since December 2004. The extra absent time provision within the Supervisor's agreement is also applied to the City Manager's Contract. There are no plans to replace Mr. Zettel's position. We have two other "at will" classifications, which are without agreements, being our part time police officers and our building inspector. The part time police have been frozen since March 2004 with a change in November 2009 to allow time and a half on holidays. The building inspector is part time and has remained unchanged since October 2006 when the position was established to replace the full time assessor / building inspector. Contracted positions are the assessor and trade inspector's, being electrical, plumbing and mechanical. I've met with the POLC and discussed the financial future of the City and its relevance to rate increases, which frankly speaking, remains bleak. They don't like it, but they do understand. At the meeting of January 10th, we approved a letter of understanding that allows a "me too" clause for all our labor units. I have met with the AFSCME unit and they have requested to be included with the additional "no value" 40 hours of absent time. I would like to discuss this request and its long term impact with the Council in executive session. I have set an executive discussion for tonight's meeting.

On another note, with Adam leaving we have a problem with Zoning Administration, Code Enforcement, and to a lesser degree, DDA, Planning Commission and CDBG administration. I am currently working on a solution to this.

✓ **GO GREEN, EECBG PUBLIC SAFETY BUILDING HVAC GRANT** (*Status*)

Pending completion of the work.

✓ **FIRE DEPARTMENT: 2011 BUDGET & COST RECOVERY** (*Status*)

The 2011 Budget was adopted at the meeting of November 22, minus CIP contributions. As indicated, we are looking at long term solutions to all public safety. The cost recovery issue plays into this, however, it is now in a bit of a state of flux based in the introduction of legislation that may prohibit such ordinances.

✓ **SPRINGBROOK EAST & HERITAGE ASSOCIATION S.A.D.** (*Status*)

Included with tonight's packet is the SAD process we will be following. The process was crafted by Mr. Figura after reviewing our Charter, Ordinance and Statutes. It looks

complicated, but a lot of it will occur simultaneously. Also included tonight is a request to close down the connection to Springbrook Colony. This request will need to be reviewed by Mr. LaMourie before we go any further with it. I'll keep the Council posted on developments.

✓ **ZONING CODE AMENDMENT** (*Status*)

As you know, we have placed a short moratorium on these establishments to allow the Planning Commission to finish their review. The Council should have it back soon (I hope anyway) with a recommendation for final adoption.

✓ **MILLER-ELMS PDD AMENDMENT, FAMILY FARM & HOME** (*Discussion*)

As indicated in the Miller Elms Project heading, I have set this for a short discussion to review some issues that have arose on the road project that relate to this development.

✓ **WASTE & RECYCLING SERVICES CONTRACT** (*Status*)

We have heard presentations from two of the three companies that I anticipate will be interested in this contract. Both of the companies offer some nice amenities with their service; however, the bottom line is that we cannot afford any luxury expenses, anywhere in any fund. Having said this, and unless the Council feels different, we will be crafting bid specifications based on weekly trash & yard waste pickup, and every other week recycling, as is our current collection schedule.

✓ **NEIGHBORHOOD STABILIZATION PROGRAM** (*Discussion*)

We have to choose whether we want to do this program in house or turn it over to the Land Bank. I have set this for discussion to explore our options.

✓ **AYSO GROUND LEASE REQUEST** (*Status*)

The local AYSO (American Youth Soccer Organization) has inquired if the City would be interested in a "no cost" ground lease agreement for the 20 acres of City property located on Bristol Road between the west lot line of GM-SPO and the Heritage Village Subdivision. They would like to construct soccer fields for practice and competition events on the land. Their proposal fits with our plans for a sports park on the land. As we all know, it will be many years before, and if ever, we have the funds to pursue our plan. Included with tonight's packet are conceptual drawings and additional information drafted by the local AYSO. I will be back in the future with a better defined direction after I spend additional time with the organization.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **BOARDS & COMMISSIONS, APPOINT BOARD OF REVIEW POSITION** (*Resolution*)

We have a vacancy on the Tax Board of Review. The vacancy was created when Mr. McGillivray recently moved out of the City. His term expires on June 30, 2013. After a fairly extensive search, Mayor Abrams located a resident willing to serve. Ms. Wanda Tyler, 6483 West Bristol is interested. Acting under the presumption that the Council would not object to the appointment, Ms. Tyler (along with the Mayor) attended a training seminar. Included with tonight's agenda is a resolution for appointment.

Council Questions, Inquiries, Requests and Comments

- *Traffic Lights, Bristol-Miller, GM-SPO.* Pending the direction that GM takes. New traffic counts as to warrants would need to be taken.
- *Deteriorated Retaining Walls & Planters at City Buildings.* The north wall at the Public Safety Building behind the Police Department collapsed. We are looking at solutions to take care of this more pressing problem first.
- *Tabled Garbage Collection Policy.* Resting comfortably... for now.
- *Youth Programs in Park.* Looking into this. This item is something that might best be suited for the City's School Liaison Officer. The matter has been referred to the Police Department for review and recommendation.

City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday February 28, 2011 7:00 P.M.

Resolution No. 110228-4A MINUTES – FEBRUARY 14, 2011

Motion by Councilmember: _____

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held February 14, 2011 to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 110228-4B MINUTES – FEBRUARY 23, 2011

Motion by Councilmember: _____

I Move the Swartz Creek City Council hereby approve the Minutes of the Special Council Meeting held February 23, 2011 to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 110228-5A AGENDA APPROVAL

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of February 28, 2011 to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 110228-6A CITY MANAGER’S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the City Manager’s Report of February 28, 2011, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 110228-8A

**SPECIAL COUNCIL MEETING OF FEBRUARY 23, 2011,
WAIVE COUNCIL PAYMENT**

Motion by Councilmember: _____

I Move the City of Swartz Creek waive payment for the Special Council Meeting held February 23, 2011, and further, direct the staff to make necessary adjustments to the City’s accounting systems.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 110228-8B

**BOARDS & COMMISSIONS, APPOINT TAX BOARD OF
REVIEW REPLACEMENT**

Motion by Councilmember: _____

I Move the City of Swartz Creek Council appoint Wanda Tyler, of 6483 W. Bristol Road, to the Swartz Creek Tax Board of Review, for the remainder of the term vacated by Mr. Thomas MacGillivray, term running from July 1, 2010, expiring June 30, 2013.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 110228-11A

**EXECUTIVE SESSION, AFSCME & POLC COLLECTIVE
BARGAINING AGREEMENTS**

Motion by Councilmember: _____

I Move the City of Swartz Creek, at the request of the City Manager and in accordance with the Open Meetings Act; enter into Executive Session for the purpose of discussing strategy related to the AFSCME and POLC Collective Bargaining Agreements.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

City of Swartz Creek
Regular Council Meeting Minutes
Of the Meeting Held
Monday February 14, 2011 7:00 P.M.

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 02/14/2011

The meeting was called to order at 7:00 p.m. by Mayor Abrams in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Paul Bueche, Deputy City Clerk Mary Jo Clark, DPS Director Tom Svrcek.

Others Present: Boots Abrams, Sharon Shumaker, Bob Plumb, Tommy Butler, Steve Shumaker, Joe Deuczek.

APPROVAL OF MINUTES

Resolution No. 110214-01

(Carried)

Motion by Councilmember Porath
Second by Mayor Pro-Tem Krueger

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting, held January 24, 2010, to be circulated and placed on file.

YES: Binder, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 110214-02

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda, as printed, for the Regular Council Meeting of February 14, 2011 to be circulated and placed on file.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Binder.
NO: None. Motion Declared Carried.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 110214-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of February 14, 2011, to be circulated and placed on file.

YES: Hurt, Krueger, Porath, Shumaker, Abrams, Binder, Hicks.
NO: None. Motion Declared Carried.

All other reports and communications were accepted and placed on file.

MEETING OPENED TO THE PUBLIC:

None.

Council Business

Acceptance & Appreciation, Kiwanis & Doors Galore Donations

Resolution No. 110214-04

(Carried)

Motion by Councilmember Hicks
Second by Mayor Pro-Tem Krueger

I Move the City of Swartz Creek, with great appreciation; accept donations from the Swartz Creek Kiwanis and Doors Galore, in the amount of \$400 each, funds to be deposited into the DDA account and earmarked for the operation of the DDA's Summer Family Movie Program.

Discussion Ensued.

YES: Krueger, Porath, Shumaker, Abrams, Binder, Hicks, Hurt.
NO: None. Motion Declared Carried.

Trash-Recycling Presentation, Waste Management

Joe Denczek of Waste Management made a brief presentation on behalf of the company.

Appropriation & MDOT Agreement, Miller Road Repair Project

Resolution No. 110214-05

(Carried)

Motion by Councilmember Binder
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek is a Local Governmental Unit and recognized Street Authority eligible to receive funding from the Michigan Department of Transportation and the Federal Highway Administration; and

WHEREAS, the City of Swartz Creek is a member of the Genesee County Metropolitan Planning Alliance, an urban transportation planning cooperative charged with allocating funds to eligible street authorities in Genesee County; and

WHEREAS, the City of Swartz Creek has identified a need to make repairs to Miller Road from Elms to Tallmadge Court, inclusive of the intersection of Miller & Elms, in conformance with the design plans prepared by the City’s consulting engineer; and

WHEREAS, the Genesee County Metropolitan Alliance and the Swartz Creek City Council have considered the making of such repairs and improvements in open session following the review of documents and the hearing of comments on the need, from the city’s engineer, staff and from the public, and further, design engineering plans have been drafted, submitted and approved by the Michigan Department of Transportation; and,

WHEREAS, the Miller Road Project has been obligated for funding and is scheduled to be let for bid in March 2011 under the Michigan Department of Transportation using Surface Transportation Program funding sources; and

WHEREAS, estimated costs as determined by the City’s Engineer are as follows:

	<i>Federal Funding</i>	<i>City Match</i>	<i>Total Project Cost</i>
Construction	\$ 338,997	\$ 184,903	\$ 523,900

NOW, THEREFORE, be it resolved that the City of Swartz Creek appropriate an amount not to exceed \$523,900, plus 5% contingency, from 202 Major Street Fund, for the repair of Miller Road between Elms and Tallmadge Court, as set forth in the design plans and specifications approved by the Michigan Department of Transportation, \$338,997 funded by Federal Surface Transportation Funds, the balance, \$184,903 being the City Local Share Obligation.

BE IT FURTHER RESOLVED, that the Council for the City of Swartz Creek direct the Mayor, Richard B. Abrams and the City Clerk, Juanita Aguilar, on behalf of the City, to execute an agreement with the Michigan Department of Transportation, a copy of which is attached hereto, MDOT Contract #11-5032, Control Section #STU25402, Project #STP1125(009) and Federal ID #YY-0446.

Discussion Took Place.

YES: Porath, Shumaker, Abrams, Binder, Hicks, Hurt, Krueger.

NO: None. Motion Declared Carried.

Acceptance & Appreciation, Girls Varsity Basketball Donation

Resolution No. 110214-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Hicks

I Move the City of Swartz Creek, with great appreciation, accept a donation in the amount of \$700, from the Swartz Creek Girls Varsity Basketball Program, funds to be applied to the Police Departments K-9 Program.

Discussion Ensued.

YES: Shumaker, Abrams, Binder, Hicks, Hurt, Krueger, Porath.
NO: None. Motion Declared Carried.

Appropriation & Bid Award-EECBG Grant, Fire Department Garage Heating System

Resolution No. 110214-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek received an Energy Efficiency and Conservation Block Grant (EECBG) phase II allocation in the amount of \$12,936.00 to fund replacement of the forced air heating system in the public safety building to a tube heating system; and

WHEREAS, the State of Michigan required the City to bid and enter into an agreement in order to commence with work and payment towards the project; and

WHEREAS, the agreement, as well as City purchasing policies, requires a sealed competitive bid process for this project; and

WHEREAS, specifications were developed, advertised and returned with sealed bids opened on February 7, 2011, ranging from a high of \$19,800 to a low of \$11,200.

NOW, THEREFORE, the City of Swartz Creek hereby awards the lowest bid, being MJ Mechanical in the amount of \$11,200 plus a 20% contingency, and further, directs City staff to enter into a contractor's agreement and commence the project.

Discussion Ensued.

YES: Abrams, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.
NO: None. Motion Declared Carried.

C.D.B.G. Designation of Authorization

Resolution No. 110214-08

(Carried)

Motion by Mayor Pro-Tem Krueger
Second by Councilmember Shumaker

WHEREAS, the City of Swartz Creek participates in the Genesee County Community Development Program; and

WHEREAS, the Genesee County Community Development Program has requested that we update our authorized signature cards.

NOW, THEREFORE, BE IT RESOLVED that the following individuals be authorized to request reimbursement from the Community Development Block Grant Program:

1. Juanita Aguilar, City Clerk
2. Mary Jo Clark, Finance Director
3. Paul Bueche, City Manager

Discussion Took Place.

YES: Binder, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

Appropriation & Appointment, Environmental Consulting Services, Applied Eco-Systems, Marathon Re-Development Project

Resolution No. 110214-09

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek appoint Applied Eco-Systems, of Burton Michigan, as an independent professional consulting firm, for environmental services related to the Marathon Redevelopment Project, and further, direct the staff to set up a project fund within the General Fund inclusive of revenues and expenses with the initial appropriation of an amount not to exceed \$3,000 for environmental consulting expenses.

Discussion Ensued.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Binder.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Tommy Butler, 40 Somerset, spoke about the Miller/Elms intersection. Mr. Butler stated that it is a terrible intersection. Mr. Butler asked if a traffic count had been done on Miller Road

lately. Mr. Butler talked about garbage trucks tearing up the road. Mr. Butler stated that polycarbonate material is lighter and stronger than metal.

