

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday October 28, 2013 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 October 14, 2013 MOTION Pg. 7, 10-22
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 & FANG](#) Report Pg. 23, 52
 - 6C. [FINAL REPORT, CITY FINANCES](#) (Agenda Item) Pg. 72-84
 - 6D. DEQ Scrap Tire Grant, Lot Project (Agenda Item) Pg. 85-86
 - 6E. DEQ Scrap Tire Grant, Street Project Pg. 87-88
 - 6F. County Utility Bond Obligations (Agenda Item) Pg. 89-91
 - 6G. City Attorney Notice, Contractual Limitation Pg. 92
 - 6H. Springbrook Colony Attorney Opinion, Utility X-Fer Pg. 93-96
 - 6I. MDOT, Act 51 Notice, EVIP Style Compensation Compliancy Pg. 97-102
 - 6J. MDOT Safety Grant Application Pg. 103-111
 - 6K. Comcast Notices Pg. 112-115
 - 6L. County Parks Notice Pg. 116
 - 6M. County MPO LRTP Draft CD
7. **MEETING OPENED TO THE PUBLIC:**
 - 7A. General Public Comments
8. **COUNCIL BUSINESS:**
 - 8A. Long Term Financing Options RESO. Pg. 8, 2, 72-84
 - 8B. DEQ Scrap Tire Parking Lot Grant, Concept Presentation PRES. Pg. 3, 85-86
 - 8C. Annual Utility Bond Obligations RESO. Pg. 9, 89-91
9. **MEETING OPENED TO THE PUBLIC:**
10. **REMARKS BY COUNCILMEMBERS:**
11. **ADJOURNMENT:** MOTION

*****NOTE: There is some confusion as to whether there is a Public Hearing included with tonight's Agenda in conjunction with any Special Assessment District or Ballot Levy increase the Council may be considering. Please take note that there will be no Public Hearing tonight. The Council is planning to schedule a Public Hearing for Monday November 11, 2013 @ 7:00 PM. ANYONE wishing to address the Council is certainly invited to do so at either one of the "MEETING OPENED TO THE PUBLIC" sessions. We apologize for any confusion. Please call if there is any additional questions (810)-635-4464******

**City of Swartz Creek
CITY MANAGER'S REPORT**

Regular Council Meeting of Monday October 28, 2013 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*
FROM: PAUL BUECHE // City Manager
DATE: 25-October-2013

OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

- ✓ **MAJOR STREET FUND, TRAFFIC IMPROVEMENTS** (*See Individual Category*)
- ☐ **MORRISH ROAD BRIDGE PROJECT** (*Status*)

Cost estimates are as follows:

Morrish Road Bridge Deck Project (Summer, 2013)

Constr Total	Constr City Match	P.E.	C.E.	Total City Match	Project Total
\$425,453	\$36,957*	\$29,589	\$70,931	\$137,477	\$525,973

*Includes Enhancements & Walk-Way / Does Not Include Lighting (Estimated to be \$10,000)

Solutions to the rail and water pooling issues are still pending. We continue to hold back proportioned payments until these matters are resolved.

- ✓ **2013-2014 FY BUDGET, LONG-TERM PUBLIC SAFETY FUNDING** (*Resolution*)

As we have progressed here, there are two options, the City-Wide Special Assessment District under the PA 33 of 1951 (MCL 41.801 et seq, as amended), straight amount or value base, or option two, a ballot question direct to the voters. As the Council is aware, the SAD process allows for a public initiated referendum via petition of 10% volume of the land owners. All registered City resident voters are eligible to vote if this process is chosen by landowners. The second options is a straight ballot question initiated by the Council of the all elected voters, irrespective of whether they are property owners or not.

Staff suggestion is to begin the SAD process, which will trigger at least two public hearings in which opportunity will be presented to invite people in to address this. We struggle frequently on many issues we deal with where we are very unsure what our residents may want or not want. We seem to only hear from them when they're angry and they usually don't have the entire story. They have only a cryptic, short half story cultivated from a news article. The second option, to which a decision may be made at any step of this process, is to send the whole issue straight from the table to all the resident registered voters. The Council may do this at any point they so desire. I suggest that if this is the Council's desire, we hold at least the first public hearing, scheduled for November 11th. This will allow resident voter input prior to a decision.

October 28 Meeting:

- Resolution Directing Staff to Prepare SAD, Boundaries, Costs
- General Discussion & Recognition of Boundaries, Approximate Collection & Rates
- Set First Public Hearing for November 11, 2013
- Letter to be Sent by October 23rd, Publish Public Notice (View) by Oct 29th

November 11 Meeting:

- Hold First Public Hearing. Decide SAD vs. Council Initiated Ballot
- Approve and Set Roll, If SAD Process to Continue

- Set Second Public Hearing for Meeting of November 25th
- Letter Out by November 13th and notice in paper by Nov 15th
- 2012-2013 Annual Audit Report, Plante & Moran

November 25 Meeting:

- Hold Second Public Hearing. Decide SAD vs. Council Initiated Ballot
- Approve Assessment Roll, Approve Warrant, Order on Tax Roll for Collection, 2014

On another related, but different matter, Plante & Moran will be present at the meeting of November 11th to present th3 2012-2013 Annual Audit. As is obvious, some of the data they will be presenting ties directly to where we are headed today.

Again, I want to emphasize that the City is not broke! We will never be broke! We have always had a conservative approach to our finances in that we do not provide services or purchase items, inclusive of benefits & wages that we cannot afford. Never have, never will, as long as you this Council and I am here. All OPEB & Benefits are paid in full. This is all about what we and our residents want for our community. We have lost funding that from this point forward will affect the ability to provide basic services, infrastructure and other amenities we provide. We can continue to cut until we have 40 hours a week police coverage, 20+ year old fire vehicles, three day a week office hours, no code enforcement, one or two plow trucks operating in the winter, diminished park services and maintenance, and the list goes on. Please read the attached report again as it gives detailed data on where we are and where we've been. Thank-you.

✓ **MI-DEQ SCRAP TIRE GRANT PROJECT #1, PARKING LOTS** (*Presentation*)

We've received a notice of award for \$136,904 from the MI-DEQ Scrap Tire Grant Program. The estimated total project costs are \$322,000 of which the City's match would be \$182,000 (includes design and construction engineering which is ineligible for grant funds). As we've discussed, the program is a 50% construction cost grant for public paving improvements that use recycled scrap tires in the asphalt process. We applied for a couple of our parking lots, being Public Safety Building and the north alley lot behind Hank & Don's. We'll look to bid this in deep winter with work scheduled right after frost laws drop and asphalt plants open in the spring. In the meantime, Lou has prepared a concept drawing for the North Alley Lot for you viewing pleasure. He'll be addressing the Council tonight on the concept and the inconvenience the project will cause in egress and egress to these businesses served in the area.

✓ **MI-DEQ SCRAP TIRE GRANT PROJECT #2, WINCHESTER STREETS** (*Information*)

We took the liberty of filing an MI-DEQ Scrap Tire Grant application (just for funsies), for a \$500,000 grant for Winchester Village Streets restorations. The cost did not include any reconstruction, they were primarily mill, resurface, light patching and no drainage improvements. The fix is charted at five years or so, put should go at least double that before significant wear is realized. Bottom line, it'll be a lot better for many years than what we have now. At any rate, the estimated Project costs are:

Construction	\$2,006,000
Design Engineering	Unknown
Construction Engineering	Unknown
(MI-DEQ Grant Funding)	(\$500,000)
City Match	\$1,506,000

We made application as it was due last Friday. We have not done any numbers past the application's letter of interest. We can commit, or un-commit anytime we wish. Something to think about as we keep a foot in all doors. Feel free to ask any questions you may have.

✓ **WATER – SEWER ISSUES PENDING** *(See Individual Category)*

☐ **REHABILITATION PROGRAM** *(Status)*

Pending creation of a new plan for continuation of the Rehabilitation Program.

☐ **BEAR CREEK SANITARY SEWER AGREEMENT** *(Status)*

WWS advises that now that we have cleared the sanitary sewer concerns as it relates to the main that crosses the creek at the bridge, they'll begin preparing agreements for transfer of the main to the County. As soon as I get a draft of the agreement, I'll set the matter up for discussion on the terms.

☐ **KWA** *(Status)*

Pending

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

Pending.

✓ **CITY PROPERTY, 4438 MORRISH ROAD** *(Status)*

Tom is seeking quotes right now to demolish the house. We've been using the garage and pole barn for storage. Back fill for the basement might add a chunk of change to the demo work, but before we can proceed to a demo bid, we need to know the approximate costs. Tom advises he would like to have the house down by the time the winter weather sets in. I'll keep the Council informed.

✓ **LABOR CONTRACTS, SHARED SERVICES, BUILDING DEPARTMENT** *(Status)*

The POLC, AFSCME, Supervisor, Assessor, Zoning Administrator and Part-Time Police Officers have been settled. The remaining loose ends are the building inspector's employment agreement, which in part is addressed in the Shared Services Study and the City Manager contract. Mundy Township has officially offered its commitments to perform building services for the City and Flint Township. We continue to look into the building services consolidation.