Boots Abrams stated that the chili dinner for the Veteran’s Memorial was a success.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath asked who the third waste company was that would be bidding on the City’s services. He was advised the companies were Waste Management, Republic Waste and Richfield Disposal.

Councilmember Shumaker congratulated the Swartz Creek Women’s Club on the turnout for the chili dinner.

Councilmember Hicks stated that it helps to have different people come in and talk to the Council to clarify issues.

Councilmember Binder thanked everyone who helped make the chili dinner a success. Ms. Binder stated that \$582.00 was made at the chili dinner for the Veteran’s Memorial. Ms. Binder stated that she saw pictures of the new statue.

Councilmember Hurt thanked the Council for excusing him from the last meeting.

Mayor Pro-Tem Krueger asked if anything has been heard about the status of the Meijer project. Mr. Bueche stated that they will probably not build in 2011. Mr. Krueger asked about House Bill 4151 relating to casinos. Mr. Krueger asked if the City could acquire the old Sunoco station the same way the City acquired the Marathon station.

Mayor Abrams talked about the Neighborhood Revitalization Program.

Adjournment

Resolution No. 110214-10

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hurt

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:40 p.m.

YES: Unanimous Voice Vote.
NO: None. Motion Declared Carried.

Richard Abrams, Mayor

Mary Jo Clark , Deputy City Clerk

City of Swartz Creek
Special Council Meeting Minutes
Of the Meeting Held
Wednesday February 23, 2011 6:00 P.M.

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE SPECIAL COUNCIL MEETING
DATE 02/23/2011

The meeting was called to order at 6:00 p.m. by Mayor Abrams in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Binder, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Paul Bueche, City Clerk Juanita Aguilar, DPS Director Tom Svrcek.

Others Present: Bob Plumb, Sharon Shumaker.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 110223-00

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of February 23, 2011, to be circulated and placed on file.

YES: Binder, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

All other reports and communications were accepted and placed on file.

MEETING OPENED TO THE PUBLIC:

None.

Council Business

Resolution To Impose Moratorium on Medical Marijuana Caregiver Establishments

Resolution No. 110223-01

(Carried)

Motion by Councilmember Hurt
Second by Mayor Pro-Tem Krueger

WHEREAS, the **City of Swartz Creek Michigan**, by Ordinance, has prohibited the possession or use of marijuana, as well as the sale, display, furnishing, supplying or possession of controlled substance paraphernalia; and

WHEREAS, the use, possession, cultivation, manufacture or sale of marijuana remains a crime under the Laws of the State of Michigan, the United States of America as a Schedule 1 drug under the Michigan Public Health Code and by the Treaty of 1980, entitled: **Convention of Psychotropic Substances**, and it is illegal to operate a motor vehicle with any amount of THC in an individual's blood system; and

WHEREAS, the people of the **State of Michigan** by referendum have provided that there shall not be criminal prosecution for the medical use of marijuana in limited and specific ways as provided in MCLA 333.26421 et seq; and

WHEREAS, the **City of Swartz Creek Michigan** believes that in light of potential adverse effects upon its citizens, by the use of medical marijuana that could affect the public safety, health and welfare, if certain controls were not placed as to where or how such medical marijuana use is carried out; and

WHEREAS, the Swartz Creek City Council believes that its Ordinances will require amendment to comply with the Michigan Medical Marijuana Act (MMMA) and to regulate certain conduct by medical marijuana users and their caregivers; and

WHEREAS, the Swartz Creek City Council believes that the location in which medical marijuana caregivers provide care to medical marijuana patients requires regulation to avoid any harmful impact on the citizens by the placement or concentration of medical marijuana caregivers, within the ambit of the Zoning Ordinances of the City of Swartz Creek.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council by this Resolution determines to place a moratorium upon the establishment of caregiver facilities within its City Limits for a period of ninety (90) days, to allow the City Council to consider amendments to its Zoning Ordinances and to its Drug Control Ordinances. It is the intent of the City to maintain a land use status quo pending final adoption of any proposed zoning plan or changes regarding Michigan medical marijuana caregivers as defined in MCLA 333.26421 et seq. (MMMA).

BE IT FURTHER RESOLVED that in compliance with section 32.15 of the zoning code for the City of Swartz Creek, this moratorium shall be effective immediately upon publication of this resolution in a newspaper of general circulation, date of publication February 24, 2011.

Discussion Ensued.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Binder.
NO: None. Motion Declared Carried.

The Mayor declared the ordinance adopted.

Richard B. Abrams, Mayor

Juanita Aguilar, City Clerk

CERTIFICATION

The foregoing is a true copy of Resolution No. 110223-01, which was passed by the Swartz Creek City Council at a special meeting held on the 23rd day of February 2011.

Juanita Aguilar, City Clerk

Publish Date: February 24, 2011
Paper: The Flint Journal
Effective Date: February 24, 2011

MEETING OPENED TO THE PUBLIC

None.

Adjournment

Resolution No. 110223-02

(Carried)

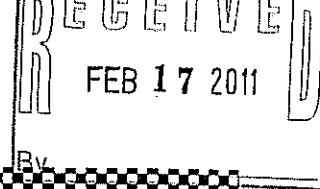
Motion by Councilmember Hurt
Second by Mayor Pro-Tem Krueger

I Move the City of Swartz Creek adjourn the Special Session of the City Council meeting at 6:20 p.m.

YES: Unanimous Voice Vote.
NO: None. Motion Declared Carried.

Richard Abrams, Mayor

Juanita Aguilar, City Clerk



- I. CALL TO ORDER
 - A. PLEDGE OF ALLEGIANCE
 - B. ROLL CALL
 - C. ADDITIONS/CHANGES/DELETIONS AND AGENDA APPROVAL:
 - D. SPECIAL PRESENTATIONS/ANNOUNCEMENTS:

- II. APPROVAL OF MINUTES
 - A. JANUARY 17, 2011 MEETING:

- III. CORRESPONDENCE:
 - A. JANUARY INCIDENT SUMMARY REPORT:

- IV. PROFESSIONAL SERVICE REPORTS:
 - A. JANUARY FINANCIAL REPORT:

- V. COMMITTEE REPORTS:
 - A. BY-LAWS COMMITTEE - Chairman Rick Clolinger, Richard Derby, Bill Cavanaugh and Brent Cole:
Status of bylaws update from Attorney Cavanaugh

 - B. HEALTH AND SAFETY COMMITTEE: Chairman Greg Childers (Members Chief Cole, Assistant Chief Merriam, Captain Tabit, Lieut. Jones & FF VanArsdale)

 - C. PERSONNEL COMMITTEE: Chairman Ray Thornton, Richard Derby and David Hurt.

 - D. FIRE AGREEMENT COMPLIANCY COMMITTEE: Chairman Dave Hurt, Richard Derby, Ray Thornton and Attorney Bill Cavanaugh.
An amendment suggestion addressing AMA agreements is below:

11. Services to Other Governmental Units.

The Authority shall not provide fire protection services to other governmental units, by contract or otherwise, without first obtaining the approval of the City and the Township before such services are rendered. ~~provided, however, that such prohibition shall not extend to the participation by the board in a mutual aid pact with other units of government.~~ **Any Automatic Mutual Aid (AMA) agreements in place, prior to this agreement, shall remain in place, until such time as either the City or the Township formally request secession of any specific AMA.**

OLD BUSINESS.

A. APPARATUS UPDATE from Battalion Chief Jack King-

1. Apparatus status report attached

B. 2011 PROPOSED BUDGET APPROVAL STATUS:

Swartz Creek approved their portion in November 2010.

Clayton Township:

C.

D.

VII. NEW BUSINESS:

A. MEMBERS FOR PLACEMENT ON PROBATION: none

B. MEMBERS ELIGIBLE TO COME OFF PROBATION: none

C. MEMBERS RESIGNING/TERMINATING: none

D. MEMBERS ELIGIBLE FOR REINSTATEMENT: none

E. FEMA GRANT APPROVAL FOR EQUIPMENT: FEMA approved our grant request on January 22, 2011. The equipment and amount approved are for 1 Washer/Extractor (to replace the old washer) = \$7,000.00, 15 sets of bunker gear and 15 helmets = \$28,500.00, and 9 800 MHZ portable radios = \$32,220.00. The 5% matching amount is \$3,386.00. Since the quotes we received to submit the grant were obtained almost a year ago, we may not be able to receive bids at or below the amounts approved. Hopefully, each municipality will approve their half of the \$3,386.00 amount, and any extra should the bids be more than what FEMA will fund.

Chief Cole recommends accepting the FEMA grant approval in the amount of \$67,720.00, with funding from FEMA being \$64,334.00.

F. FEMA GRANT BID SPECIFICATIONS: Attached you will find bid specifications for the washer/extractor, bunker gear, and helmets and 800 portable radios.

Chief Cole requests permission to send out the attached bid specifications for receipt of sealed bids by March 18, 2011 at 1PM with opening at the March 21, 2011 Fireboard meeting.

G. CLAYTON TOWNSHIP MILLAGE CAMPAIGN PARTICIPATION: As the Fireboard may know, Clayton Township will be holding a Public Safety Millage on May 3. Swartz Creek has no plans to hold a millage election for fire or public safety. Discussion:

H. FOAM TANK LEVEL INDICATOR REPLACEMENT FOR ENGINE 21: The foam tank level indicator for Engine 21 is malfunctioning. It does not indicate above ½ tank status. At this time we are not sure if it works at all. Because of the age, there isn't a simple level indicator replacement. The level indicator can not be repaired or refurbished. There are two directions this can take.

Option 1: Replace existing with the type of level indicator that is currently being installed at the factory. (Quote attached.) This is suppose to be more reliable model with a longer life expectancy. An inspection of the vehicle is necessary to determine if it can be installed, since it requires relocation and drilling a hole in the tank for mounting. Halt will inspect the vehicle for free.

Option 2: Replace with current OEM equipment. (Quote attached.) This is the simplest method, but it may not last as long as the recommended option 1 above by Halt Fire. This option should not require Halt Fire installation intervention.

This is being present to the Fireboard since it is not an emergency repair and the amount of the quotes are over \$500.00.

Chief Cole, due to the current economic status, recommends proceeding with Option #2, replacement of foam level indicator probe with air fitting relief in the amount of \$740.50.

I.

VIII. GENERAL INFORMATION:

- A. MUNICIPAL BILLINGS for January
- B. JANUARY BILLS LIST
- C. Organizational Chart effective February 1, 2011
- D. Thank you letter from the Gaines Township Fire Department
- E. Thank you letter from the Genesee Township Station 2 Fire Department
- F. Thank you letter from the Burns Township Fire Department
- G.
- H.

IX. OPEN TO THE PUBLIC:

X. COMMENTS OF FIRE DEPARTMENT PERSONNEL (THROUGH THE CHIEF AND/OR HIS DESIGNATE:

XI. CHAIN OF COMMAND APPEAL TO THE FIRE AUTHORITY:

XII. COMMENTS FROM FIRE AUTHORITY MEMBERS:

XIII. MEETING ADJOURNMENT:

JANUARY 17, 2011

SWARTZ CREEK AREA FIRE DEPARTMENT

The regular meeting of the Swartz Creek Area Fire Board was held at Station #1, January 17, 2011. Chairman, Mike Messer, called the meeting to order at 7:07p.m.

I. CALL TO ORDER:

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Board Members Present:

- Chairman, Mike Messer
- Clayton Representative, Richard Derby
- City Representative: Boots Abrams
- City Representative, Ray Thornton
- City Representative, Dave Hurt
- City Representative, Rick Clolinger

Board Members Absent:

- Clayton Representative, Greg Childers

Staff Present:

- Fire Chief, Brent Cole
- Acct./Clerical, Kim Borse
- Attorney, Bill Cavanaugh

Staff Absent:

- Asst. Chief, Eric Merriam

Others Present: NONE**C. AGENDA: ADDITIONS/CHANGES/DELETIONS/APPROVAL:**

- **Resolution 011711-01**

Motion by Dave Hurt

Second by Rick Clolinger

The SCAFD Board does hereby approve the agenda as presented.

YES: Abrams, Clolinger, Derby, Hurt, Thornton, Messer

NO: None

Motion declared carried

D. SPECIAL PRESENTATION: NONE**II. APPROVAL OF MINUTES****A. DECEMBER 20, 2010 BOARD MEETING***Correction: Meeting was held at Station 1*

- **Resolution 011711-02**

Motion by Boots Abrams

Second by Rick Derby

The SCAFD Board does hereby approve the minutes of the December 20, 2010 board meeting, as corrected.

YES: Abrams, Clolinger, Derby, Hurt, Thornton, Messer

NO: None

Motion declared carried

III. CORRESPONDENCE:**A. DECEMBER INCIDENT SUMMARY REPORT:**

- **Resolution 011711-03**

Motion by Rick Derby

Second by Dave Hurt

The SCAFD Board does hereby accept the December 2010 Incident Summary, as presented

YES: Abrams, Clolinger, Derby, Hurt, Thornton, Messer

NO: None

Motion declared carried

IV. PROFESSIONAL SERVICE REPORTS:**A. DECEMBER FINANCIAL STATEMENT:**

- **Resolution 011711-04**

Motion by Rick Derby

Second by Dave Hurt

The SCAFD Board does hereby approve the December 2010 financial statement, as presented

YES: Abrams, Clolinger, Derby, Hurt, Thornton, Messer

NO: None

Motion declared carried

B. DECEMBER LINE ITEM TRANSFERS:

- **Resolution 011711-05**

Motion by Boots Abrams

Second by Dave Hurt

The SCAFD Board does hereby approve the December 2010 line item transfers, as presented

YES: Abrams, Clolinger, Derby, Hurt, Thornton, Messer

NO: None Motion declared carried

V. COMMITTEE REPORTS:

- A. *BY-LAWS COMMITTEE MEETING: NONE*
- B. *HEALTH & SAFETY COMMITTEE: NONE*
- C. *PERSONNEL COMMITTEE: NONE*
- D. *FIRE AGREEMENT COMPLIANCY COMMITTEE: Report from D. Hurt; referred back to committee*

VI. OLD BUSINESS

- A. *APPARATUS UPDATE:*
 - 1. *Monthly report from Batt. Chief King*
- B. *2011 BUDGET UPDATE:*
 - 1. *City: Approved*
 - 2. *Township: No report*

VII. NEW BUSINESS

- A. *MEMBER(S) TO BE PLACED ON PROBATION: NONE*
- B. *MEMBER TO COME OFF PROBATION: NONE*
- C. *MEMBERS RESIGNING/TERMINATING: NONE*
- D. *MEMBERS ELIGIBLE FOR REINSTATEMENT: NONE*
- E. *JOINT MUNICIPAL MEETING RECOMMENDATION: D. Hurt would like to see a meeting involving City Manager, Twp Supervisor, City & Twp fire board reps, and fire board Chair.*

VIII. GENERAL INFORMATION

- A. *MUNICIPAL BILLINGS*
- B. *DECEMBER BILLS LIST*
- C. *SOG TABLE OF CONTENTS*
- D. *SOG 212*
- E. *ORGANIZATIONAL CHART*

IX. OPEN TO THE PUBLIC: NONE

X. COMMENTS OF FIRE DEPARTMENT PERSONNEL, THROUGH THE CHIEF: NONE

XI. CHAIN OF COMMAND APPEAL TO THE FIRE BOARD: NONE

XII. COMMENTS OF THE FIREBOARD:

- Abrams: Will not be at February's meeting
- Hurt: Has concerns regarding budget and agreement
- Thornton: None
- Derby: How would SCAFD respond regarding haz mat train derailment?
Chief Cole: Haz mat team would be called in, SCAFD would assist as to their training
- Clolinger: None
- Messer: None

XIII. ADJOURNMENT OF MEETING:

Meeting adjourned at 7:45 p.m. The next regular meeting will be 02/21/10 at Station 1 at 7:00 pm

MIKE MESSER
CHAIRMAN
SWARTZ CREEK AREA FIRE BOARD

KIM BORSE
ACCOUNTING/CLERICAL SPECIALIST
SWARTZ CREEK AREA FIRE DEPT.

SWARTZ CREEK AREA FIRE DEPT, SWARTZ CREEK MICHIGAN 48473

Incident Log for 01/01/2011 through 01/31/2011

Printed: 02/10/2011

Inc. No. - Exp. Location	Date	Disp. Time	Sta.	Incident Type	No. Resp Prop. Loss	Disp. to Enrte. Min.	Resp. Min. Cont. Loss	Total Hr:Min:Sec
Involved Name				Owner Name		Officer in Charge		
0000001-000 9430 Corunna RD MR Brent Trombly	01/10/2011	19:30	2	142 Controlled brush burn	16 \$ 0	0.00 \$ 0	10.00	0:20:00
				MR Brent Trombly		MERRIAM, ERIC M - ASSISTANT		
0000002-000 W Interstate 69 EXFY MR Viktor G Kuryle	01/12/2011	07:29	1	411 Gasoline or other flammable liquid	19 \$ 0	9.00 \$ 0	16.00	5:16:00
				MR Viktor G Kuryle		KING, JACK L - BATT CHIEF		
0000003-000 1146 N Seymour RD MR Brian Heasty	01/12/2011	16:28	2	745 Smoke Alarm (cooking)	12 \$ 0	0.00 \$ 0	7.00	0:18:00
				MR Brian Heasty		MERRIAM, ERIC M - ASSISTANT		
0000004-000 Elms and Elms and Court MR Michael Castle	01/13/2011	20:45	2	412 Odor of gas, unfounded	12 \$ 0	0.00 \$ 0	5.00	0:25:00
				MR Michael Castle		MERRIAM, ERIC M - ASSISTANT		
0000005-000 4395 Ita CT MS Mary Armitage	01/15/2011	19:26	1	531 Burnt food, smoke removal	13 \$ 0	0.00 \$ 0	6.00	0:27:00
				MS Mary Armitage		KING, JACK L - BATT CHIEF		
0000006-000 7425 Lennon RD MRS Becky Ray	01/16/2011	20:51	1	531 Smoke investigation	18 \$ 0	0.00 \$ 0	11.00	0:27:00
				MRS Becky Ray		MERRIAM, ERIC M - ASSISTANT		
0000007-000 W Interstate 69 EXFY MRS Dolores J Brooks	01/17/2011	18:26	1	352 Extrication of victim(s) from	22 \$ 0	0.00 \$ 0	11.00	2:04:00
				MRS Dolores J Brooks		KING, JACK L - BATT CHIEF		
0000008-000 11487 W Reid RD	01/18/2011	20:27	12	111 AMA to Gaines Township	18 \$ 0	6.00 \$ 0	13.00	2:19:00
0000009-000 6007 Richfield RD	01/25/2011	07:47	12	111 MA to Genesee Twp #2	13 \$ 0	0.00 \$ 0	47.00	6:58:00
0000010-000 2445 Utley RD	01/26/2011	01:38	12	111 MA to Flint Twp house fire	12 \$ 0	0.00 \$ 0	19.00	1:22:00
0000011-000 507 W Maple ST	01/27/2011	09:23	12	111 Building fire	16 \$ 0	0.00 \$ 0	27.00	8:59:00
0000012-000 12189 Lennon RD Edwin R Lloyd	01/28/2011	18:06	1	700 Res Fire Alarm; burnt food	15 \$ 0	0.00 \$ 0	6.00	0:28:00
				Edwin R Lloyd				

Incident Log for 01/01/2011 through 01/31/2011

Inc. No. - Exp. Location	Date	Disp. Time	Sta. Incident Type	Owner Name	No. Resp Prop. Loss	Disp. to Enrte. Min.	Resp. Min. Cont. Loss	Total Hr:Min:Sec	Officer in Charge
0000013-000 125.5 EB I 69 Nichole L Windle	01/13/2011	15:44	1 131 Passenger vehicle fire		14 \$ 800	0.00	12.00 \$ 50	2:06:00	KING, JACK L - BATT CHIEF
0000014-000 5334 Butternut tree CT	01/30/2011	15:52	10 111 MA to Flint Township		13 \$ 0	0.00	16.00 \$ 0	2:11:00	VanArsdale, Kevin R - SERGEANT
Incidents by Shift Including Exposures									
	No. Resp.	Total Hr:Min	Prop. Loss	Cont. Loss	0	1	2	3	4
Totals:	213	33:40:00	\$ 800	\$ 50	0	2	10	2	0

The total number of incidents, including exposure fires is 14.

The number of exposure fires is 0.

SWARTZ CREEK AREA FIRE DEPARTMENT
Income/Expense Report
For the One Month Ending January 31, 2011

	Description	Current Mth	Y-T-D	Budget	Remain. Budget	% Budget
Revenues						
3582	OPERATING CONTRIBU	84,383.38	84,383.38	212,562.00	128,178.62	(0.40)
3583	EQUIPMENT CONTRIBU	26,156.00	26,156.00	52,312.00	26,156.00	(0.50)
3628	MISC. INCOME (SUNDR	7.00	7.00	0.00	(7.00)	0.00
3630	GRANT INCOME	0.00	0.00	0.00	0.00	0.00
3664	INVESTMENT INCOME	11.96	11.96	120.00	108.04	(0.10)
3673	SALE OF FIXED ASSETS	0.00	0.00	0.00	0.00	0.00
	Total Revenues	110,558.34	110,558.34	264,994.00	154,435.66	(0.42)
Expenses						
4703	SOCIAL SECURITY	5,312.35	5,312.35	10,800.00	5,487.65	0.49
4704	STAFF SALARIES	2,373.29	2,373.29	42,500.00	40,126.71	0.06
4705	MAIN/TRAIN-SALARIES	0.00	0.00	10,900.00	10,900.00	0.00
4706	OFFICER SALARIES	0.00	0.00	15,000.00	15,000.00	0.00
4707	FIREFIGHTERS SALARY	0.00	0.00	60,000.00	60,000.00	0.00
4708	DEFERRED COMPENSA	0.00	0.00	2,500.00	2,500.00	0.00
4709	MEDICAL-FIREFIGHTER	0.00	0.00	4,500.00	4,500.00	0.00
4727	OFFICE SUPPLIES	151.50	151.50	1,000.00	848.50	0.15
4728	BUILDING SUPPLIES	0.00	0.00	700.00	700.00	0.00
4740	OPERATING SUPPLIES	0.00	0.00	0.00	0.00	0.00
4741	EQUIPMENT SUPPLIES	306.66	306.66	8,000.00	7,693.34	0.04
4801	CONTRACT SERVICES	50.00	50.00	5,800.00	5,750.00	0.01
4820	80th Anniversary	0.00	0.00	0.00	0.00	0.00
4850	COMMUNICATIONS	499.07	499.07	3,420.00	2,920.93	0.15
4910	INSURANCE	11,988.00	11,988.00	26,000.00	14,012.00	0.46
4920	UTILITIES	1,698.73	1,698.73	17,000.00	15,301.27	0.10
4960	EDUCATION & TRAININ	278.84	278.84	4,562.00	4,283.16	0.06
4970	OFFICE EQUIPMENT	0.00	0.00	240.00	240.00	0.00
4976	FIRE EQUIPMENT	(8,173.10)	(8,173.10)	25,600.00	33,773.10	(0.32)
4978	FIRE EQUIP.-MAINT/REP	355.00	355.00	24,072.00	23,717.00	0.01
4979	FIRE EQUIPMENT-UPGR	0.00	0.00	0.00	0.00	0.00
4981	APPARATUS	0.00	0.00	0.00	0.00	0.00
4982	Loose Equip. New Apparat	0.00	0.00	0.00	0.00	0.00
4983	Misc. Upgrades	0.00	0.00	0.00	0.00	0.00
4984	COMPUTER EQUIPMENT	0.00	0.00	1,800.00	1,800.00	0.00
4988	COMPUTER SOFTWARE/	300.00	300.00	600.00	300.00	0.50
4999	RESERVE	0.00	0.00	0.00	0.00	0.00
	Total Expenses	15,140.34	15,140.34	264,994.00	249,853.66	0.06
	Net Income/ <Loss>	95,418.00	95,418.00	0.00		
3400	FUND BALANCE-Beginni	0.00	84,126.48	0.00		
	Fund Balance-End of Year	95,418.00	179,544.48	0.00		

AS OF: February 16, 2011
TO: Swartz Creek Area Fire Authority
RECORDED BY: Fire Chief Brent Cole
SUBJECT: Current Apparatus Readiness Status

Unit	Type	Assignment	Status
11	98 Pumper	Station 1	In service.
12	91 Pumper	Station 1	In service. Feb. 3: Drivers window crank broken Feb. 1. Ordered replacement Feb. 3 through Halt Fire.
16	91 Squad	Station 1	In service.
17	79 Grass Rig	Station 1	In service.
21	99 Pumper	Station 2	In service. Feb. 14: Received notice from Asst. Chief Merriam indicating the foam tank level indicator sensor (in the tank itself) is defective. OEM replacement ordered from Halt Fire. Feb. 15: Received call from Halt Fire to advise the OEM replacement requires an upgrade that costs an additional \$250.00 compared to the replacement sensor for just over \$500.00. Chief Cole requested quotes for presentation at the next Fireboard meeting for consideration.
23	92 Tanker	Station 2	In service. Jan. 20: BC King changed filters and oil.
26	93 Squad	Station 2	In service. Feb. 8: Oil changed. Spark plug wires need replacing. BC King to contact local repair facilities.
27	79 Grass Rig	Station 2	In service.

Request for Sealed Bid Service

Scope

The proper cleaning and decontamination of fire service turnout gear is a critical element in the safety of Firefighters and the maintenance of their equipment. This specialized cleaning presents unique challenges to Fire Departments that launder their own firefighting turn-out gear (referred to hereafter as TOG). The Swartz Creek Area Fire Department is requesting sealed bids for a heavy duty commercial washer/extractor that is designed to handle Fire Service requirements and meet these challenges necessary for proper cleaning/decontamination of this equipment.

Requirements for washer/extractor

Must be an energy efficient front load machine capable of laundering a minimum 3 complete sets (3 coats and 3 pants) of TOG per load.

Unit shall be highly programmable with at least 10 wash/extract programs that meet NFPA and TOG manufacturer requirements. The programming features shall include but not be limited to cycle timing, drum speed, and water temperatures on all cycles including wash, soak, and extract.

Extraction speed shall be capable of attaining 90G to 100G as recommended by TOG manufacturers, but may be capable of higher/lower speeds for other types of laundering.

Cleaning solutions shall be self injecting/inducing or metered to prevent over/under use of cleaning chemicals or solutions. This can be accomplished by metering from separate individual containers or on board tanks integral with the unit.

There shall be a mounting pedestal included in the quote but listed as a separate optional charge.

Sealed bid shall include complete delivery and installation to our location by your company. These charges shall be listed separately in the event the SCAFD chooses to install the unit.

Other Requirements

The Swartz Creek Area Fire Department reserves the right to accept or reject any or all sealed bids at their sole discretion with or without cause or notice.

All sealed bids submitted must include warranty information and a list of users in our area.

The deadline for the SCAFD to receive your sealed bid via certified mail or hand delivery is Friday, March 18, 2011 by 1PM EST, for opening at the regular meeting of the Swartz Creek Area Fire Authority on Monday, March 21, 2011, starting at 7PM.

Any questions regarding this request shall be directed to the Fire Chief within 3 working days of your receipt of this proposal. Acceptable hours are Monday thru Friday 8AM to 1 PM. Contact information is listed below.