✓ **FIRE DEPARTMENT: COST RECOVERY & APPARATUS** *(Status)*

Pending

✓ **SPRINGBROOK EAST & HERITAGE S.A.D. – VACANT LOTS** *(Information)*

Following are issues pending for the three Associations:

SPRINGBROOK COLONY	SPRINGBROOK EAST	HERITAGE VILLAGE
<i>Transfer Water, Sanitary Sewer, Storm Sewer to City.</i>	<i>Seek Solution for 12 Vacant Lots Owned by City.</i>	<i>Transfer Water, Sanitary Sewer, Storm Sewer, Streets to City. Seek Solution for 5 Vacant Lots Owned by City.</i>

We have another above issue for Council review and approval. The Springbrook Colony Utility Agreement. As of last week, I had just a single section of the contract left. I was out of town a bunch last week and was unable to finish a few details with the President, Mrs. Oliver. I may have it for tonight. As the Council may recall, we approved this a couple of years ago. The Association wanted additional drainage areas covered which stalled implementation. Additionally, we wanted to assure that the Association documents reflected their authority to transfer documents, via an

attorney opinion. Mr. Piper has rendered such an opinion. I've included a copy of his findings. All we are missing at this point is a final agreement that we may, or may not have finished in time for this meeting. The delay is now my fault and I apologize for it.

✓ **MPSC COMPLAINT, FRONTIER v CITY** (*Status*)

I met with Frontier in late January, the meeting being quite positive. They will be formerly addressing the Council on several matters either late this month or first of July. In the meantime, they continue to repair poor workmanship locations in the overhead infrastructure. I'll keep the Council posted on developments.

✓ **MEIJER, TRAFFIC SIGNAL, COMMUNITY DONATION** (*Status*)

Regarding the Meijer Community Donation, we are still looking at several options for consideration, one of which is a sidewalk segment that would accompany the parking lot tire grant work we are looking to do.

✓ **EVIP COMPETITIVE GRANT ASSISTANCE PROGRAM** (*Status*)

As we discussed a couple of meetings ago, we are looking at this grant source for the development of the Bristol Road property into a sports complex, with the schools. Lou has advised Rowe can do the application for \$1,200. We're going to proceed forward on the outside chance that funds may be available. I'll keep the Council posted on developments.

✓ **PARK RESERVATION REQUEST, ART GUILD** (*Status*)

The Swartz Creek Art Guild, represented by Mr. Chuck Jackson, has requested to reserve all of Elms Park on Saturday September 13th and Sunday September 14th 2014, to hold a fundraiser arts & crafts show for the guild. The matter is under review by the Park Board and the staff. A recommendation will be back before the Council in the near future.

✓ **Q.B.S. ENGINEERING SERVICES BIDS** (*Status*)

At the last meeting, we created the following list based on qualifications:

1. Rowe Professional Services
2. Hubble, Roth & Clark Inc.
3. Orchard, Hiltz & McCliment Inc.
4. Wade-Trim Associates Inc.
5. Fleis & Vandenbrink Engineering Inc.

We still need to secure a price list to complete the process.

✓ **MDOT CALL FOR SAFETY PROJECTS** (*Status*)

Pending MDOT's application review.

✓ **HISTORICAL SOCIETY DEDICATION** (*Information*)

One more run on this item...The Historical Society has requested to name the museum room at City Hall in honor of Bill Morgan. They look to put a small plaque on the wall next to the door that identifies the room as "Winfred Morgan Historical Society", or something similar. The lease we have with them does not address such matters. The City has steered away from specific individual memorials for the simple reason that there are many people that have contributed to the City. Singling out individuals could be very complex in managing policy. On the other hand, we lease this room out to a private 501(c) (3) that has no connection with the

City other than we give them the space under an agreement. I'm inclined to allow it, unless the Council feels different. Please weigh in with concerns or objections.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **ANNUAL UTILITY BOND OBLIGATIONS** (*Resolution*)

This is a house keeping resolution. As a part of our bond agreements with the County, we have to commit to obligations in the prior year before making payments in the succeeding year they are due. The resolution explains the debt as well as the source of funds.

✓ **MDOT ACT 51 COMPLIANCY PROGRAM, EVIP** (*Information*)

Attached is a letter fresh off the press from MDOT that outlines new compliancy requirements we'll need to dance through for our road and street fund distributions. I see it as an unfunded mandate, as does many of the other City Manager's across the state. I can offer no recommendations at this point other than to watch it and see where it goes. Feel free to squawk about it. At the end of the day, it's less money to be spent on roads in the name of bureaucracy.

Council Questions, Inquiries, Requests and Comments

- *Additional Lighting, Miller – Fairchild Intersection.* We are back trying to get a review by Consumers Energy.
- *Parkridge Parkway “No Parking Signs”.* They are missing in the back phase near Hickory Lane. We are working to replace them.
- *Miller & CNA Rail Crossing.* Encroachment on City Parcel from Area Business. Pending.
- *Bristol – Morrish Intersection Safety.* Concerns expressed for clear vision. Will check on improvements that may help.

City of Swartz Creek
RESOLUTIONS
Regular Council Meeting, Monday October 28, 2013 7:00 P.M.

Resolution No. 131028-4A MINUTES – OCTOBER 14, 2013

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday October 14, 2013, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 131028-5A 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 October 28, 2013, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 131028-6A CITY MANAGER’S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the City Manager’s Report of October 28, 2013, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

LONG TERM BASIC PUBLIC SAFETY POLICE - FIRE SERVICES FINANCING, SET PUBLIC HEARING FOR SPECIAL ASSESSMENT DISTRICT

Motion by Councilmember: _____

WHEREAS, Michigan, and more locally, Genesee County, have experienced frequent and sometimes continuous recessions for four decades along with a sudden and plummeting crash in property values beginning in 2009, that have decreased the city's revenues significantly; and

WHEREAS, the cumulative reductions in Revenue Sharing has exceeded 20%, interest bearing balances have dropped to a near zero return, and with the exception of Meijer, new start building revenues have all but stopped; and

WHEREAS, the city continues to experienced relentless reductions in commercial and industrial taxable values due to State Tax Tribunal rulings and forced negotiations; and

WHEREAS, up and until 2009, the City reasonably abated such recessions by scaling back expenses while maintaining noticeable basic services; and

WHEREAS, the city has, by charter limitation, a general operating maximum levy of 5.0 mills, currently reduced by Headlee rollbacks to 4.8089, the levy of which for the City of Swartz Creek being among the bottom 3% of the 279 cities in the state of Michigan; and

WHEREAS, the average operating levy of all cities in the state is approximately 17 mills; and

WHEREAS, the city is no longer able to maintain basic and quality of life services and, and will have to further reduce services for public safety, among a variety of other funded services, Police and Fire being the most important; and

WHEREAS, PA 33 of 1951 (MCL 41.801 et seq, as amended) allows for the creation of a special assessment district city wide for public safety; and

WHEREAS, the City council desires to establish a city wide special assessment district;

NOW, THEREFORE, BE IT RESOLVED the Swartz Creek City Council hereby refers this project to the City Manager and directs the City Manager to prepare a report to be brought before the Council for review and determination at the Regular City Council Meeting, to be held in the City Council Chambers on Monday, November 11, 2013 at 7:00 PM, of which the report shall include:

- a. a description of the assessment district, parcels and boundaries; and

- b. an estimated cost of public safety Police & Fire Services, including operating costs, lost revenues and anticipated operating expense increases for coming years; and
- c. recommended levy amount along with projected revenue collections

BE IT FURTHER RESOLVED, that the City Staff is hereby directed to schedule a public hearing to be held at the Regular Council Meeting of Monday, November 11, 2013 at 7:00 PM, or as soon thereafter as the public can be heard, in the manner prescribed by law.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 131028-8C ANNUAL UTILITY BOND OBLIGATIONS

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek has a need to pay to the County of Genesee, the sum of \$58,554.20 to meet the bond and principal requirements on all bond obligations for water and sewer facilities in calendar 2014; and

WHEREAS, the City of Swartz Creek has such an obligation for the retirement of a western trunk sewer extension bond through approximately 2026, and

WHEREAS, there are several means by which the funds can be secured to meet this payment; and

WHEREAS, all various means of securing these funds have been reviewed and considered;

NOW, THEREFORE, BE IT RESOLVED by the City of Swartz Creek that the monies to meet the principal and interest requirements and all bond obligations for water and sewer facilities will be secured from the following funds:

SOURCE OF FUNDS

Funds Already Available	\$58,554.20
Sewer Fund Total	\$58,554.20
Grand Total	\$58,554.20

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

City of Swartz Creek
Regular Council Meeting Minutes
Of the Meeting Held
Monday October 14, 2013 7:00 P.M.

CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE COUNCIL MEETING
DATE 10/14/2013

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

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath.

Councilmembers Absent: Shumaker

Staff Present: Director Public Service Tom Svrcek, City Clerk Juanita Aguilar, Police Chief Rick Clolinger, City Attorney Mike Gildner, Building Inspector Rob Kehoe (City Manager Bueche Absent)

Others Present: Boots Abrams, Tommy Butler, Bob Plumb, Pat Mullen, John Mullen, Jim Florence, Ron Schultz, Chris Yager, Rick Ballreich, LeeAnn Minto, Jason Minto, David McLane, Ted Kramer, Kevin Fritsch, David Wolfe, Pat Clawson.

Resolution No. 131014-01

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hurt

I Move the Swartz Creek City Council express their sympathy to Fire Chief Brent Cole for the loss of his parents.

Yes: Gilbert, Hicks, Hurt, Krueger, Porath, Abrams.
NO: None. Motion Declared Carried.