Fire Chief Brent Cole
Swartz Creek Area Fire Department
8100-B Civic Dr.
Swartz Creek MI, 48473
(810)635-2300

Request for Sealed Bid Service

The Swartz Creek Area Fire Department is requesting sealed bids for 15 sets of turnout gear with modern style firefighting helmets. The accepted brands and models of turnout gear are listed below. An example of the acceptable style of helmet is the Bullard Firedome PX , but this specific brand is not a requirement.

Sperian Ultra-Motion
Janesville V-Force
Globe G-Xtreme

The gear that is quoted must meet or exceed all requirements listed below. Failure to meet any of the below listed requirements may constitute the sealed bid being rejected.

General

The coat and pants shall meet the following requirements:

The gear must be the latest design that increases mobility for the firefighter by allowing for the greatest range of motion while at the same time reducing stress and exertion to the user. Specific areas include but are not limited to the elbows, knees, shoulders, and waist.

Gear must meet all current NFPA standards including the latest revisions.

Construction materials shall be the following. Outer shell shall be of a minimum of 7oz. PBI Matrix, tan in color. Thermal liner shall be Glide II 2 layer made of virgin material. Moisture barrier shall be Crosstech double layer.

The liner systems shall be easily removable from the outer shell for maintenance and repair.

All seams (including but not limited to) closures, trim, patches, hooks, and Velcro shall be double stitched.

Garments shall have inspection ports to evaluate the integrity of the internal liners.

All closures shall be Velcro with the exception of the front closure on the pant and coat, which shall be inner zipper and outer Velcro.

Your Company must provide fitting for the selected members at our location at 2 dates and times of our choosing that is agreeable to both parties.

Coat

The coat shall meet the following requirements:

Short length coat while still maintaining the appropriate overlapping as required by the latest revision of NFPA during all ranges of motion.

A soft Drag Rescue Device that functions freely of the liner system and outer shell and shall have PBI cover flap labeled "DRD".

Lettering high on the center of the back of the coat reading "S C A F D" shall be Scotchlite 3-inch lime stitched onto the coat. Iron on or glued letters are not acceptable.

Reflective trim shall be "New York" style Scotchlite lime/silver triple trim.

A radio pocket with a drain hole in the bottom and Velcro closure on the right chest made from outer shell material. The pocket shall be 4" wide X 2" deep X 7" tall. There shall be a microphone loop made of outer shell or similar material for the purpose of securely hanging speaker mic above the radio pocket.

A reinforced snap hook and a reinforced D ring on the left chest.

Bellows style left and right pockets with drain holes in the bottom and Velcro closure. The pockets shall incorporate hand warmers.

Closure shall be zipper type with Velcro storm flap.

A 3" collar with Velcro closure designed for appropriate coverage while allowing full range of motion and comfort for the user.

Cuffs on the coat shall have standard wristlets.

Elbows shall be reinforced for added abrasion and moisture resistance.

An interior pocket on the inside left chest.

Internal liners in the arm shall include a material that prevents wicking of moisture from the wrist up the arm.

American flag patch on the left sleeve

Pants

The pants shall meet the following requirements:

Low rise type while still maintaining appropriate coverage as required in latest revision of NFPA.

Padded rip cord or parachute style adjustable suspenders.

One left and one right bellows style pocket with drain holes in the bottom that is 7" high X 7" wide X 2" deep with Velcro closure. Pockets shall be accessible while wearing the coat without having to lift the coat.

Knees shall be reinforced with a water and wear resistant material of the same or similar color.

Closure shall be zipper with Velcro storm flap.

Adjustable take up straps on the left and right waist.

A single strip of Scotchlite lime/silver triple trim around the lower leg.

Internal liners on the lower leg that come in contact with the boot shall be reinforced with a material that prevents wicking of moisture up the leg and unnecessary wear to the liner system.

Pants shall have a boot cut option that removes a portion of the lower rear pant that will prevent unnecessary wear to the pant from dragging on the ground or being abraded by firefighting boots.

Helmet

The helmet shall meet the following requirements:

The helmets must be NFPA complaint (to the latest revision) modern style firefighting helmets. Helmets shall have 4 inch visor, ratchet type adjustment, as well as ride adjustments including height and front/back. Helmet color will be determined at the time of order.

Additional requirements and information

Shipping charges must be included with the proposal and listed as a separate charge.

The Swartz Creek Area Fire Department reserves the right to accept or reject any or all bids at their sole discretion with or without notice or explanation.

The sealed bid that is submitted shall be good for not less than 90 days from the date that is awarded. Your quote must also indicate the size range covered by your pricing and any increases or deviations that fall outside these parameters.

Any questions or concerns that are deemed to may effect your proposal must be addressed with the SCAFD within 3 days of your company receiving the request for sealed bids. Questions can be addressed to Fire Chief Brent Cole at 810 635 2300 during normal business hours or via email at bdcole@scafd.com

Sealed bids must be returned certified mail or hand delivery and be received at the SCAFD no later than March 18, 2011 by 1300 EST. They shall be mailed to:

Fire Chief Brent Cole
Swartz Creek Area Fire Department
Attn: TOG proposal
8100-B Civic Dr.
Swartz Creek MI, 48473

Bids shall be opened at the regularly scheduled Fireboard meeting scheduled for March 21, 2011. The board may award a bid or decline to take action at this meeting pending a review of the proposals.

Request for Sealed Bid Service

The Swartz Creek Area Fire Department is requesting sealed bids for the following equipment. There are 5 packages that your company can bid on. Please treat each package as a separate quote.

Package 1

- 9 Motorola XTS5000 II model# H18UCF9PW6AN portable radio with Impress "smart" battery and charger and deluxe belt clip
- 9 Motorola XTS5000 model NMN6193C speaker microphone

Package 2

- 9 Motorola XTS5000 II model# H18UCF9PW6AN portable radio with Impress "smart" battery and charger and deluxe belt clip
- 9 Motorola XTS5000 model NMN6193C speaker microphone
- 9 Motorola Impress batteries with deluxe belt clip

Package 3

- 9 Motorola XTS5000 II model# H18UCF9PW6AN portable radio with Impress "smart" battery and charger and deluxe belt clip
- 9 Motorola XTS5000 model NMN6193C speaker microphone
- 9 Motorola Impress batteries with deluxe belt clip
- 1 Motorola bank charger capable of charging 6 radios or Impress batteries

Package 4

- 9 Motorola Impress batteries with deluxe belt clip

Package 5

- 1 Motorola bank charger capable of charging 6 radios or Impress batteries

General Information

Programming will be handled by the Swartz Creek Area Fire Department.

All prices, including shipping, shall be listed separately.

The Swartz Creek Area Fire Department reserves the right to accept or reject any or all sealed bids at their sole discretion with or without cause or notice.

The deadline for the SCAFD to receive your sealed bid via certified mail is March 18, 2011 by 1300 EST.

Sealed bids will be opened at the regularly scheduled Fireboard meeting March 21, 2011.

Any questions regarding this request shall be directed to the Fire Chief within 3 working days of your receipt of this proposal. Acceptable hours are Monday thru Friday 8AM to 1 PM. Contact information is listed below.

Fire Chief Brent Cole
RE: Radio Proposal
Swartz Creek Area Fire Department
8100-B Civic Dr.
Swartz Creek MI, 48473
(810)635-2300



OPTION # 1

Quotation

Quote Date: 02/15/2011
Quote #: 051907
FOB: Origin
PO #:
Ship Via: UPS Ground
Terms: Net 30
Quoted By: RAho

BILL TO:

Swartz Creek Fire Department
8100 B Civic Drive
Swartz Creek, Michigan 48473

Attention:

Phone #: 810-635-9751 Fax #: 810-635-7461

Job #: EB228

SHIP TO:

Swartz Creek Fire Department
8100 B Civic Drive
Swartz Creek, Michigan 48473

Line Item #	Product ID	Product Description	Quantity	Unit Cost	Extended Cost
001	1388542	GAUGE,WATER/FOAM	1	\$505.30	\$505.30
002	LABOR-MOBILE	MOBILE REPAIR LABOR EST. labor to install and calibrate foam gauge	5.5	\$72.00	\$396.00
003	FREIGHT	FREIGHT EST. freight to be determined at delivery	1	\$10.00	\$10.00
004	MILEAGE	MILEAGE	100	\$1.50	\$150.00
005	SHOP	MISC. SHOP SUPPLIES	1	\$10.00	\$10.00

Sub Total: \$1,071.30

Will need to verify room to install.



TERMS: NET 30; QUOTE VALID FOR 30 DAYS

50168 W. Pontiac Trail, Unit 5, Wixom, Michigan 48393 Phone: (248) 669-0800 Fax: (248) 669-8120



OP77011#2

Quotation

Quote Date: 02/15/2011

Quote #: 051900

FOB: Origin

PO #:

Ship Via: UPS Ground

Terms: Net 30

Quoted By: RAho

BILL TO:

Swartz Creek Fire Department
8100 B Civic Drive
Swartz Creek, Michigan 48473

Attention:

Phone #: 810-635-9751 Fax #: 810-635-7461

Job #: EB228

SHIP TO:

Swartz Creek Fire Department
8100 B Civic Drive
Swartz Creek, Michigan 48473

Line Item #	Product ID	Product Description	Quantity	Unit Cost	Extended Cost
001	60-6725	PROBE WATER/FOAM	1	\$490.50	\$490.50
002	1502653	AIR RELIEF FITTING	1	\$165.00	\$165.00
003	1376492	CONNECTOR,HARNES,PROBE	1	\$60.00	\$60.00
004	FREIGHT	FREIGHT EST. freight to be determined at delivery	1	\$25.00	\$25.00

Sub Total: \$740.50



TERMS: NET 30; QUOTE VALID FOR 30 DAYS

50168 W. Pontiac Trail, Unit 5, Wixom, Michigan 48393 Phone: (248) 669-0800 Fax: (248) 669-8120

SWARTZ CREEK AREA FIRE DEPARTMENT
 8100 B CIVIC DRIVE
 SWARTZ CREEK, MI 48473

INVOICE

Invoice Number: 021011
 Invoice Date: Feb 10, 2011
 Page: 1
 Duplicate

Voice: 810/635-2300
 Fax: 810/635-7461

Bill To:
CITY OF SWARTZ CREEK 8083 CIVIC DRIVE SWARTZ CREEK, MI 48473

Ship to:
CITY OF SWARTZ CREEK 8083 CIVIC DRIVE SWARTZ CREEK, MI 48473

Customer ID	Customer PO	Payment Terms
CITY01		Due at end of Month
Sales Rep ID	Shipping Method	Ship Date
	Courier	2/28/11

Quantity	Item	Description	Unit Price	Amount
242.63	FIRE02	FIRE SERVICE 01/2011	11.90	2,888.30
Subtotal				2,888.30
Sales Tax				
Total Invoice Amount				2,888.30
Payment/Credit Applied				
TOTAL				2,888.30

Check/Credit Memo No:

2888.30

SWARTZ CREEK AREA FIRE DEPARTMENT
 8100 B CIVIC DRIVE
 SWARTZ CREEK, MI 48473

INVOICE

Invoice Number: 021012
 Invoice Date: Feb 10, 2011
 Page: 1
 Duplicate

Voice: 810/635-2300
 Fax: 810/635-7461

Bill To:
CLAYTON TOWNSHIP 2011 MORRISH ROAD SWARTZ CREEK, MI 48473

Ship to:
CLAYTON TOWNSHIP 2011 MORRISH ROAD SWARTZ CREEK, MI 48473

Customer ID	Customer PO	Payment Terms
CLAY01		Due at end of Month
Sales Rep ID	Shipping Method	Ship Date
	Courier	2/28/11

Quantity	Item	Description	Unit Price	Amount
418.13	FIRE02	FIRE SERVICE 01/2011	11.96	4,999.92
Subtotal				4,999.92
Sales Tax				
Total Invoice Amount				4,999.92
Payment/Credit Applied				
TOTAL				4,999.92

Check/Credit Memo No:

4999.92

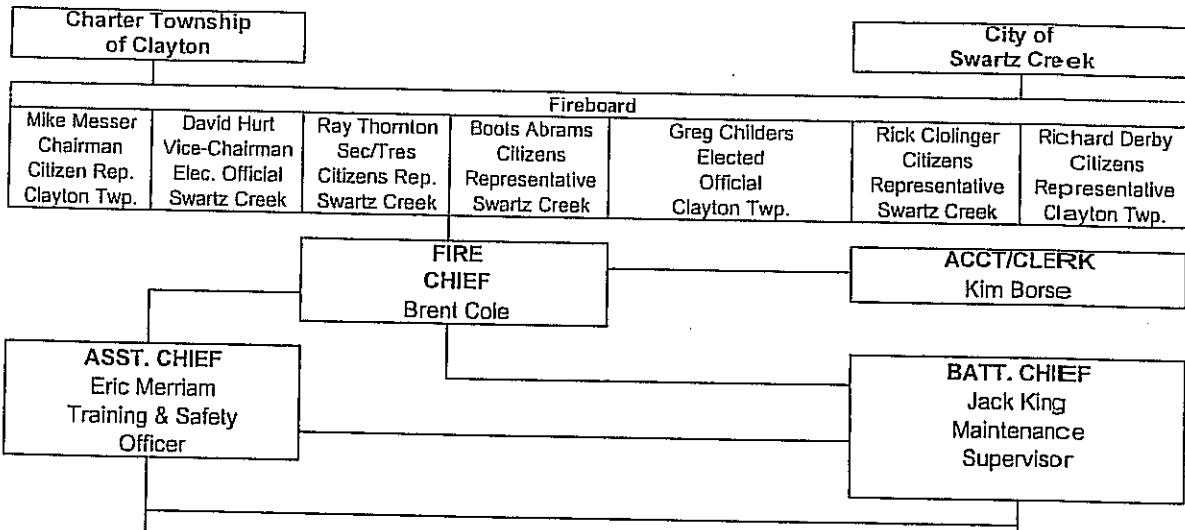
SWARTZ CREEK AREA FIRE DEPARTMENT
BILLS PAID LIST

31-Jan-11					
DATE:	CHECKS	PAYEE:	AMT	ACCT	TRANSACTION DESCRIPTION
1/3/2011	15832	BUSINESS MICRO RESOURCE	\$300.00	4988	FIRETOOLS UPDATES
1/3/2011	15833	CHARTER	\$56.11	4850	PHONE-STA 2
1/3/2011	15834	SCAFA	\$303.00	22024	ASSOC. DUES
1/3/2011	15835	FRIEND OF THE COURT	\$18.64	22026	FOC
1/3/2011	15836	I.A.A.I	\$30.00	4960	MEMBERSHIP
1/3/2011	15837	ICMA	\$276.63	22023	DF COMP EE PORTION
		(INTERNL CITY/COUNTY MGT ASSOC.)	\$211.25	4708	DF COMP EE PORTION
1/3/2011	15838	ASSOC OF FIRE CHIEFS	\$85.00	4960	MEMBERSHIP
1/10/2011	15839	ALLIED ON-LINE SERVICES	\$92.00	4850	DOMAIN NAME
1/10/2011	15840	ICMA	\$70.00	22023	DF COMP EE PORTION
1/10/2011	15841	MML	\$150.00	4960	MEMBERSHIP
1/10/2011	15842	SOUTHEAST EQUIPMENT	\$300.65	4978	AIR QUALITY
1/10/2011	15843	STATE OF MICHIGAN	\$399.09	22022	12/10 STATE TAX
1/10/2011	15844	STEVENSON COMPANY	\$11,958.00	4910	FLEET INSURANCE
1/10/2011	15845	SUBURBAN AUTO	\$46.22	4741	EQUIPMENT SUPPLIES
1/10/2011	15848	VALLEY PETROLEUM	\$144.47	4741	FUEL
1/17/2011	15847	COMCAST	\$188.85	4850	PHONE/INTERNET-STA 1
1/17/2011	15848	CONSUMERS ENERGY	\$727.28	4920	UTILITIES-STA 2
1/17/2011	15849	DOUGLASS SAFETY	\$13.40	4741	HELMET STICKERS
			\$7.13	4727	SHIPPING
1/17/2011	15850	PETTY CASH	\$25.00	4850	CLEANING-TRUDY ONORE
			\$49.05	4727	OFFICE SUPPLIES/POSTAGE
1/17/2011	15851	SAMS CLUB	\$35.00	4960	MEMBERSHIP
1/17/2011	15852	VISA	\$352.04	4960	TABLES/REFRESH/TRAIN SUPPLIES
			\$118.93	4741	EQUIPMENT SUPPLIES
			\$24.89	4728	PAPER PRODUCTS
			\$138.25	4727	INK/TONER
			\$108.00	4850	CELL PHONE
1/25/2011	15853	CITY OF SWARTZ CREEK	\$1,011.86	4920	UTILITIES-STA 1
1/25/2011	15854	DOUGLASS SAFETY	\$170.00	4978	MIA POSICHECK
			\$34.36	4727	SHIPPING
1/25/2011	15855	I.A.A.I	\$20.00	4980	MEMBERSHIP-PD SHORT
1/25/2011	15856	LOWES	\$119.88	4741	LADDER ROPE/HAZ MAT SUPPLIES
1/25/2011	15857	VALLEY PETROLEUM	\$209.70	4741	FUEL
1/25/2011	15858	ZEP	\$63.98	4741	TRUCK SOAP
			\$14.52	4727	SHIPPING
1/25/2011	15859	ICMA	\$70.00	22023	DF COMP EE PORTION
1/31/2011	15860	CHARTER	\$56.11	4850	PHONE-STA 2
1/31/2011	15861	TRUDY ONORE	\$25.00	4891	CLEANING-STA 1
1/31/2011	15862	P&W	\$185.00	4978	PAGER REPAIR
			\$12.75	4727	SHIPPING
1/31/2011	15863	UNEMPLOY. AGENCY	\$5,130.19	4703	UNEMPLOYMENT PAYMENT
			(\$399.09)	22022	12/10 STATE TAX PAYABLE
			\$1,988.58	22021	01/10 SOC SEC PAYABLE
			\$308.75	22022	01/10 STATE TAX PAYABLE
			\$4,687.76	1002	01/05 PAYROLL
			\$916.47	1002	01/12 PAYROLL
			\$1,087.98	1002	01/28 PAYROLL
		PAYROLL	(\$7,441.81)	4703-4708	12/10 PAYROLL ACCRUAL
		CLAYTON TWP	(\$40.51)	4920	12/10 ACCRUAL
		MML	(\$150.00)	4960	12/10 ACCRUAL
		SOUTHEAST EQUIPMENT	(\$300.65)	4978	12/10 ACCRUAL
		SUBURBAN AUTO	(\$48.22)	4741	12/10 ACCRUAL
		VALLEY PETROLEUM	(\$144.47)	4741	12/10 ACCRUAL
		VISA	(\$491.57)	4272/4741/4960/4728	12/10 ACCRUAL
		LOWES	(\$89.72)	4741	12/10 ACCRUAL
		GIL ROYS	(\$9.36)	4741	12/10 ACCRUAL
		DOUGLASS SAFETY	(\$8,173.10)	4978	12/10 ACCRUAL
		TOTAL	\$15,140.34		

VOID CHECKS:

Swartz Creek Area Fire Department

Organization Chart



STATION 1				STATION 2			
Capt. Steve Tabit - Quarter Master				Capt. Dave Plumb - Asst. Qtrmstr, Coordinator, Run % Monitor			
Lt. Mike Treiger - Fire Prevention & Station 1 Assignments				Lt. Dave Jones - Vehicle Inspections & Station 2 Assignments			
Lt. Brendt Cole - Medical & Rehab Supplies				Lt. Rich Tesner - Uniforms			
	Leave Expires	Dir. Res. Start	Off Prob.		Leave Expires	Dir. Res. Start	Off Prob.
FF Rod Armstrong				SGT James Barr II			
FF Greg Baker				FF Anthony Davis		01/18/05	
FF James Bowers	5/9/2010			<i>FF Lori McKerracher</i>		05/31/01	04/18/10
FF Rick Castano				FF Tim McKnight			
<i>FF Leah Farnsworth</i>			09/20/11	<i>FF Dan Merriam</i>			06/21/11
FF Tiffany Forbes				FF Karen Merriam			
<i>FF Chad Thornton</i>			08/16/11	FF Mark Merriam			
FF Daniel Hill				FF Ann Samida			
FF Jeffery Jarrad				FF Bill Samida			
FF Jeffrey Kelley				FF Steve Webster			
FF Todd Kimbrue				FF Joe Yambrick		7/20/09	
<i>FF Dale Link</i>			03/21/10				
FF Scott Martin							
FF Walter Melen							
FF Brian Scott	08/01/11						
SGT Kevin VanArsdale		04/15/04					
FS Bob Plumb							
RO Valerie Dow							
On personal leave/Medical=			2	On personal leave/Medical=			0
Suspended=			0	Suspended=			0
Non-Probationary Total =			11	Non- Probationary =			9
Probationary Total =			3	Probationary =			2
Firefighter Subtotal =			16	Firefighter Subtotal =			11
Radio Operators =			1	Radio Operators =			0
Support =			1	Support =			0
Station Personnel Total =			18	Station Personnel Total =			11

(1) probation to be extended due to medical leave

Total Officers =	9
Total Firefighters=	27
Support	1
Radio Operators =	1
Total =	38

Name in italics = probationary status

Font = Suspension

Font = Leave of absence or sick leave

Updated: 2/1/2011

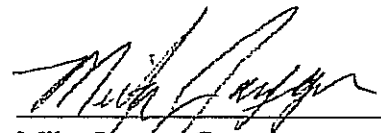
Officers (Excluding Sergeants) =	9
Active non-probationary =	20
Active probationary =	5
Active Radio Operators =	1
Support	1
Suspended=	0
Medical or extended leave =	2
Total dept. force =	38

Gaines Township Fire Department
9255 Grand Blanc Road Gaines, Michigan 48436
(313) 635-8000



Swartz Creek Area Fire Dept
8100 Civic Dr.
Swartz Creek, Mi. 48473

I would like to thank the members of the Swartz Creek Area Fire Dept. for their assistance at our fire at 11487 Reid Rd. Your quick response with water and manpower assisted in greatly reducing the property damage to the resident. Your department members demonstrated their professionalism, skills and ability and reaffirmed the need for automatic mutual aid.


Mike Jagger, Captain
Gaines Twp. Fire Dept

Thursday, January 27, 2011

From: Mac Cheney – Fire Chief, Genesee Township Fire Department #2

Subject: Denny's Market Fire

We would like to extend our appreciation for the assistance of all those involved in the early morning fire at Denny's Market on Richfield Road and Belsay Road. The firefighters efforts and long hours show that they are dedicated to the service and represent the strong force that holds the fire departments together.

Our Township Supervisor, Steve Fuhr, has requested the names of all the firefighters that were at the scene. If each Fire Chief could send a list of name to our department, it would be greatly appreciated. Please send names to Mac Cheney at gtfd22512@sbcglobal.net.

Again, we would like to thank everyone involved.

Sincerely,

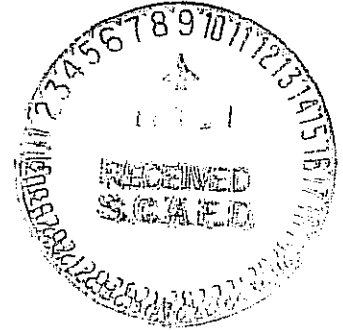
Fredrick "Mac" Cheney, Fire Chief
Genesee Township Fire Department #2

BURNS TOWNSHIP FIRE DEPARTMENT

10355 E. BATH RD.
BYRON, MI. 48418
PH: 810-266-5220

Fire Chief Richard Musall
Ph: 810-266-5220
Station800@byron.org

Swartz Creek Area Fire Department



To: Swartz Creek Area, Fire Fighters

Burns Twp. Fire Fighter's would like to thank you for your assistance to our Department, January 27th . 2011. Your man power and equipment was very much appreciated. We received mutual Aid from 9 Fire departments.

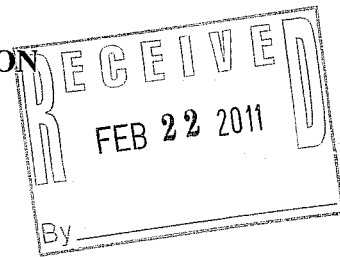
Thank You,

Fire Chief
Rick Musall

A handwritten signature in cursive script that reads "Rick Musall".

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-16543



- The Michigan Public Service Commission will be conducting regulatory reviews, revisions, determinations and/or approvals necessary for Consumers Energy Company to fully comply with certain provisions of Public Act 295 of 2008.
- The rates, terms and conditions associated with the implementation of a renewable energy plan, among other issues, will be considered in Case No. U-16543.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: March 7, 2011, at 9:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Theresa A. Sheets

LOCATION: Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the February 24, 2011 application of Consumers Energy Company (Consumers Energy), which seeks approval to Amend its Renewable Energy Plan (REP) approved in Case No. U-15805.

Consumers Energy's application seeks approval of an Amended REP, which is a 20 year plan for achieving compliance with the provisions of 2008 PA 295. The plan includes estimates of the amount of renewable energy that Consumers Energy needs to obtain in order to meet the renewable energy standards established by that act, a description of the manner in which the

Company intends to acquire that renewable energy, and estimates of the costs of doing so. The application seeks approval of Renewable Energy surcharges to recover these costs in amounts not to exceed the following charges:

Rate Schedule

Residential Rates \$ 2.50/billing meter

Rate Gs and GSD⁽¹⁾

Tier 1: 0 - 1,250 kWh/mo.	
Commercial	\$ 3.70/billing meter
Industrial	\$ 4.00/billing meter
Tier 2: 1,251 – 5,000 kWh/mo.	
Commercial	\$ 14.00/billing meter
Industrial	\$ 15.00/billing meter
Tier 3: 5,001 – 30,000 kWh/mo.	
Commercial	\$ 16.58/billing meter
Industrial	\$140.00/billing meter
Tier 4: 30,001 – 50,000 kWh/mo.	
Commercial	\$ 16.58/billing meter
Industrial	\$140.00/billing meter
Tier 5: > 50,000 kWh/mo.	
Commercial	\$ 16.58/billing meter
Industrial	\$140.00/billing meter

Rate GP and GPD⁽¹⁾

Tier 1: 0 – 5,000 kWh/mo.	\$ 15.00/billing meter
Tier 2: 5,001 – 10,000 kWh/mo.	\$187.50/billing meter
Tier 3: 10,001- 30,000 kWh/mo.	\$187.50/billing meter
Tier 4: 30,001 – 50,000 kWh/mo.	\$187.50/billing meter
Tier 5: > 50,000 kWh/mo.	\$187.50/billing meter

Rate E-1

Rate GSG-1, GSG-2

Rate GML

Tier 1: 0 – 1,250 kWh/mo.	\$ 3.00/billing meter
Tier 2: 1,251 – 5,000 kWh/mo.	\$ 9.00/billing meter
Tier 3: > 5,000 kWh/mo.	\$ 15.00/billing meter

Rate GUL

\$.64/luminaire

Rate GU-XL

\$.64/luminaire

Rate GU

Tier 1: 0 – 1,250 kWh/mo.	\$ 1.00/billed account
Tier 2: 1,251 – 5,000 kWh/mo.	\$ 7.00/billed account
Tier 3: > 5,000 kWh/mo.	\$ 13.00/billed account

Rate PA

NA

Rate ROA-R, ROA-S, ROA-P

NA

¹ Customers taking the Municipal Pumping Service Provision shall be excluded from the Renewable Energy Plan Surcharge.