APPROVAL OF MINUTES

Resolution No. 131014-02

(Carried)

Motion Councilmember Porath
Second by Councilmember Hurt

I Move the Swartz Creek City Council hereby approve the amended Minutes of the Regular Council Meeting, held Monday, September 23, 2013 to be circulated and placed on file.

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

APPROVAL OF AGENDA

Resolution No. 131014-03

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the Swartz Creek City Council approves the Agenda, as printed, for the Regular Council Meeting of October 14, 2013, to be circulated and placed on file.

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

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 131014-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the City Manager's Report of October 14, 2013, to be circulated and placed on file.

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

Discussion Ensued.

MEETING OPENED TO THE PUBLIC

David Wolfe, 5006 Ford Street, spoke about the possible special assessment. Mr. Wolfe asked for more explanation. Mayor Krueger explained that there would be two public hearings before a decision was made. Councilmember Hurt explained that a petition could be circulated and signed by residents, forcing it to a vote of the people. It was also explained that many sources of information will be available to the residents.

Ted Kramer, 6224 Bainbridge Drive, spoke about the vacant lots in Springbrook East, stating that he is one of the people interested in purchasing one.

Jim Thompson, 8196 Miller Road, thanked the City Council for all that they have done for the residents of Swartz Creek. Mr. Thompson also thanked the Council for their involvement in getting the “state of the art” Performing Arts Center built. Mr. Thompson informed the Council that there would be an inaugural performance in November of “Joseph and the Amazing Technicolor Dreamcoat”.

Pat Clawson, 5014 Ford Street, spoke about the Flint Journal article that was published recently. Mr. Clawson asked Mayor Krueger why he made the comments that were published in the article. Mr. Clawson suggested that the City Council put the matter to the people in the form of a vote, rather than making the decision for them. Mr. Clawson suggested that contracting out with the County or State might help with some of the financial issues.

Tommy Butler, 40 Somerset, spoke about spending 3 hours at the Special Council Meeting in August to discuss the issues of a possible special assessment. Mr. Butler stated that he believes the issue should be put to the people for a vote.

COUNCIL BUSINESS

Cornerstone Baptist Church, Site Plan Amendment

Resolution No. 131014-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hurt

WHEREAS, the City granted final site plan approval to Cornerstone Baptist Church on January 28, 2013, resolution as follows:

Final Site Plan Approval, Cornerstone Baptist Church Addition, 6273 Miller Road, Tax I.D. # 58-31-200-017

Resolution No. 130128-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

WHEREAS, on November 6, 2012, the Planning Commission reviewed a proposed request by the Cornerstone Baptist Church via its consultants, Tax ID #58-31-200-017, located at 6273 Miller Road, to approve a 12,175 square foot attached addition to its existing structure, the Planning Commission recommending approval under the following resolution:

Resolution No. 121106-03

(Carried)

Motion by Commissioner Florence, Support by Commissioner Florine,
The [Swartz] Creek Planning Commission recommends approval of the Site Plan for the Cornerstone Baptist Church Expansion Project (Phase II), located at 6273 Miller Rd., parcel number 58-31-200-017, as submitted with the following changes and conditions:

1. Plantings shall be provided in accordance with 28.02 B for the entire frontage of parcel 58-31-200-017.

2. *The Planning Commission finds that 288 parking spaces are adequate for the proposal, provided the uses do not function at full capacity at the same time.*
3. *Review by City Engineer for compliance.*

*Unanimous voice vote.
Motion declared carried.*

WHEREAS, *the City's Staff and Consultants, being the City Planner, City Civil Engineer, City Traffic Engineer and Department of Public Services Director have reviewed the project and plans and find the submittals to meet ordinance requirements and engineering standards and practices; and*

WHEREAS, *the County Division of Water, Waste and Surface Water Management have conducted reviews and find the project meets standards and requirements;*

NOW, THEREFORE, I Move *the City of Swartz Creek direct the final approval of a 12,175 square foot addition to the Cornerstone Baptist Church, in accordance with plans as submitted, stipulations as follows:*

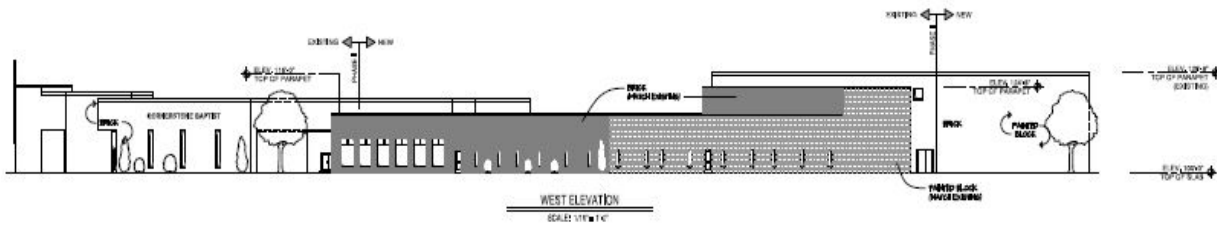
1. *Compliance with review recommendations submitted by the City's Civil and Traffic Engineers*
2. *Compliance with stipulations submitted by the County Water, Waste and Surface Water Management Divisions*
3. *Plantings shall be provided in accordance with 28.02 B for the entire frontage of parcel 58-31-200-017*

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

WHEREAS, a procedural error caused the inadvertent elimination of brick fascia on the northern and eastern elevations of the building; and

WHEREAS, the City Council finds that at this point, correction of the error is prohibitive as it would require the demolition of a substantial portion of the building at great expense and hardship.

NOW, THEREFORE, I Move the City of Swartz Creek allow for an adjustment to the approved site plan, Resolution #130128-04, and permit for the elimination of brick fascia from the northern and eastern building elevations, as indicated below:



Discussion Ensued.

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

Great Lakes Protection Commitment, Asian Carp

Motion by Councilmember Hurt
Second by Councilmember Gilbert

WHEREAS, the Great Lakes and St. Lawrence Sea Way represent the largest bodies of surface water in the world and area a vibrant, diverse ecosystem that is critically important to the economic well-being and quality of life of the Canadian and U.S. populations in the region; and

WHEREAS, over 180 invasive species have entered the Great Lakes and its connecting water ways over the years and caused widespread damage and disruption to the natural balance of the system, as well as significant economic damage; and

WHEREAS, one of the most serious threats ever presented by invasive species currently comes from Asian carp, including silver, bighead and black varieties, description as follows;



WHEREAS, these varieties of carp were introduced to the southern United States for use in fish farms for algae control in the 1970's and escaped into the Mississippi River System; and

WHEREAS, invasive species have already inflicted hundreds of millions in damage across the Great Lakes and St. Lawrence, and invasive carp pose a serious threat to the \$7 billion sport and commercial fishery that support the economy and help define the culture of the entire region; and

WHEREAS, the invasive carp have migrated northward through the Mississippi River system as far north as Wisconsin, Minnesota, Illinois, Indiana and Ohio, reducing significantly or eliminating populations of the more desirable species of fish because of their voracious food consumption and prolific reproduction; and

WHEREAS, the invasive carp are threatening to enter the Great Lakes at a number of points across the region; and

WHEREAS, many federal, state, provincial and local government agencies in the United States and Canada have worked diligently and expended tens of millions of dollars over the past 10 years on a variety of projects to keep invasive carp out of the Great Lakes; and

WHEREAS, including the invasive carp, there are 39 invasive species in the two basins that present a threat to cross over into the other basin in the near future; and

WHEREAS, once an invasive species establishes itself in an ecosystem, it is exceedingly difficult, if not impossible, to eradicate, and it often inflicts serious damage on the ecosystem and imposes major costs in efforts to control it; and

WHEREAS, Asian carp pose a dangerous risk of injury to recreational users on waters infested with Asian carp; and

WHEREAS, Canadian and U.S. citizens across the basin have expressed serious concern about the Asian Carp and other invasive species, and are demanding prompt action; and

WHEREAS, the U.S. Army Corp of Engineers is conducting a multiyear, comprehensive study across the U.S. side of the Great Lakes basin called the “Great Lakes and Mississippi River Inter-basin Study” (GLMRIS) that examines 19 separate locations where invasive carp could cross from the Mississippi River Basin to the Great Lakes Basin, and considers a large number of potential ways to stop the further migration.

NOW, THEREFORE, BE IT RESOLVED, that the invasive carp in the Mississippi River system pose one of the greatest threats to the integrity and well-being of the Great Lakes and St. Lawrence ecosystem, including the 40 million Canadians and Americans who live there.

BE IT FURTHER RESOLVED that preventing the invasive carp from entering the Great Lakes and St. Lawrence ecosystem needs to be approached with the greatest sense of urgency by all those responsible for dealing with this matter.

BE IT FURTHER RESOLVED, that physical separation is feasible and can be done in a way that maintains or enhances water quality, flood control and transportation in the system.

BE IT FURTHER RESOLVED, that additional steps must be taken in the interim to keep invasive carp out while the long term solution is put in place.

NOW THEREFORE BE IT FINALLY RESOLVED, that the City of Swartz Creek, Genesee County Michigan strongly urges all parties involved to identify a preferred solution to the invasive carp issue and move forward to implement that solution with the greatest sense of urgency.

Discussion Took Place.

YES: Porath, Abrams, Gilbert, Hicks, Hurt, Krueger.

NO: None. Motion Declared Carried.