All Surcharges shall be applied on a monthly basis. The customer's consumption will be reviewed annually in the January bill month. Following the annual review, the customer may be subsequently moved to the Surcharge level for their applicable rate for the next billing period based on the customer's average consumption for the previous year. In situations where no historical consumption is available, the monthly Surcharge level will be based on the lowest consumption category for the secondary rate schedules or the lowest consumption category for primary rate schedules. No retroactive adjustment will be made due to the application of the REP or Energy Optimization (EO) Surcharges associated with increases or decreases in consumption.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by February 28, 2011. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's attorney, Raymond McQuillan, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his/her wish to make a statement of position. All information submitted to the Commission in this matter will become public information: available on the Michigan Public Service Commission's website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

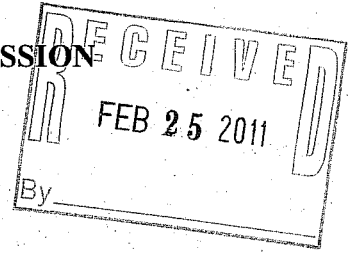
A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company, One Energy Plaza, Jackson, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 2008 PA 295, MCL 460.1001 et seq., and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

February 10, 2011

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-16536



- Consumers Energy Company is requesting that the Michigan Public Service Commission approve its depreciation accrual rates for accounting and ratemaking purposes for the Company's electric other production (wind) utility plant.
- The information below describes how a person may participate in this case.
- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: March 9, 2011, at 9:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Theresa A. Sheets

LOCATION: Michigan Public Service Commission
6545 Mercantile Way, Suite 7
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider the January 28, 2011 application of Consumers Energy Company (Consumers Energy), which seeks approval of its depreciation accrual rates for accounting and ratemaking purposes for its electric other production (wind) utility plant.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by March 2, 2011. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's attorney, Jon R. Robinson, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his/her wish to make a statement of position. All information submitted to the Commission in this matter will become public information: available on the Michigan Public Service Commission's website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company, One Energy Plaza, Jackson, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 2008 PA 295, MCL 460.1001 et seq., and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

February 16, 2011



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LANSING

ANDREW S. LEVIN
ACTING DIRECTOR

February 24, 2011

Mr. Paul Bueche
City Manager
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

Dear Mr. Bueche:

Thank you for the cooperation extended to my staff during the Conservation Section's on-site review of the City of Swartz Creek Multi-Purpose grant (BES-10-112) conducted on September 1, 2010. The review included the following items:

- I. Administration
- II. ARRA Terms & Conditions, as applicable
 - a. Davis Bacon Act
 - b. Buy American
- III. Programmatic Review
- IV. Financial Review
- V. Annual Report
- VI. Work Completed

The monitoring effort was limited to review procedures that are less comprehensive in scope than those conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS). Accordingly, subsequent audits conducted in accordance with GAGAS may disclose additional deficiencies and/or unallowable costs not included in this report.

Based on the review no deficiencies were identified and no further response is required.

If you have any questions regarding the information in the report, please contact Shelly Shinevar at (517) 241-4271.

Sincerely,

Jan Patrick, Supervisor
Conservation Section

cc: Adam Zettel



Paul Bueche

City Manager

pbueche@cityofswartzcreek.org

17-February-2011

Ms. JENIFER BOYER

Emergency Management Manager
Genesee County Sheriff's Department
1002 South Saginaw Street
Flint, Michigan 48502

Re: Homeland Security Grant, Early Warning Siren Narrow Band Upgrade

Dear **Ms. BOYER**,

Please accept this correspondence as the City's interest in participating in Homeland Security's Early Warning Siren, Narrow Band Upgrade Grant. As your records accurately reflect, we have five total sirens, three being Federal 2001 and two Federal 5AT. As of writing, we do not know the total upgrade costs as they may pertain to the two different models. We are willing to pay match portions of the cost for upgrade.

Should you need additional, please feel free to contact me. In advance, your time and attention is appreciated.

Sincerely,

PAUL BUECHE

City Manager
(810)-635-4464

8083 Civic Drive

Swartz Creek Michigan 48473

Phone: (810)-635-4464

Fax: (810)-635-2887

www.cityofswartzcreek.org

ftp://cityofswartzcreek.org

Paul Bueche

From: Mikula, Steven T. [stmikula@marathonoil.com]

Sent: Wednesday, February 16, 2011 5:46 PM

To: Paul Bueche

Subject: Marathon Unit # 1937 - Swartz Creek, MI

Paul,

Per our phone conversation this afternoon (Wednesday, February 16, 2011) we discussed Marathon's proposal to assist the City of Swartz Creek with the property of the former Marathon Station # 1937 located at 7026 Miller and Elm in Swartz Creek, MI.

Marathon proposed the following plan and understood that you agreed, pending the approval from the Board in the upcoming meeting on February 28th, 2011.

The City of Swartz Creek (CSC) will Deed the former station property back to Marathon (MPC) for the purchases price of \$1.00 along with an agreement to perform remedial activities and sell the property for redevelopment purposes.

MPC will remove all of the Underground Storage Tanks (USTs), all associated product lines, and the hydraulic lifts in the service bay at our own expense. MPC will over excavate and remove any grossly impacted soil that is encountered.

MPC with the help of CSC will locate a potential buyer and sell the property and make sure the interested buyer either razes the existing building or remodels it per the approval of CSC.

MPC will perform the work in an expedited and responsible manner.

MPC will wait to begin any work until formal word has been received by CSC.

Please contact me with any questions or concerns.

Thank you,

[Steve Mikula](#)

Environmental Technical Services

Marathon Oil Company

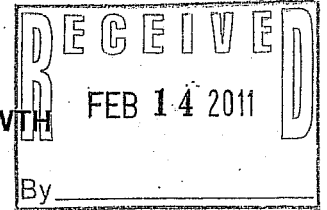
Telephone: 419-421-2659

Mobile: 419-306-7034

Fax: 419-421-4026

STMikula@MarathonOil.com

STATE OF MICHIGAN
DEPARTMENT OF ENERGY LABOR & ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL



General Motors Corporation,
Petitioner(s)

v

City of Swartz Creek,
Respondent(s)

MTT Docket No. 0367177

TRIBUNAL JUDGE PRESIDING
Patricia L. Halm

CONSENT JUDGMENT

The Tribunal, having reviewed the attached parties' prepared Consent Judgment and having reviewed the file in the above-captioned case, finds that the attached parties' prepared Consent Judgment is accepted by the Tribunal.

IT IS ORDERED that the subject property's true cash, state equalized value, assessed value and taxable values shall be revised for the tax year at issue as provided in the attached parties' prepared Consent Judgment of this judgment.

IT IS FURTHER ORDERED that the officer charged with keeping the assessment rolls for the tax year at issue shall correct or cause the assessment rolls to be corrected to reflect the property's revised true cash, state equalized, assessed and taxable values as provided in the attached parties' prepared Consent Judgment of this judgment within 20 days of the entry of this judgment, subject to the processes of equalization. See MCL 205.755. To the extent that the final level of assessment for a given year has not yet been determined and published, the assessment rolls shall be corrected once the final level is published or becomes known.

IT IS FURTHER ORDERED that the officer charged with collecting or refunding the affected taxes shall collect taxes and any applicable interest or issue a refund as required by this Order within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. The refund shall also separately indicate the amount of the taxes, fees, penalties, and interest being refunded. A sum determined by the Tribunal to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of its payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of the Tribunal's order. As provided in 1994 PA 254, being MCL 205.737, as amended, interest shall accrue for periods after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, interest rate of the 94-day discount treasury bill rate for the first Monday in each month plus 1%. As provided in 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for periods after January 1, 1996 at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995 at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996 at

Consent Judgment, Page Two
General Motors Corporation v City of Swartz Creek
MTT Docket No. 0367177

the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997 at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998 at the rate of 6.01% for calendar year 1999, (v) after December 31, 1999 at the rate of 5.49% for calendar year 2000, (vi) after December 31, 2000 at the rate of 6.56% for calendar year 2001, (vii) after December 31, 2001 at the rate of 5.56% for calendar year 2002, (viii) after December 31, 2002 at the rate of 2.78% for calendar year 2003, (ix) after December 31, 2003 at the rate of 2.16% for calendar year 2004, (x) after December 31, 2004 at the rate of 2.07% for calendar year 2005, (xi) after December 31, 2005 at the rate of 3.66% for calendar year 2006, (xii) after December 31, 2006 at the rate of 5.42% for calendar year 2007, and (xiii) after December 31, 2007 at the rate of 5.81% for calendar year 2008, (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009, (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010, and (xvi) after December 31, 2010, at the rate of 1.12% for calendar year 2011. (See attached parties' prepared Consent Judgment.)

See attached parties' prepared Consent Judgment for any possible refund paragraph.

MICHIGAN TAX TRIBUNAL

By Patricia L. Haem

Entered: FEB 10 2011

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL

GENERAL MOTORS CORPORATION,

Petitioner,

v.

MTT Docket No. 367177

SWARTZ CREEK,

Respondent.

_____ /

CONSENT JUDGMENT

TRIBUNAL JUDGE
PRESIDING

A stipulation has been entered into between petitioner and respondent, for settlement purposes only and for only the tax years involved and for no other purpose whatsoever. They have agreed to the taxable value(s) and state equalized value(s) of Industrial Real and Personal Property in the amount(s) shown on the attached schedule and revising the 2009 taxable value(s), assessment(s) and state equalized value(s), as shown on the attached schedule, to be entered on the assessment rolls; and

The stipulation has been accepted by the Michigan Tax Tribunal, and

IT IS HEREBY ORDERED AND ADJUDGED that the officer charged with keeping the assessment rolls for the years shown above shall

correct or cause the assessment rolls to be corrected to reflect assessment(s), taxable value(s) and state equalized value(s) in the amounts shown on the attached schedule, subject to the process of equalization, within 20 days after entry of this Judgment. The resulting assessment(s), as equalized, shall equal but shall not exceed 50% of the true cash value.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with keeping the tax rolls shall correct or cause the tax rolls to be corrected in accordance with the above-ordered correction of assessment.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with collecting or refunding the affected tax shall collect taxes and any applicable interest or issue a refund as required by this judgment within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. A sum determined to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Order. As provided in 1994 PA 254 and 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for period after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, at an interest rate set monthly at a per annum rate based on the auction rate of the 91-day discount treasury bill rate for the first Monday in each month, plus 1%. After January 1, 1996, interest shall accrue at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995, at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996, at the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997, at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998, at the rate of 6.01% for calendar year 1999 and (v) after December 31, 1999, at the rate of 5.49% for calendar year 2000, and (vi) after

December 31, 2000, at the rate of 6.56% for calendar year 2001; and (vii) after December 31, 2001, at the rate of 5.56% for calendar year 2002; and (viii) after December 31, 2002, at the rate of 2.78% for calendar year 2003; (ix) after December 31, 2003, at the rate of 2.16% for calendar year 2004; (x) after December 31, 2004, at the rate of 2.07% for calendar year 2005; (xi) after December 31, 2005, at the rate of 3.66 % for calendar year 2006; (xii) after December 31, 2006, at the rate of 5.42% for calendar year 2007; (xiii) after December 31, 2007, at the rate of 5.81% for calendar year 2008; (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009; and (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010. Notwithstanding any other provision herein, Petitioner waives interest on the refund provided all other amounts due under this Judgment are paid within 42 days of the Judgment's entry.

IT IS FURTHER ORDERED AND ADJUDGED that refunds shall be made payable to Petitioner named herein and sent to Troy Kennedy, General Motors, 300 Renaissance Center, Mail Code 482-C16-B16, Detroit, Michigan 48265-3000. The officer making the refund shall charge back such refund (including interest and collection fee) to all units in the same proportion as it was originally distributed. The chargeback may be made prior to or subsequent to the payment of the refund. However, said refund shall be made within 42 days after entry of this judgment.

The property is located in Swartz Creek, Genesee County, Swartz Creek Community Schools and Genesee ISD.

MICHIGAN TAX TRIBUNAL

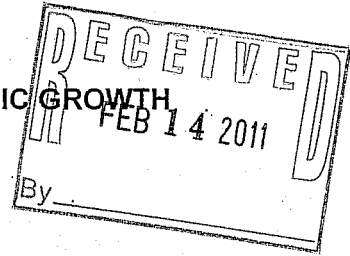
Entered:

Department of Energy, Labor and Economic Growth
Michigan Tax Tribunal
Schedule for Consent Judgment
General Motors Corporation v Swartz Creek
MTT Docket # 367177

Property Tax Code	Year	Original Assessed Value	Original SEV	Original Taxable Value
58-29-300-008	2009	\$ 345,300	\$ 345,300	\$ 345,300
58-29-551-024	2009	\$ 96,900	\$ 96,900	\$ 96,900
58-31-526-009	2009	\$ 11,900	\$ 11,900	\$ 9,900
58-80-313-004	2009	\$ 700,800	\$ 700,800	\$ 700,800
	2009	\$ 1,154,900	\$ 1,154,900	\$ 1,152,900

Property Tax Code	Year	Revised Assessed Value	Revised SEV	Revised Taxable Value
58-29-300-008	2009	\$ 200,000	\$ 200,000	\$ 200,000
58-29-551-024	2009	\$ 96,900	\$ 96,900	\$ 96,900
58-31-526-009	2009	\$ 9,900	\$ 9,900	\$ 9,900
58-80-313-004	2009	\$ 350,400	\$ 350,400	\$ 350,400
	2009	\$ 657,200	\$ 657,200	\$ 657,200

STATE OF MICHIGAN
DEPARTMENT OF ENERGY LABOR & ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL



General Motors Corporation,
Petitioner(s)

v

City of Swartz Creek,
Respondent(s)

MTT Docket No. 0367560

TRIBUNAL JUDGE PRESIDING
Patricia L. Halm

CONSENT JUDGMENT

The Tribunal, having reviewed the attached parties' prepared Consent Judgment and having reviewed the file in the above-captioned case, finds that the attached parties' prepared Consent Judgment is accepted by the Tribunal.

IT IS ORDERED that the subject property's true cash, state equalized value, assessed value and taxable values shall be revised for the tax year at issue as provided in the attached parties' prepared Consent Judgment of this judgment.

IT IS FURTHER ORDERED that the officer charged with keeping the assessment rolls for the tax year at issue shall correct or cause the assessment rolls to be corrected to reflect the property's revised true cash, state equalized, assessed and taxable values as provided in the attached parties' prepared Consent Judgment of this judgment within 20 days of the entry of this judgment, subject to the processes of equalization. See MCL 205.755. To the extent that the final level of assessment for a given year has not yet been determined and published, the assessment rolls shall be corrected once the final level is published or becomes known.

IT IS FURTHER ORDERED that the officer charged with collecting or refunding the affected taxes shall collect taxes and any applicable interest or issue a refund as required by this Order within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. The refund shall also separately indicate the amount of the taxes, fees, penalties, and interest being refunded. A sum determined by the Tribunal to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of its payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of the Tribunal's order. As provided in 1994 PA 254, being MCL 205.737, as amended, interest shall accrue for periods after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, interest rate of the 94-day discount treasury bill rate for the first Monday in each month plus 1%. As provided in 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for periods after January 1, 1996 at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995 at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996 at

Consent Judgment, Page Two
General Motors Corporation v City of Swartz Creek
MTT Docket No. 0367560

the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997 at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998 at the rate of 6.01% for calendar year 1999, (v) after December 31, 1999 at the rate of 5.49% for calendar year 2000, (vi) after December 31, 2000 at the rate of 6.56% for calendar year 2001, (vii) after December 31, 2001 at the rate of 5.56% for calendar year 2002, (viii) after December 31, 2002 at the rate of 2.78% for calendar year 2003, (ix) after December 31, 2003 at the rate of 2.16% for calendar year 2004, (x) after December 31, 2004 at the rate of 2.07% for calendar year 2005, (xi) after December 31, 2005 at the rate of 3.66% for calendar year 2006, (xii) after December 31, 2006 at the rate of 5.42% for calendar year 2007, and (xiii) after December 31, 2007 at the rate of 5.81% for calendar year 2008, (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009, (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010, and (xvi) after December 31, 2010, at the rate of 1.12% for calendar year 2011. **(See attached parties' prepared Consent Judgment.)**

See attached parties' prepared Consent Judgment for any possible refund paragraph.

MICHIGAN TAX TRIBUNAL

By Patricia L. Nalms

Entered: FEB 10 2011

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL

GENERAL MOTORS CORPORATION,

Petitioner,

v.

MTT Docket No. 367560

SWARTZ CREEK,

Respondent.

CONSENT JUDGMENT

TRIBUNAL JUDGE
PRESIDING

A stipulation has been entered into between petitioner and respondent, for settlement purposes only and for only the tax years involved and for no other purpose whatsoever. They have agreed to the taxable value(s) and state equalized value(s) of Industrial Real and Personal Property in the amount(s) shown on the attached schedule and revising the 2009 taxable value(s), assessment(s) and state equalized value(s), as shown on the attached schedule, to be entered on the assessment rolls; and

The stipulation has been accepted by the Michigan Tax Tribunal, and

IT IS HEREBY ORDERED AND ADJUDGED that the officer charged with keeping the assessment rolls for the years shown above shall

correct or cause the assessment rolls to be corrected to reflect assessment(s), taxable value(s) and state equalized value(s) in the amounts shown on the attached schedule, subject to the process of equalization, within 20 days after entry of this Judgment. The resulting assessment(s), as equalized, shall equal but shall not exceed 50% of the true cash value.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with keeping the tax rolls shall correct or cause the tax rolls to be corrected in accordance with the above-ordered correction of assessment.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with collecting or refunding the affected tax shall collect taxes and any applicable interest or issue a refund as required by this judgment within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. A sum determined to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Order. As provided in 1994 PA 254 and 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for period after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, at an interest rate set monthly at a per annum rate based on the auction rate of the 91-day discount treasury bill rate for the first Monday in each month, plus 1%. After January 1, 1996, interest shall accrue at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995, at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996, at the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997, at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998, at the rate of 6.01% for calendar year 1999 and (v) after December 31, 1999, at the rate of 5.49% for calendar year 2000, and (vi) after

December 31, 2000, at the rate of 6.56% for calendar year 2001; and (vii) after December 31, 2001, at the rate of 5.56% for calendar year 2002; and (viii) after December 31, 2002, at the rate of 2.78% for calendar year 2003; (ix) after December 31, 2003, at the rate of 2.16% for calendar year 2004; (x) after December 31, 2004, at the rate of 2.07% for calendar year 2005; (xi) after December 31, 2005, at the rate of 3.66 % for calendar year 2006; (xii) after December 31, 2006, at the rate of 5.42% for calendar year 2007; (xiii) after December 31, 2007, at the rate of 5.81% for calendar year 2008; (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009; and (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010. Notwithstanding any other provision herein, Petitioner waives interest on the refund provided all other amounts due under this Judgment are paid within 42 days of the Judgment's entry.

IT IS FURTHER ORDERED AND ADJUDGED that refunds shall be made payable to Petitioner named herein and sent to Troy Kennedy, General Motors, 300 Renaissance Center, Mail Code 482-C16-B16, Detroit, Michigan 48265-3000. The officer making the refund shall charge back such refund (including interest and collection fee) to all units in the same proportion as it was originally distributed. The chargeback may be made prior to or subsequent to the payment of the refund. However, said refund shall be made within 42 days after entry of this judgment.

The property is located in Swartz Creek, Genesee County, Swartz Creek Community Schools and Genesee ISD.

MICHIGAN TAX TRIBUNAL

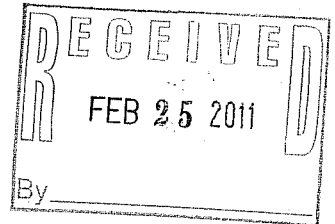
Entered:

Department of Energy, Labor and Economic Growth
Michigan Tax Tribunal
Schedule for Consent Judgment
General Motors Corporation v Swartz Creek
MTT Docket # 367560

Property Tax Code	Year	Original Assessed Value	Original SEV	Original Taxable Value
58-29-300-007	2009	\$ 26,556,100	\$ 26,556,100	\$ 26,556,100
58-30-400-002	2009	\$ 11,559,500	\$ 11,559,500	\$ 11,559,500
58-80-322-560	2009	\$ 9,996,100	\$ 9,996,100	\$ 9,996,100
	2009	\$ 48,111,700	\$ 48,111,700	\$ 48,111,700

Property Tax Code	Year	Revised Assessed Value	Revised SEV	Revised Taxable Value
58-29-300-007	2009	\$ 13,744,000	\$ 13,744,000	\$ 13,744,000
58-30-400-002	2009	\$ 5,890,000	\$ 5,890,000	\$ 5,890,000
58-80-322-560	2009	\$ 6,849,000	\$ 6,849,000	\$ 6,849,000
	2009	\$ 26,483,000	\$ 26,483,000	\$ 26,483,000

STATE OF MICHIGAN
DEPARTMENT OF ENERGY LABOR & ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL



General Motors LLC,)	
Petitioner(s))	
)	
v)	MTT Docket No. 0388331
)	
City of Swartz Creek,)	<u>TRIBUNAL JUDGE PRESIDING</u>
Respondent(s))	Patricia L. Halm

CONSENT JUDGMENT

The Tribunal, having reviewed the attached parties' prepared Consent Judgment and having reviewed the file in the above-captioned case, finds that the attached parties' prepared Consent Judgment is accepted by the Tribunal.

IT IS ORDERED that the subject property's true cash, state equalized value, assessed value and taxable values shall be revised for the tax year at issue as provided in the attached parties' prepared Consent Judgment of this judgment.

IT IS FURTHER ORDERED that the officer charged with keeping the assessment rolls for the tax year at issue shall correct or cause the assessment rolls to be corrected to reflect the property's revised true cash, state equalized, assessed and taxable values as provided in the attached parties' prepared Consent Judgment of this judgment within 20 days of the entry of this judgment, subject to the processes of equalization. See MCL 205.755. To the extent that the final level of assessment for a given year has not yet been determined and published, the assessment rolls shall be corrected once the final level is published or becomes known.

IT IS FURTHER ORDERED that the officer charged with collecting or refunding the affected taxes shall collect taxes and any applicable interest or issue a refund as required by this Order within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. The refund shall also separately indicate the amount of the taxes, fees, penalties, and interest being refunded. A sum determined by the Tribunal to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of its payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of the Tribunal's order. As provided in 1994 PA 254, being MCL 205.737, as amended, interest shall accrue for periods after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, interest rate of the 94-day discount treasury bill rate for the first Monday in each month plus 1%. As provided in 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for periods after January 1, 1996 at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995 at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996 at

Consent Judgment, Page Two
General Motors LLC v City of Swartz Creek
MTT Docket No. 0388331

the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997 at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998 at the rate of 6.01% for calendar year 1999, (v) after December 31, 1999 at the rate of 5.49% for calendar year 2000, (vi) after December 31, 2000 at the rate of 6.56% for calendar year 2001, (vii) after December 31, 2001 at the rate of 5.56% for calendar year 2002, (viii) after December 31, 2002 at the rate of 2.78% for calendar year 2003, (ix) after December 31, 2003 at the rate of 2.16% for calendar year 2004, (x) after December 31, 2004 at the rate of 2.07% for calendar year 2005, (xi) after December 31, 2005 at the rate of 3.66% for calendar year 2006, (xii) after December 31, 2006 at the rate of 5.42% for calendar year 2007, and (xiii) after December 31, 2007 at the rate of 5.81% for calendar year 2008, (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009, (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010, and (xvi) after December 31, 2010, at the rate of 1.12% for calendar year 2011.

See attached parties' prepared Consent Judgment for any possible refund paragraph.

MICHIGAN TAX TRIBUNAL

By *Patricia L. Haem*

Entered: FEB 23 2011

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL

GENERAL MOTORS LLC,

Petitioner,

v.

MTT Docket No. 388331

SWARTZ CREEK,

Respondent.

_____ /

CONSENT JUDGMENT

TRIBUNAL JUDGE
PRESIDING

A stipulation has been entered into between petitioner and respondent, for settlement purposes only and for only the tax years involved and for no other purpose whatsoever. They have agreed to the taxable value(s) and state equalized value(s) of Industrial Real and Personal Property in the amount(s) shown on the attached schedule and revising the 2010 taxable value(s), assessment(s) and state equalized value(s), as shown on the attached schedule, to be entered on the assessment rolls; and

The stipulation has been accepted by the Michigan Tax Tribunal, and

IT IS HEREBY ORDERED AND ADJUDGED that the officer charged with keeping the assessment rolls for the years shown above shall

correct or cause the assessment rolls to be corrected to reflect assessment(s), taxable value(s) and state equalized value(s) in the amounts shown on the attached schedule, subject to the process of equalization, within 20 days after entry of this Judgment. The resulting assessment(s), as equalized, shall equal but shall not exceed 50% of the true cash value.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with keeping the tax rolls shall correct or cause the tax rolls to be corrected in accordance with the above-ordered correction of assessment.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with collecting or refunding the affected tax shall collect taxes and any applicable interest or issue a refund as required by this judgment within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. A sum determined to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Order. As provided in 1994 PA 254 and 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for period after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, at an interest rate set monthly at a per annum rate based on the auction rate of the 91-day discount treasury bill rate for the first Monday in each month, plus 1%. After January 1, 1996, interest shall accrue at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995, at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996, at the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997, at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998, at the rate of 6.01% for calendar year 1999 and (v) after December 31, 1999, at the rate of 5.49% for calendar year 2000, and (vi) after

December 31, 2000, at the rate of 6.56% for calendar year 2001; and (vii) after December 31, 2001, at the rate of 5.56% for calendar year 2002; and (viii) after December 31, 2002, at the rate of 2.78% for calendar year 2003; (ix) after December 31, 2003, at the rate of 2.16% for calendar year 2004; (x) after December 31, 2004, at the rate of 2.07% for calendar year 2005; (xi) after December 31, 2005, at the rate of 3.66 % for calendar year 2006; (xii) after December 31, 2006, at the rate of 5.42% for calendar year 2007; (xiii) after December 31, 2007, at the rate of 5.81% for calendar year 2008; (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009; and (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010. Notwithstanding any other provision herein, Petitioner waives interest on the refund provided all other amounts due under this Judgment are paid within 42 days of the Judgment's entry.

IT IS FURTHER ORDERED AND ADJUDGED that refunds shall be made payable to Petitioner named herein and sent to Troy Kennedy, General Motors, 300 Renaissance Center, Mail Code 482-C16-B16, Detroit, Michigan 48265-3000. The officer making the refund shall charge back such refund (including interest and collection fee) to all units in the same proportion as it was originally distributed. The chargeback may be made prior to or subsequent to the payment of the refund. However, said refund shall be made within 42 days after entry of this judgment.

The property is located in Swartz Creek, Genesee County, Swartz Creek Community Schools and Genesee ISD.