Budget Transfer & Appropriation, Police Interview Video System

Resolution No. 131014-07

(Carried)

Motion by Councilmember Porath

Second by Councilmember Hurt

I Move the City of Swartz Creek approve the transfer of \$1,900 from Fund 101 unencumbered unreserved fund balance, to 101-301 equipment, for the purchase of a Police Interview Video System, to bring the City Police Department into compliancy with the recently enacted P.A. 479 of 2012, requiring the preservation of video evidence of interviews of suspects arrested for certain felonies, and further, direct the actual and necessary changes to the City's general ledger, at the direction of the Finance Director.

Discussion Ensued.

YES: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath.

NO: None. Motion Declared Carried.

Public Safety Special Assessment District

Resolution No. 131014-08a

Motion by Mayor Pro-Tem Abrams

Second by Councilmember Hurt

I Move the City of Swartz Creek approve the concept of a Special Assessment District under PA 33 of 1951 (MCL 41.801 et seq) as amended, and further, direct the City Staff to prepare a preliminary report for assessments based on values set at _____ mills, and bring all such findings back to the City Council for review and final determination.

Discussion Took Place.

Resolution No. 131014-08b

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the Swartz Creek City Council amend the Public Safety Special Assessment District resolution to read 4.9 Mills.

YES: Abrams, Hicks, Hurt, Krueger, Porath.
NO: Gilbert. Motion Declared Carried.

Resolution No. 131014-08c

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the City of Swartz Creek approve the concept of a Special Assessment District under PA 33 of 1951 (MCL 41.801 et seq) as amended, and further, direct the City Staff to prepare a preliminary report for assessments based on values set at 4.9 mills, and bring all such findings back to the City Council for review and final determination.

Discussion Tool Place.

YES: Hicks, Hurt, Krueger, Porath, Abrams.
NO: Gilbert. Motion Declared Carried.

Authorize the Sale of City Owned Vacant Lots: Springbrook East and Heritage Village Condominium Associations

Resolution No. 131014-09

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

WHEREAS, the City acquired a total of 17 vacant lots from street paving special assessment projects in Springbrook East and Heritage Village Condominium Associations in December, 2011, resolution and public purpose as follows:

Springbrook East & Heritage Village Condominiums: Acquire Vacant Lots, Set Public Purpose Plan

Resolution No. 11128-06

(Carried)

*Motion by Councilmember Hurt
Second by Councilmember Binder*

WHEREAS, the City of Swartz Creek has a duty to provide for the health safety and welfare of the community, its residents and visitors; and

WHEREAS, the economic downturn beginning in 2008 and continuing today caused a collapse of all house sales, new house construction and a significant reduction in the valuation of the existing housing market; and

WHEREAS, the City has two subdivisions that were in the infancy of development and construction, being Springbrook East and Heritage Village, both of which were approved under the Site Condominium Act and approximately 15% of the total conceptual project being complete, with unfinished streets and the rough installation of utilities; and

WHEREAS, the economic collapse has halted any further development with the likelihood that it will be many years, if at all, before Springbrook East and Heritage Village will be completed, leaving a plethora of problems including, but not limited to:

unfinished streets, abandoned and partially constructed houses, orphaned underground utilities, tax and mortgage foreclosures, surface water and storm drainage problems; and

WHEREAS, both subdivisions were designed and approved by the City with the intent that the streets, when completed, would incorporate into the City's local street system and become public streets; and

WHEREAS, the developer, due to the economic recession, was unable to fulfill the obligations set forth in the site plan, and the mortgage holder, being First Place Bank of East Lansing Michigan, has been working with the developer to liquidate the properties to satisfy loan commitments, however, the value of vacant land has diminished to the point that taxes and maintenance expenses would exceed any foreseeable increase in value, making investment prospects a poor probability; and

WHEREAS, the City worked with the residents of Springbrook East and Heritage Village Subdivisions to create a special assessment district to repair and finish paving the streets, work having been completed in October 2011; and

WHEREAS, a total of 115 lots were assessed street repairs in Heritage Village Condominium Association, 35 lots of which were unimproved and vacant; and

WHEREAS, a total of 64 lots were assessed street repairs in Springbrook East Condominium Association, 24 lots of which were unimproved and vacant; and

WHEREAS, Woodside Builders, the property owner of record, and First Place Bank, the lien holder, have indicated they will abandon the vacant lots and send them to tax foreclosure which ultimately may result in the discharge of all taxes and assessments followed by the subsequent sale at public auction or seizure by the County Treasurers' Office; and

WHEREAS, the City has offered a resolve, being that Woodside would convey, by warranty deed, all vacant defined lots assigned separate tax identification numbers independent of the master deeds and subject to the special assessment district, for Springbrook East (24 lots) and Heritage Village (35 lots) to the City, with all costs associated with the closing inclusive of taxes through December 31st to be paid by Woodside, First Place Bank would relinquish their lien, the City becoming the owner of the lots with clear title, with the assessments left to be collected by the City; and

WHEREAS, the City has determined that a public purpose exists for obtaining the lots, being control and guarantee for the collection of the special assessment fees, the preservation of property values for the existing homes in the subdivisions and the resolve of underground utility and storm-surface water issues; and

WHEREAS, the City finds that the long term intent is to sell the lots to recover assessment costs and other administrative costs that may occur and to preserve property values consistent with the findings within this resolution

NOW, THEREFORE, I Move the City of Swartz Creek authorize the acquisition of the following properties in Springbrook East and Heritage Village Condominium Subdivisions:

SPRINGBROOK EAST SPECIAL ASSESSMENT DISTRICT #1

Parcel Number	Owner Name	Number	Property Address	Owner Address	Vacant/Improved
58-36-676-037	WOODSIDE BUILDERS INC	4375	MAYA LN	7550 MILLER RD	V
58-36-676-039	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-040	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-041	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-042	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-043	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-044	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-045	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-046	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-047	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-048	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-049	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-050	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-051	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-053	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-054	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-055	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V

58-36-676-056	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-057	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-058	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-059	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-060	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-061	WOODSIDE BUILDERS INC.	0	LINDSEY DR	7550 MILLER RD	V
58-36-676-064	WOODSIDE BUILDERS INC.	0	RUSSELL DR	7550 MILLER RD	V
Total 24 Lots					

HERITAGE VILLAGE SPECIAL ASSESSMENT DISTRICT 1

Parcel Number	Owner Name	Number	Property Address	Owner Address	Vacant/ Improved
58-30-651-044	WOODSIDE BUILDERS	6285	ARLINGTON DR	7550 MILLER RD	V
58-30-651-050	WOODSIDE BUILDERS	6230	ARLINGTON DR	7550 MILLER RD	V
58-30-651-059	WOODSIDE BUILDERS	3419	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-066	WOODSIDE BUILDERS	3408	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-072	WOODSIDE BUILDERS	6316	CONCORD DR	7550 MILLER RD	V
58-30-651-073	WOODSIDE BUILDERS	6310	CONCORD DR	7550 MILLER RD	V
58-30-651-074	WOODSIDE BUILDERS	6304	CONCORD DR	7550 MILLER RD	V
58-30-651-075	WOODSIDE BUILDERS	6298	CONCORD DR	7550 MILLER RD	V
58-30-651-082	WOODSIDE BUILDERS	3340	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-084	WOODSIDE BUILDERS	3330	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-085	WOODSIDE BUILDERS	3324	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-086	WOODSIDE BUILDERS	3318	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-087	WOODSIDE BUILDERS	3310	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-088	WOODSIDE BUILDERS	3304	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-089	WOODSIDE BUILDERS	3296	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-090	WOODSIDE BUILDERS	3290	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-091	WOODSIDE BUILDERS	3284	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-092	WOODSIDE BUILDERS	3278	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-093	WOODSIDE BUILDERS	3270	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-094	WOODSIDE BUILDERS	3264	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-095	WOODSIDE BUILDERS	3263	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-096	WOODSIDE BUILDERS	3269	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-099	WOODSIDE BUILDERS	6217	BAINBRIDGE DR	7550 MILLER RD	V
58-30-651-101	WOODSIDE BUILDERS	3291	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-102	WOODSIDE BUILDERS	3297	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-103	WOODSIDE BUILDERS	3305	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-104	WOODSIDE BUILDERS	3311	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-105	WOODSIDE BUILDERS	3319	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-106	WOODSIDE BUILDERS	3323	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-107	WOODSIDE BUILDERS	3329	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-108	WOODSIDE BUILDERS	3333	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-109	WOODSIDE BUILDERS	3335	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-110	WOODSIDE BUILDERS	3337	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-111	WOODSIDE BUILDERS	3339	HERITAGE BLVD	7550 MILLER RD	V
58-30-651-112	WOODSIDE BUILDERS	3343	HERITAGE BLVD	7550 MILLER RD	V
Total 35 Lots					

BE IT FURTHER RESOLVED that the City hereby:

1. Direct the City Attorney to prepare a Purchase Agreement consistent with the terms as set forth in the findings of this resolution, and review and approve closing packages prepared by the title company.
2. Direct the staff to prepare or cause the preparation of closing documents for the conveyance of the vacant lots described herein, instrument to be a warranty deed with title insurance policy, to be closed on or before December 31, 2011.
3. Authorize the staff to seek the sale of the vacant lots, without profit and consistent with the site plan as approved by the City, for the cost of the assessments pending against them, plus any other costs incurred in the acquisition, including but not limited to legal, interest, administrative, closing or accounting.

BE IT FURTHER RESOLVED that any offer to purchase any lot or group of lots from the City be brought back before the Council for review and final determination.