MICHIGAN TAX TRIBUNAL

Entered:

**Department of Energy, Labor and Economic Growth
Michigan Tax Tribunal
Schedule for Consent Judgment
General Motors LLC v Swartz Creek
MTT Docket # 388331**

Property Tax Code	Year	Original Assessed Value	Original SEV	Original Taxable Value
58-29-300-008	2010	\$ 197,800	\$ 197,800	\$ 197,800
58-29-551-024	2010	\$ 115,600	\$ 115,600	\$ 96,609
58-31-526-009	2010	\$ 14,200	\$ 14,200	\$ 9,870
58-80-313-004	2010	\$ 0	\$ 0	\$ 0
	2010	\$ 327,600	\$ 327,600	\$ 304,279

Property Tax Code	Year	Revised Assessed Value	Revised SEV	Revised Taxable Value
58-29-300-008	2010	\$ 197,800	\$ 197,800	\$ 197,800
58-29-551-024	2010	\$ 115,600	\$ 115,600	\$ 96,609
58-31-526-009	2010	\$ 14,200	\$ 14,200	\$ 9,870
58-80-313-004	2010	\$ 0	\$ 0	\$ 0
	2010	\$ 327,600	\$ 327,600	\$ 304,279

Consent Judgment, Page Two
General Motors LLC v City of Swartz Creek
MTT Docket No. 0388342

the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997 at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998 at the rate of 6.01% for calendar year 1999, (v) after December 31, 1999 at the rate of 5.49% for calendar year 2000, (vi) after December 31, 2000 at the rate of 6.56% for calendar year 2001, (vii) after December 31, 2001 at the rate of 5.56% for calendar year 2002, (viii) after December 31, 2002 at the rate of 2.78% for calendar year 2003, (ix) after December 31, 2003 at the rate of 2.16% for calendar year 2004, (x) after December 31, 2004 at the rate of 2.07% for calendar year 2005, (xi) after December 31, 2005 at the rate of 3.66% for calendar year 2006, (xii) after December 31, 2006 at the rate of 5.42% for calendar year 2007, and (xiii) after December 31, 2007 at the rate of 5.81% for calendar year 2008, (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009, (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010, and (xvi) after December 31, 2010, at the rate of 1.12% for calendar year 2011.

See attached parties' prepared Consent Judgment for any possible refund paragraph.

MICHIGAN TAX TRIBUNAL

By Patricia L. Nalm

Entered: FEB 23 2011

**STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

GENERAL MOTORS LLC,

Petitioner,

v.

MTT Docket No. 388342

SWARTZ CREEK,

Respondent.

CONSENT JUDGMENT

TRIBUNAL JUDGE
PRESIDING

A stipulation has been entered into between petitioner and respondent, for settlement purposes only and for only the tax years involved and for no other purpose whatsoever. They have agreed to the taxable value(s) and state equalized value(s) of Industrial Real and Personal Property in the amount(s) shown on the attached schedule and revising the 2010 taxable value(s), assessment(s) and state equalized value(s), as shown on the attached schedule, to be entered on the assessment rolls; and

The stipulation has been accepted by the Michigan Tax Tribunal, and

IT IS HEREBY ORDERED AND ADJUDGED that the officer charged with keeping the assessment rolls for the years shown above shall

correct or cause the assessment rolls to be corrected to reflect assessment(s), taxable value(s) and state equalized value(s) in the amounts shown on the attached schedule, subject to the process of equalization, within 20 days after entry of this Judgment. The resulting assessment(s), as equalized, shall equal but shall not exceed 50% of the true cash value.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with keeping the tax rolls shall correct or cause the tax rolls to be corrected in accordance with the above-ordered correction of assessment.

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with collecting or refunding the affected tax shall collect taxes and any applicable interest or issue a refund as required by this judgment within 28 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. A sum determined to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Order. As provided in 1994 PA 254 and 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for period after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, at an interest rate set monthly at a per annum rate based on the auction rate of the 91-day discount treasury bill rate for the first Monday in each month, plus 1%. After January 1, 1996, interest shall accrue at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995, at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996, at the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997, at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998, at the rate of 6.01% for calendar year 1999 and (v) after December 31, 1999, at the rate of 5.49% for calendar year 2000, and (vi) after

December 31, 2000, at the rate of 6.56% for calendar year 2001; and (vii) after December 31, 2001, at the rate of 5.56% for calendar year 2002; and (viii) after December 31, 2002, at the rate of 2.78% for calendar year 2003; (ix) after December 31, 2003, at the rate of 2.16% for calendar year 2004; (x) after December 31, 2004, at the rate of 2.07% for calendar year 2005; (xi) after December 31, 2005, at the rate of 3.66 % for calendar year 2006; (xii) after December 31, 2006, at the rate of 5.42% for calendar year 2007; (xiii) after December 31, 2007, at the rate of 5.81% for calendar year 2008; (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009; and (xv) after December 31, 2009, at the rate of 1.23% for calendar year 2010. Notwithstanding any other provision herein, Petitioner waives interest on the refund provided all other amounts due under this Judgment are paid within 42 days of the Judgment's entry.

IT IS FURTHER ORDERED AND ADJUDGED that refunds shall be made payable to Petitioner named herein and sent to Troy Kennedy, General Motors, 300 Renaissance Center, Mail Code 482-C16-B16, Detroit, Michigan 48265-3000. The officer making the refund shall charge back such refund (including interest and collection fee) to all units in the same proportion as it was originally distributed. The chargeback may be made prior to or subsequent to the payment of the refund. However, said refund shall be made within 42 days after entry of this judgment.

The property is located in Swartz Creek, Genesee County, Swartz Creek Community Schools and Genesee ISD.

MICHIGAN TAX TRIBUNAL

Entered:

**Department of Energy, Labor and Economic Growth
Michigan Tax Tribunal
Schedule for Consent Judgment
General Motors LLC v Swartz Creek
MTT Docket # 388342**

Property Tax Code	Year	Original Assessed Value	Original SEV	Original Taxable Value
58-29-300-007	2010	\$ 25,773,400	\$ 25,773,400	\$ 25,773,400
58-30-400-002	2010	\$ 11,247,500	\$ 11,247,500	\$ 11,247,500
58-80-322-560	2010	\$ 0	\$ 0	\$ 0
	2010	\$ 37,020,900	\$ 37,020,900	\$ 37,020,900

Property Tax Code	Year	Revised Assessed Value	Revised SEV	Revised Taxable Value
58-29-300-007	2010	\$ 11,935,000	\$ 11,935,000	\$ 11,935,000
58-30-400-002	2010	\$ 5,115,000	\$ 5,115,000	\$ 5,115,000
58-80-322-560	2010	\$ 0	\$ 0	\$ 0
	2010	\$ 17,050,000	\$ 17,050,000	\$ 17,050,000

City of Swartz Creek

Special Assessment Procedures

The following procedures to be followed in special assessment proceedings in the City of Swartz Creek are in compliance with, and governed by, Chapter 10 of the City Charter, sections 14-1 through 14-22 of the City's Code of Ordinances and 1962 PA 162 [MCL 211.741, et seq].

1. Commencement of special assessment proceeding.

Special assessment proceedings are commenced by 1) resolution of the city council, or 2) an initiatory petition signed by owners of more than 50% of the property to be assessed. [Code of Ordinances, section 14-2]

2. City Council Resolution No. 1. [Code of Ordinances, section 14-3]

Refers the project to the city manager and directs the city manager to prepare a report which shall include:

- a. necessary plans, profiles, specifications and detailed estimates of probable cost; and
 - b. an estimate of the life of the improvement; and
 - c. the need for the improvement; and
 - d. a description of the assessment district; and
 - e. such other pertinent information as will permit the council to decide the cost, extent and necessity of the improvement proposed and what part, if any, should be paid by the city at large.
3. City manager presents report to the City Council.
 4. City Council Resolution No. 2. [Code of Ordinances, section 14-4]
 - a. determines the necessity of the public improvement; and
 - b. prescribes what proportion shall be paid by the special assessment; and
 - c. recognizes that the amount being specially assessed is in accordance with the benefits received by the affected properties; and
 - d. designates the limits, or boundaries, of the special assessment district; and

- e. Method of assessment (front foot, per lot, etc.); and
 - f. placing report on file with the city clerk for public examination; and
 - g. schedules a public hearing on the proposed improvement and special assessment district; and
 - h. directs the city clerk to publish and give mail notice of the public hearing.
5. Public Notice – Hearing on Necessity. [Code of Ordinances, section 14-4]
- a. the hearing notice shall contain:
 - 1) date, time, place of public hearing; and
 - 2) purpose of public hearing; and
 - 3) notice that appearance and protest at public hearing is required to appeal the amount of the special assessment to the Michigan Tax Tribunal; and [MCL 211.741]
 - 4) notice that appearance and protest may be made by mail, but states date and time by which same shall be received. [MCL 211.741]
 - b. the hearing notice shall:
 - 1) be published in a newspaper published or circulated in the City at least 7 days before the hearing; and
 - 2) be mailed to each owner of record (last local tax assessment records) at least 10 days before the hearing.
6. City Council holds Public Hearing on Necessity. [Code of Ordinances, section 14-5]
7. City Council Resolution No. 3. [Code of Ordinances, section 14-5]
- a. approves the profiles, plans and specs; and
 - b. established the special assessment district; and
 - c. directs the City Assessor to prepare a special assessment roll and report the same to the City Council for confirmation.
8. Special Assessment Roll.

The City Assessor prepares the special assessment roll and files it with the City Clerk. [Code of Ordinances, section 14-9 and 14-10]

9. City Council Resolution No. 4. [Code of Ordinances, section 14-11]
 - a. acknowledges receipt of and accepts the special assessment roll; and
 - b. orders the special assessment roll filed with the City Clerk for public examination; and
 - c. schedules a public hearing on the special assessment roll; and
 - d. directs the City Clerk to give notice of the public hearing by publication in the newspaper and by first class mail.

10. Public Notice – Hearing on Special Assessment Roll. [Code of Ordinances, section 14-11]
 - a. the hearing notice shall contain:
 - 1) date, time, place of public hearing; and
 - 2) purpose of public hearing; and
 - 3) notice that appearance and protest at public hearing is required to appeal the amount of the special assessment to the Michigan Tax Tribunal; and [MCL 211.741]
 - 4) notice that appearance and protest may be made by mail, but states date and time by which same shall be received. [MCL 211.741]
 - b. the hearing notice shall:
 - 1) be published in a newspaper published or circulated in the City at least 7 days before the hearing; and
 - 2) be mailed to each owner of record (last local tax assessment records) at least 10 days before the hearing.

11. City Council holds Public Hearing on Special Assessment Roll. [Code of Ordinances, section 14-12]
 - a. City Council shall consider all objections to the special assessment roll; and
 - b. City Council may make corrections to the special assessment roll; and

- c. may even annul the special assessment roll and start over;
12. City Council Resolution No. 5 [Code of Ordinances, section 14-12 through 14-15]
- a. determines that the City Council is satisfied that the special assessments on the roll have been spread in proportion to the benefits received by the properties in the district; and
 - b. confirms the special assessment roll; and
 - c. places the confirmed special assessment roll on file with the City Clerk; and
 - d. directs the City Clerk to attaché her/his warrant to the special assessment roll within 10 days; and
 - e. commands the City Assessor to spread the amounts on the special assessment roll and directs that the assessments be collected directly therefrom or from the generals tax rolls, in full amounts or in installments; and
 - f. if annual installments are authorized, they shall not exceed 10 in number

13. City Clerk's Warrant, [Code of Ordinances, section 14-15]

Directs City Treasurer to collect the amounts on the special assessment roll

14. Collection by City Treasurer. [Code of Ordinances, section 14-16]

Upon receipt of the special assessment roll and the City Clerk's warrant thereon, the City Treasurer proceeds to collect the amounts assessed in the roll.

Paul Bueche

To: Rick Ballreich
Subject: RE: Springbrook East right of way

Rick,

Thanx.....

I'll get with our traffic engineer and take a look at these.....

Paul Bueche

-----Original Message-----

From: Rick Ballreich [mailto:ricamaro69@yahoo.com]
Sent: Thursday, February 24, 2011 4:00 PM
To: Paul Bueche
Subject: Springbrook East right of way

Feb. 24, 2011

Dear Mr. Bueche,

In reference to the blocking off of the egress from Maya Lane in Springbrook Colony to Springbrook East, the association have these concerns:

- 1) Since Lindsey goes through all the way to Kroger, it has generated an enormous amount of traffic coming from Springbrook Colony onto Maya Lane. The residents that live on the north end of Maya Lane have a problem exiting their driveways because before they can get completely out onto the street, someone rounds the corner and is on their tail. This is becoming a traffic hazard.
- 2) Another traffic problem occurs when residents of Springbrook Colony are traveling from Kroger (heading west on Lindsey Dr.) and approach the stop sign on the corner of Lindsey and Maya Ln. Many drivers tend not to stop there and zoom around the corner which also causes a problem for residents who are trying to exit their driveways.
- 3) The traffic from Springbrook Colony to Springbrook East has increased dramatically over the last few years and tends to be more prevalent during the summer months when "Snow Birds" are back and have their company. Residents all along Maya Lane are complaining because of the increase in traffic and the speed of that traffic, also making it hard for them to back out of their driveways.
- 4) There is an issue with school buses cutting through Maya Lane to get to Springbrook Colony. The buses have been traveling through here at excessive speeds, and there are not any students using the buses here at Springbrook East. The school has been contacted about this but refuses to do anything about it stating that it is a public road and that they have the right to use it. If a block is put there it will eliminate this problem.
- 5) There have always been two entrances in and out of Springbrook Colony, one at Miller Rd. and one at Morrish Rd. It was not until Springbrook East was opened that this "shortcut" to Kroger existed. Residents of Springbrook Colony used their own roads to get to Kroger before and should do so again.
- 6)The residents of Springbrook East will be paying for the road two times out of their pockets. It is not right that the wear and tear on these roads should come from Springbrook Colony who do not have an obligation to pay for or maintain these roads.
- 7) If at sometime in the future the second phase of Springbrook East is developed, perhaps this issue could be revisited and the road could be opened up at that time.

If it is not agreed upon to close the road off, then perhaps a stop sign could be placed on the corner of where Maya Lane and the egress meet so that it will slow traffic turning onto Maya Lane and allow residents a safer exit from their driveways onto the road.

Sincerely,

Rick Ballreich (Vice President of Springbrook East Condo. Assoc.)