Discussion Ensued.

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

WHEREAS, the actual vacant lots that were purchased by the City are as follows:

Heritage Village Special Assessment District 1			
Parcel Number	Number	Property Address	Owner
58-30-651-091	3284	HERITAGE BLVD	City Swartz Creek
58-30-651-092	3278	HERITAGE BLVD	City Swartz Creek
58-30-651-093	3270	HERITAGE BLVD	City Swartz Creek
58-30-651-094	3264	HERITAGE BLVD	City Swartz Creek
58-30-651-099	6217	BAINBRIDGE DR	City Swartz Creek

Springbrook East Special Assessment District 1			
Parcel Number	Number	Property Address	Owner
58-36-676-039	0	LINDSEY DR	City Swartz Creek
58-36-676-040	0	LINDSEY DR	City Swartz Creek
58-36-676-041	0	LINDSEY DR	City Swartz Creek
58-36-676-042	0	LINDSEY DR	City Swartz Creek
58-36-676-043	0	LINDSEY DR	City Swartz Creek
58-36-676-044	0	LINDSEY DR	City Swartz Creek
58-36-676-051	0	LINDSEY DR	City Swartz Creek
58-36-676-053	0	LINDSEY DR	City Swartz Creek
58-36-676-054	0	LINDSEY DR	City Swartz Creek
58-36-676-055	0	LINDSEY DR	City Swartz Creek
58-36-676-056	0	LINDSEY DR	City Swartz Creek
58-36-676-064	0	RUSSELL DR	City Swartz Creek

WHEREAS, the City desires to recover its assessment expenses, inclusive of soft costs such as legal and accounting fees, and further, finds that in offering these lots to the respective associations that they may be able to re-sell them to recover their acquisition costs and any profit beyond this would go to offset the expense incurred by each parcel owner for paving assessments, such assessments having been affixed at \$2,135.50 (cost of the per lot assessment paid by the city) plus \$400 (soft costs - legal, accounting and delinquent taxes), total of \$2,535.50 each for Springbrook East Lots

and, of \$1,311.86, plus \$400 (soft costs - legal, accounting and delinquent taxes), total of \$1,711.86 each for Heritage Village.

NOW, THEREFORE, I Move the City of Swartz Creek adopt a basic plan for the sale of the following City owned vacant lots:

58-30-651-091	3284	HERITAGE BLVD	City Swartz Creek
58-30-651-092	3278	HERITAGE BLVD	City Swartz Creek
58-30-651-093	3270	HERITAGE BLVD	City Swartz Creek
58-30-651-094	3264	HERITAGE BLVD	City Swartz Creek
58-30-651-099	6217	BAINBRIDGE DR	City Swartz Creek
58-36-676-039	0	LINDSEY DR	City Swartz Creek
58-36-676-040	0	LINDSEY DR	City Swartz Creek
58-36-676-041	0	LINDSEY DR	City Swartz Creek
58-36-676-042	0	LINDSEY DR	City Swartz Creek
58-36-676-043	0	LINDSEY DR	City Swartz Creek
58-36-676-044	0	LINDSEY DR	City Swartz Creek
58-36-676-051	0	LINDSEY DR	City Swartz Creek
58-36-676-053	0	LINDSEY DR	City Swartz Creek
58-36-676-054	0	LINDSEY DR	City Swartz Creek
58-36-676-055	0	LINDSEY DR	City Swartz Creek
58-36-676-056	0	LINDSEY DR	City Swartz Creek
58-36-676-064	0	RUSSELL DR	City Swartz Creek

Plan as follows:

1. Sell the 12 Springbrook East lots to Springbrook East Association for \$2,535.50 each under a three year non-binding agreement wherein the association could buy any number of lots at any time and re-sell them at their sole discretion. At any time, either party could back out of the agreement upon written notice after which the City would have no further obligation to the Association.
2. Offer 5 lots to Heritage Village Association under the same terms with Springbrook East. Tender the offer with a two week commitment deadline and subsequent review and opinion of association documents by an association retained attorney. Cost per lot, \$1,711.86 each.
3. If Heritage Village declines or the commitment deadline expires, sell two lots to Jason & LeAnn Minto and two lots to F. Jack Belzer for \$1,711.86 each under purchase agreements driving the construction of two new houses within 12 months. Sell the fifth lot to Ted & Ruth Kramer, Bainbridge Drive resident for \$1,711.86.

BE IT FURTHER RESOLVED that the final purchase and/or other agreements be reviewed and approved by the City Attorney, and further, the City Council directs the Mayor and City Clerk to execute any and all documents pursuant to the terms of this / these sale(s).

Discussion Took Place.

YES: Hicks, Hurt, Krueger, Porath, Abrams, Gilbert.

NO: None. Motion Declared Carried.

MEETING OPEN TO PUBLIC:

Tommy Butler, 40 Somerset, wanted clarification if the police and fire were included in the discussion about possible special assessments/millage.

Jason Minto, 3014 Yale St in Flint, thanked the Council for approving the sale of the vacant lots in Springbrook and Heritage as he is a possible buyer.

John Mullen, 7263 Maplecrest, President of the Springbrook East Condo Association, thanked the Council on behalf of the other co-owners, for the consideration in selling the vacant lots.

REMARKS BY COUNCILMEMBERS:

Councilmember Hicks implored everyone to come to the Council meetings and public hearings so that they can understand the difficulty of the decisions that the council has made on the Public Safety issue.

Councilmember Porath asked City Attorney Gildner to clarify the difference between millage and special assessment.

Mayor Pro-Tem Abrams spoke about the reasons that he is in favor of a special assessment as opposed to a millage. Mr. Abrams encouraged everyone to come to the meetings so that they can be informed. Mr. Abrams spoke about the Historical Society wanting to dedicate the Swartz Creek Mini Museum to Bill Morgan, and being in favor of it.

Mr. Abrams spoke about the Women’s Club working on getting the fall decorations put up in the city.

Mayor Krueger stated that he hasn’t seen the article that Mr. Clawson referred to, but that he does not recall saying what Mr. Clawson characterized him as having saying. Mr. Krueger stated that the Council decided to go with special assessments so that they could set up the public hearings and inform the people. Mr. Krueger asked Mr. Gildner, if after the public hearings the council decides to go with a millage instead of a special assessment, is that possible? Mr. Gildner advised that it was.

Adjournment

Resolution No. 131014-10

(Carried)

Motion by Councilmember Porath
Second by Councilmember Hurt

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 8:29 p.m.

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

David Krueger, Mayor

Juanita Aguilar, City Clerk

DATE: OCTOBER 21, 2013
TIME: 7:00 PM
LOCATION: STATION 1
SUBJECT: SWARTZ CREEK AREA FIRE AUTHORITY AGENDA



- 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. SEPTEMBER 16, 2013 MEETING:

- III. CORRESPONDENCE:
 - A. SEPTEMBER T INCIDENT SUMMARY REPORT:

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

- V. COMMITTEE REPORTS:
 - A. BY-LAWS COMMITTEE - Chairman Rick Clolinger, Richard Derby, Bill Cavanaugh and Brent Cole:

 - B. HEALTH AND SAFETY COMMITTEE: Chairman Rich Tesner (Members Chief Cole, Assistant Chief Merriam, Association Station 1 Trustee Greg Baker and Association Station 2 Trustee Vacant)

 - C. PERSONNEL COMMITTEE: Chairman Larry Widigan, Richard Derby and David Hurt.

 - D. FIRE AGREEMENT COMPLIANCY COMMITTEE: Chairman Dave Hurt, Richard Derby and Attorney Bill Cavanaugh.

- VI. OLD BUSINESS:
 - A. APPARATUS UPDATE from Battalion Chief Jack King-
 - 1. Apparatus status report attached

 - B. GENERAL LIABILITY INSURANCE BID STATUS: Date of bid return set for November 8, 2013 at 1300. Bids were sent out July 22.

C. AUDIT QUOTE STATUS BID OPENING:

D. HAZMAT TEAM JOB DESCRIPTION ADDITION: Attached is a draft that includes the addition of personnel being able to be a member of the Genesee County HazMat Team for consideration. Also attached is rate of reimbursement when collected.

E. 2014 BUDGET STATUS:

F. TURN OUT GEAR BID OPENING:

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. REQUEST FOR BREATHING AIR COMPRESSOR MAINTENANCE QUOTE: Attached is a two year maintenance quote request, which mirrors the quote utilized in 2011.

Chief Cole requests permission to send the attached quote for return by December 9, 2013.

F. PAYROLL SOFTWARE PURCHASE: Attached is a payroll software comparison prepared by Accountant Kim Borse for Fireboard consideration.

G.

VIII. GENERAL INFORMATION:

A. MUNICIPAL BILLINGS for SEPTEMBER

B. SEPTEMBER BILLS LIST

C. Flowers fund balance \$40.00

D. Capital Improvement Fund Program (CIFP) account balance as of 09/30/13: \$111,327.45.

E. SOG 209, Duties for apparatus checks and hall duties update. One copy shows the update and one does not.

F. SOG 407, Training and makeup training requirements. One copy shows the

update and one does not.
G.

- 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:

REGULAR MEETING

SEPTEMBER 16, 2013

SWARTZ CREEK AREA FIRE DEPARTMENT

The regular meeting of the Swartz Creek Area Fire Board was held at Station #1, September 16, 2013. Chairman, Mike Messer, called the meeting to order at 7:00p.m.

I. CALL TO ORDER:

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Board Members Present:

- Chairman, Mike Messer
- Clayton Representative, Rich Tesner
- City Representative, John Knickerbocker
- Clayton Representative, Larry Widigan
- City Representative, Rick Clolinger
- Clayton Representative, Richard Derby

Board Members Absent:

- City Representative, Dave Hurt

Staff Present:

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

Staff Absent: NONE

Others Present:

- Jack King, Batt. Chief
- James Bowers, Firefighter
- Dan Merriam, Firefighter
- Bob Plumb, Firefighter

C. AGENDA: ADDITIONS/CHANGES/DELETIONS:

- **Resolution 091613-01**

Motion by Rich Tesner

Second by John Knickerbocker

The SCAFD Board does hereby approve the additions of VII. E & G. to the agenda and approve the agenda, as amended.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer

NO: None Motion declared carried

D. SPECIAL PRESENTATION: NONE

II. APPROVAL OF MINUTES

A. AUGUST 19,, 2013 BOARD MEETING

- **Resolution 091613-02**

Motion by John Knickerbocker

Second by Rick Clolinger

The SCAFD Board does hereby approve the minutes of August 19, 2013 board meeting, as presented.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer

NO: None Motion declared carried

III. CORRESPONDENCE:

A. AUGUST INCIDENT SUMMARY REPORT:

- **Resolution 091613-03**

Motion by Rick Derby

Second by Larry Widigan

The SCAFD Board does hereby accept the August 2013 Incident Summary, as presented

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer

NO: None Motion declared carried

IV. PROFESSIONAL SERVICE REPORTS:

A. AUGUST FINANCIAL STATEMENT:

- **Resolution 091613-04**

Motion by Larry Widigan

Second by Rich Tesner

The SCAFD Board does hereby approve the August 2013 financial statement, as presented

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer

NO: None Motion declared carried

V. COMMITTEE REPORTS:

A. BY-LAWS COMMITTEE MEETING:

1. Policy 110 Update:

• Resolution 091613-05

Motion by Rick Derby
Second by Rick Clolinger

The SCAFD Board does hereby approve the changes to Policy 110, as presented

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
NO: None Motion declared carried

2. Bylaws Update:

• Resolution 091613-06

Motion by John Knickerbocker
Second by Rich Tesner

The SCAFD Board does hereby direct the Chief to forward the change in Article IV, Section C (1) to the municipalities for approval

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
NO: None Motion declared carried

3. Signatures on Minutes: Signatures of Chairman and Secretary/Treasurer will be required on the minutes

B. HEALTH & SAFETY COMMITTEE: NONE

C. PERSONNEL COMMITTEE: NONE

D. FIRE AGREEMENT COMPLIANCY COMMITTEE: Municipalities will contract snow removal and lawn care and bill the cost back to the fire department.

VI. OLD BUSINESS

A. APPARATUS UPDATE:

1. Monthly report from Batt. Chief King

B. GENERAL LIABILITY INSURANCE BID STATUS: Bids were sent out 07/22

C. AUDIT QUOTE OPENING:

- 1. Berthiaume and Company: \$3995, \$4095, \$4195
- 2. Plante Moran: \$6900, \$7400, \$7800
- 3. Roy, Noye, and Associates: \$3175, \$3175, \$3175

• Resolution 091613-07

Motion by Rick Clolinger
Second by Larry Widigan

The SCAFD Board does hereby direct staff to analyze the quotes and bring an opinion back to the next regular meeting.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
NO: None Motion declared carried

D. HAZMAT TEAM JOB DESCRIPTION ADDITION:

• Resolution 091613-08

Motion by Rich Tesner
Second by Rick Clolinger

The SCAFD Board does hereby approve the addition of the Hazmat team wording to the Firefighters job description.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
NO: None Motion declared carried

E. WIRELESS HEADSET BID OPENING:

- 1. Crouch: \$5940.00 plus \$2560 installation
- 2. Firecom: \$5779.60

• Resolution 091613-09

Motion by Rick Clolinger
Second by Rich Tesner

The SCAFD Board does hereby approve the purchase of wireless headsets from Firecom in the amount of \$5779.60.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
NO: None Motion declared carried

F. 2014 REVISED BUDGET PRESENTATION:

• Resolution 091613-10

Motion by Rich Tesner
Second by Rick Clolinger

The SCAFD Board does hereby direct the Chief to send the 2014 revised budget to the municipalities for approval.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
NO: None Motion declared carried

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. TURN OUT GEAR SPECIFICATIONS:

- **Resolution 091613-11**

Motion by John Knickerbocker
 Second by Rick Derby

The SCAFD Board does hereby approve the turn out gear specifications and directs the Chief to proceed with the request of sealed bids to be returned by 10/18/2013 to be opened at the 10/21/13 fireboard meeting.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
 NO: None Motion declared carried

F. ROOF OPERATION SAFETY PLATFORMS PURCHASE:

- **Resolution 091613-12**

Motion by Rich Tesner
 Second by John Knickerbocker

The SCAFD Board does hereby approve the purchase of 3 roof operation safety platforms from Practical Fire Equipment in the amount of \$1260.00.

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
 NO: None Motion declared carried

G. AUTHORITY TO SUSPEND PERSONNEL:

- **Resolution 091613-13**

Motion by Rich Tesner
 Second by Rick Derby

The SCAFD Board does hereby approve the request by personnel for executive session

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
 NO: None Motion declared carried

- **Resolution 091613-14**

Motion by Rick Clolinger
 Second by Rich Tesner

The SCAFD Board does hereby re-convene the regular fireboard meeting

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
 NO: None Motion declared carried

- **Resolution 091613-15**

Motion by Rick Clolinger
 Second by Rich Tesner

The SCAFD Board does hereby direct the Chief to proceed with disciplinary action under his authority to manage the department's personnel

YES: Clolinger, Derby, Knickerbocker, Tesner, Widigan, Messer
 NO: None Motion declared carried

VIII. GENERAL INFORMATION

- A. MUNICIPAL BILLINGS FOR AUGUST
- B. AUGUST BILLS LIST
- C. FLOWERS FUND BALANCE IS \$40.00
- D. CAPITAL IMPROVEMENT FUND PROGRAM BALANCE: \$111,308.58
- E. PAUL SPANIOLA FUNERAL THANK YOU

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:

- Clolinger: No comments
- Derby: No comments
- Widigan: Apologized for missing meetings
- Knickerbocker: Attended Spaniola's funeral-family was very appreciative the department had a truck in the processional
- Tesner: No comments
- Messer: No comments

XIII. ADJOURNMENT OF MEETING:

Meeting adjourned at 9:06 p.m. The next regular meeting will be 10/21/13 at Station 1 at 7:00 pm

Kim Borse
 Accounting/Clerical Specialist

Swartz Creek Area Fire Board

I certify these minutes to be a true and accurate account of the 09/16/2013 Swartz Creek Area Fire Board meeting:

Mike Messer
Chairman
Swartz Creek Area Fire Board

Richard Derby
Secretary/Treasurer
Swartz Creek Area Fire Board

SWARTZ CREEK AREA FIRE DEPT, SWARTZ CREEK MICHIGAN 48473

Incident Log for 09/01/2013 through 09/30/2013

Printed: 10/12/2013

Inc. No. - Exp. Location	Date	Disp. Time	Sta.	Incident Type	Owner Name	Prop & Cont Value	No. Resp	Disp. to Enrte. Min.	Prop & Cont Loss	Resp. Min. Savings	Total Hr:Min:Sec
0000115-000 8359 CAPPY ST MR Brian Tretheway	09/01/2013	15:56	1 111	Unattached garage fire	MR Brian Tretheway	\$45,000	24	5.00	\$45,000	7.00 \$0	2:41:00
KING, JACK L - BATT CHIEF											
0000116-000 7011 Chase Run LN MS Marjorie Hunt	09/04/2013	19:09	2 743	Detector actvte, burnt food	MS Marjorie Hunt	\$0	16	0.00	\$0	6.00 \$0	0:26:00
MERRIAM, ERIC M - ASSISTANT											
0000117-000 114 E Main ST	09/06/2013	08:01	12 111	AMA to Flushing: Canceled		\$0	10	0.00	\$0	4.00 \$0	0:10:00
0000118-000 12040 Coldwater RD MR Don Cook	09/08/2013	01:24	12 111	Pole Bldg: AMA to Flushing	MR Don Cook	\$0	17	0.00	\$0	19.00 \$0	2:36:00
0000119-000 10351 W Stanley RD	09/09/2013	17:16	12 111	Structure: AMA to Flushing		\$0	22	0.00	\$0	16.00 \$0	3:39:00
0000120-000 7084 Miller RD Christine employee	09/10/2013	14:39	1 600	Mulch smoking		\$0	16	0.00	\$0	3.00 \$0	0:23:00
KING, JACK L - BATT CHIEF											
0000121-000 5503 S Nichols RD	09/10/2013	23:13	12 111	AMA to Gaines Township		\$0	17	0.00	\$0	11.00 \$0	0:58:00
0000122-000 9412 Miller RD	09/14/2013	14:49	1 730	System malfunction, maintainance		\$0	15	0.00	\$0	5.00 \$0	0:13:00
KING, JACK L - BATT CHIEF											
0000123-000 Directions E Interstate 69; East of Nichols MS Ashley M Lauderbaugh	09/14/2013	22:01	1 463	Vehicle accident, fire potential	MS Ashley M Lauderbaugh	\$0	20	6.00	\$0	11.00 \$0	1:25:00
KING, JACK L - BATT CHIEF											
0000124-000 4202 S Duffield RD MR James Miner	09/17/2013	05:42	1 445	Arcing wires in trees	MR James Miner	\$0	12	0.00	\$0	19.00 \$0	0:41:00
KING, JACK L - BATT CHIEF											
0000125-000 2319 N Morrish RD MS Debbie	09/19/2013	12:02	2 173	Open burn complaint	MR Gerald Cordes	\$0	12	0.00	\$0	10.00 \$0	0:28:00
MERRIAM, ERIC M - ASSISTANT											
0000126-000 8012 Miller RD MR Timothy Franks	09/20/2013	13:51	1 444	Semi-Trlr hung up on power lines		\$0	13	6.00	\$0	7.00 \$0	0:51:00
KING, JACK L - BATT CHIEF											
0000127-000 Directions W Interstate 69; East of Miller MS Alexandria R Schneider	09/22/2013	22:06	1 463	Vehicle accident, general cleanup	MR John M Schneider	\$0	20	6.00	\$0	11.00 \$0	1:09:00
KING, JACK L - BATT CHIEF											

Incident Log for 09/01/2013 through 09/30/2013

Inc. No. - Exp. Location	Date	Disp. Time	Sta.	Incident Type	Prop & Cont Value	No. Resp	Disp. to Enrte. Min.	Resp. Min. Savings	Total Hr:Min:Sec	
Involved Name				Owner Name		Prop & Cont Loss	Officer in Charge			
0000128-000 8048 Miller RD	09/24/2013	16:07	1 730	System malfunction, other	\$0	15 \$0	5.00	7.00 \$0	0:39:00	
							KING, JACK L - BATT CHIEF			
0000129-000 4209 S Van Vleet RD MR Ray LaHay	09/25/2013	12:15	1 170	Brush burn	\$0	11 \$0	0.00	13.00 \$0	0:35:00	
				MR Ray LaHay			MERRIAM, ERIC M - ASSISTANT			
0000130-000 In front of 2269 N Morrish RD MS Rachel Carmody	09/30/2013	13:57	2 463	Vehicle accident, general cleanup	\$0	13 \$0	0.00	12.00 \$0	1:05:00	
				MS Christopher Carmody			MERRIAM, ERIC M - ASSISTANT			
							Incidents by Shift Including Exposures			
	No. Resp.	Total Hr:Min	Prop & Cont Value	Prop & Cont Loss	Savings	0	1	2	3	4
Totals:	253	17:59:00	\$45,000	\$45,000	\$0	0	7	7	2	0

The total number of incidents, including exposure fires is 16.

The number of exposure fires is 0.

SWARTZ CREEK AREA FIRE DEPARTMENT
Income/Expense Report
For the Nine Months Ending September 30, 2013

	Description	Current Mth	Y-T-D	Budget	Remain. Budget	% Budget
Revenues						
3582	OPERATING CONTRIBUTIONS	5,658.40	237,046.54	262,520.00	25,473.46	(0.90)
3583	EQUIPMENT CONTRIBUTIONS	0.00	0.00	0.00	0.00	0.00
3628	MISC. INCOME (SUNDRY)	0.00	1,836.42	0.00	(1,836.42)	0.00
3630	GRANT INCOME	0.00	0.00	0.00	0.00	0.00
3664	INVESTMENT INCOME	0.00	165.88	120.00	(45.88)	(1.38)
3673	SALE OF FIXED ASSETS	0.00	0.00	0.00	0.00	0.00
	Total Revenues	5,658.40	239,048.84	262,640.00	23,591.16	(0.91)
Expenses						
4703	SOCIAL SECURITY	851.76	7,000.32	10,900.00	3,899.68	0.64
4704	STAFF SALARIES	3,276.00	30,108.00	45,700.00	15,592.00	0.66
4705	MAIN/TRAIN-SALARIES	910.00	7,580.00	11,100.00	3,520.00	0.68
4706	OFFICER SALARIES	1,290.00	10,320.00	15,500.00	5,180.00	0.67
4707	FIREFIGHTERS SALARY	5,658.47	43,527.08	69,000.00	25,472.92	0.63
4708	DEFERRED COMPENSATION	244.25	1,945.50	3,200.00	1,254.50	0.61
4709	MEDICAL-FIREFIGHTERS	0.00	3,570.00	4,500.00	930.00	0.79
4710	UNEMPLOYMENT PAYMENTS	0.00	0.00	2,000.00	2,000.00	0.00
4727	OFFICE SUPPLIES	34.50	976.52	1,000.00	23.48	0.98
4728	BUILDING SUPPLIES	91.01	808.58	700.00	(108.58)	1.16
4740	OPERATING SUPPLIES	0.00	0.00	0.00	0.00	0.00
4741	EQUIPMENT SUPPLIES	608.99	5,370.15	7,000.00	1,629.85	0.77
4801	CONTRACT SERVICES	36.16	4,730.58	6,800.00	2,069.42	0.70
4820	80th Anniversary	0.00	0.00	0.00	0.00	0.00
4850	COMMUNICATIONS	422.39	2,738.12	3,200.00	461.88	0.86
4910	INSURANCE	0.00	18,120.00	23,200.00	5,080.00	0.78
4920	UTILITIES	740.54	8,180.63	15,000.00	6,819.37	0.55
4960	EDUCATION & TRAINING	1,285.00	4,022.62	6,500.00	2,477.38	0.62
4970	OFFICE EQUIPMENT	0.00	0.00	240.00	240.00	0.00
4976	FIRE EQUIPMENT	1,260.00	2,491.00	16,500.00	14,009.00	0.15
4978	FIRE EQUIP.-MAINT/REPAIR	4,178.83	9,442.01	19,100.00	9,657.99	0.49
4979	FIRE EQUIPMENT-UPGRADES	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 Apparatus	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	800.00	800.00	0.00
4988	COMPUTER SOFTWARE/UPGRADES	0.00	400.00	700.00	300.00	0.57
4999	RESERVE	0.00	0.00	0.00	0.00	0.00
	Total Expenses	20,887.90	161,331.11	262,640.00	101,308.89	0.61
	Net Income/<Loss>	(15,229.50)	77,717.73	0.00		
3400	FUND BALANCE-Beginning of Year	0.00	124,728.50	0.00		
	Fund Balance-End of Year	(15,229.50)	202,446.23	0.00		

AS OF: October 13, 2013
 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. Sept 17: Pump tested (passed), DOT inspection and maintenance performed. The pump was leaking (front & back of the pump) during testing. The packing was tighten, causing the leaking to stop. It's anticipated the packing will have to be redone in 2014.
12	91 Pumper	Station 1	In service. Sept 17: Pump tested (passed), DOT inspection and maintenance performed
16	91 Squad	Station 1	In service.
17	79 Grass Rig	Station 1	In service. Sept 17: DOT inspection and maintenance performed
21	99 Pumper	Station 2	In service. Sept 17: Pump tested (passed), DOT inspection and maintenance performed
23	92 Tanker	Station 2	In service. Sept 17: Pump tested (passed), DOT inspection and maintenance performed. Sept. 23: BC King was advised the ignition switch isn't always working. Going to take vehicle to C&S Motors for repair. Sept. 24: Ignition switch replaced.
26	93 Squad	Station 2	In service. Sept. 30: Unit taken to repair rear axle lead and replace rear brakes.
27	79 Grass Rig	Station 2	In service.

NOTE: Because of my personal circumstances, I was unable to provide as current an apparatus status as I would have liked. Battalion Chief King will be able to add to the list at the meeting.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the “Agreement”) is between the County of Genesee (the “County”) and the undersigned Michigan municipal corporations (collectively referred to as the “Parties”).

WHEREAS, the Parties operate a Hazardous Materials Response Team (the “HazMat Team”); and

WHEREAS, pursuant to MCL § 324.20126(1)(a), a person responsible for the release of a hazardous substance is responsible to pay for the cost of responding to the release; and

WHEREAS, an oral contract exists under which Genesee County (the “County”) has agreed to pay a specified percentage of funds collected under to MCL § 324.20126(1)(a) to other Parties when the other Parties provide personnel for hazardous materials response; and

WHEREAS, the Parties wish to formalize the oral contract with a written agreement.

NOW THEREFORE, the Parties agree as follows:

1. *Definitions*

- 1.1 *County.* Genesee County, Michigan.
- 1.2 *Director.* The Director of the Genesee County Emergency Management and Homeland Security Office.
- 1.3 *HazMat Fund.* The Hazardous Materials Response Team Fund maintained by Genesee County pursuant to this Agreement.
- 1.4 *HazMat Team.* The Genesee County Hazardous Materials Response Team.
- 1.5 *HazMat Team Administrator.* The Team Member responsible for handling the administration of the HazMat Team. The required qualifications, duties, and responsibilities of the HazMat Team Administrator are described on Exhibit B.
- 1.6 *Party.* A Party to this Agreement who provides a Team Member of the HazMat Team. The County is a Party to this Agreement.
- 1.7 *Release.* A release of hazardous materials, as defined by MCL 324.20101(bb) (2008).

- 1.8 *Supervisor.* Operational commander of the HazMat Team. Subordinate to the Team Leader.
- 1.9 *Team Leader.* Operational commander of the HazMat Team.
- 1.10 *Team Member.* A firefighter serving as a volunteer or employee of a Party who participates in the HazMat Team.
2. *HazMat Fund.* The Genesee County Controller shall establish and manage a Hazardous Materials Response Team Fund (the “HazMat Fund”). The HazMat Fund shall be used to fund training, equipment, supplies, and administrative expenses for the HazMat Team.
3. *Members of the HazMat Team.* Any Party may provide one or more of its employee or volunteer firefighters to serve as Team Members of the HazMat Team.
 - 3.1 A Party may propose a candidate for the HazMat Team by letter from the highest police or fire official of the Party, including documentation of the candidate’s training and qualifications.
 - 3.2 Before becoming a Team Member, the training and qualifications of a candidate for the HazMat Team will be evaluated by the Director, the HazMat Team Administrator, and the Team Leader. The Director has final authority over whether a candidate may become a Team Member/Supervisor. The acceptance of a candidate as a Team Member shall be by letter from the Director.
 - 3.3 Each Team Member provided shall remain an employee or volunteer of the Party, and not of the County.
 - 3.4 Each Party shall be solely responsible for providing for any compensation and benefits for each Team Member that Party provides to the HazMat Team.
 - 3.5 The County will provide training and equipment specific to hazardous materials response for Team Members of the HazMat Team funded from the HazMat Fund.
4. *Command of the HazMat Team.* The Director, in consultation with the Genesee County Association of Fire Chiefs, the Genesee County Association of Police Chiefs, and the HazMat Team, shall appoint the HazMat Team Administrator and Team Leader. In the event of a disagreement, the Director’s decision shall control.
5. *Liability and Insurance.* Each Party agrees to indemnify and hold harmless the County and all other Parties for all claims arising out of the actions or omissions committed by Team Members provided by that

Party in the performance of the duties of the HazMat Team. Each Party agrees to provide all necessary insurance, including liability, worker's compensation, and unemployment insurance, for all Team Members provided by that Party.

6. *Collections.* Pursuant to MCL § 324.20126(1)(a), a person responsible for the release of a hazardous substance is responsible to pay for the cost of responding to the release.
 - 6.1 The Parties agree that the Director shall be responsible for seeking recovery and collection of response costs from responsible persons and entities on behalf of all Parties.
 - 6.2 Each Party agrees to provide to the Director, upon request, any information regarding the cost of a response by the HazMat Team to a release of hazardous materials.
 - 6.3 The Parties agree that the Director shall have the discretion to determine whether to seek recovery from a person or entity responsible for a release under MCL § 324.20126(1)(a).
7. *Allocation of Collected Funds.* Upon recovery of costs by the Director, the Parties agree that the recovered funds shall be allocated as follows:
 - 7.1 100% of the amount collected for the use of the CBRNE Vehicle shall be paid to the Genesee County Association of Fire Chiefs.
 - 7.2 100% of the amount collected for the use of the HazMat Truck and Trailer shall be paid into the HazMat Fund.
 - 7.3 For personnel costs associated with the release of a hazardous material, 50% of the amount collected for personnel costs shall be paid to the Parties providing the responding Team Members. The remaining 50% of the amount collected for personnel costs shall be paid into the HazMat Fund.
 - 7.4 For administrative costs associated with emergency response to the release of a hazardous material, 50% of the administrative fee collected shall be paid to the HazMat Team Administrator. The remaining 50% of the amount collected for the administrative fee shall be paid into the HazMat Fund.
8. *Governmental Immunity.* Nothing in this Agreement shall be construed as a waiver of governmental immunity as granted to any Party or any agent or employee of a Party by law.
9. *Addition of New Parties.* Any local jurisdiction within Genesee County may become a Party upon approval by the Genesee County Board of

Commissioners, and upon approval by the local jurisdiction in the manner prescribed by law for that jurisdiction.

10. *Termination.*

10.1 *By Any Party.* Any Party may withdraw from this Agreement upon 60 days written notice.

10.2 *Termination for the Convenience of the County.* If the Board of Commissioners determines it is in the best interests of the County, the County may terminate this Agreement upon 60 days written notice.

10.3 *No Other Termination.* Unless terminated by a Party pursuant to this Section, this Agreement shall not expire and shall remain in force.

11. *Effective Date.* This Agreement is effective as of November 1, 2007, and all funds recovered on or after that date under Section 6 of this Agreement shall be allocated and distributed as indicated in Section 7.

IN WITNESS WHEREOF, this Agreement is entered into by the Michigan municipal corporations listed by the signature of their designated and duly authorized officers on Exhibit A.

[SIGNATURE PAGES FOLLOW]

EXHIBIT A

The undersigned Michigan municipal corporation hereby adopts the foregoing Memorandum of Understanding concerning the Genesee County Hazardous Materials Response Team.

GENESEE COUNTY, MICHIGAN

Jamie Curtis, Chairperson
Genesee County Board of
Commissioners

The undersigned Michigan municipal corporation hereby adopts the foregoing Memorandum of Understanding concerning the Genesee County Hazardous Materials Response Team.

Swartz Creek Area Fire Board

Brent Cole, Fire Chief
Swartz Creek Area Fire Board

Schedule of Response Activity Costs
Effective as of November 3, 2009

Cost	Amount	Per
Emergency Vehicles & Equipment	\$ 804.15	Hour of use for each
Supervisor	\$ 52.00	Hour on scene
Emergency Technician	\$ 38.00	Hour on scene
Administration	\$ 60.58	Hour
Supplies	<i>Actual Replacement Cost</i>	

Request For Breathing Air Compressor Quote
Swartz Creek Area Fire Department (SCAFD)
8100-B Civic Dr.
Swartz Creek MI 48473
810-635-2300
Email: bdcollection@scafd.com

Compressor: Mako, Model 9300E1
S/N: 5405875

Your maintenance and testing shall be based on NFPA 1989.

1. There shall be two (2) breathing air compressor maintenance visits, one within the first quarter and the second within the third quarter of the year. Maintenance shall consist of: filter change, oil change, complete check over, pressure shut down check, leak test, amperage draw test, and clean and drain condensate trap. Air quality testing shall be taken before and after compressor maintenance.
2. There shall be two (2) air quality tests done, one within the second quarter and the second within the fourth quarter of the year. These tests shall be performed by your company, unless a discount will be made available if the SCAFD performs the testing. Amounts to be charged shall be quoted with your company providing testing and with the SCAFD performing the testing.

Billing shall only be done when services are completed. No bill will be allowed in advance. If repairs are needed between visits, this quote will include the labor charge per hour, not including parts. No mileage or trip charges will be charged or included.

Your quote shall be good for two (2) years, expiring at the end of the fourth quarter, 2015.

All quotes are due by mail and/or email on or before December 9, 2013.

	Peachtree (Sage 50)	Quickbooks	Chase
Accounting software	\$747.15	\$249.95	X
Payroll service	included	\$280.00	\$360.00
Per employee fee	included	\$1,032.00	
Direct Deposit	\$567.60	included	\$120.00
Total	\$1,314.75	\$1,561.95	\$480.00

Option 1:

Sage 50 software	\$747.15
Chase Direct Deposit	\$120.00
	<u>\$867.15</u>

Option 2:

Quickbooks software	\$249.95
Chase Payroll	\$360.00 + checks \$
	<u>\$609.95</u>

Difference	<u><u>\$257.20</u></u>
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Accounting/Clerical Specialist Kim Borse recommends purchasing Option 1. Although, Option 1 is not the cheapest option, I have used the Sage software for 18 years and am very experienced in it. Option 2 would require learning new software, and since Chase Payroll does not "talk to" Quickbooks, it would require journal entries to get the payroll information into Quickbooks-this could lead to input errors.

SWARTZ CREEK AREA FIRE DEPARTMENT

8100 B CIVIC DRIVE
 SWARTZ CREEK, MI 48473

INVOICE

Invoice Number: 101213SC
 Invoice Date: Oct 12, 2013
 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	Due Date
	Courier		10/31/13

Quantity	Item	Description	Unit Price	Amount
312.38	FIRE02	FIRE SERVICE 09/2013	13.19	4,121.66

Subtotal	4,121.66
Sales Tax	
Total Invoice Amount	4,121.66
Payment/Credit Applied	
TOTAL	4,121.66

Check/Credit Memo No:

SWARTZ CREEK AREA FIRE DEPARTMENT

8100 B CIVIC DRIVE
 SWARTZ CREEK, MI 48473

INVOICE

Invoice Number: 101213CT
 Invoice Date: Oct 12, 2013
 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	Due Date
	Courier		10/31/13

Quantity	Item	Description	Unit Price	Amount
294.88	FIRE02	FIRE SERVICE 09/2013	13.24	3,903.12

Subtotal	3,903.12
Sales Tax	
Total Invoice Amount	3,903.12
Payment/Credit Applied	
TOTAL	3,903.12

Check/Credit Memo No:

**SWARTZ CREEK AREA FIRE DEPARTMENT
BILLS PAID LIST**

					30-Sep-13
DATE:	CHECKS	PAYEE:	AMT	ACCT	TRANSACTION DESCRIPTION
9/9/2013	16457	CHARTER	\$118.82	4850	PHONE/INTERNET STA 2
9/9/2013	16458	SCAFA	\$407.00	22024	ASSOC DUES
9/9/2013	16459	FRIEND OF THE COURT	\$34.66	22026	FRIEND OF THE COURT
9/9/2013	16460	GILL ROYS	\$17.57	4728	BUILDING SUPPLIES
9/9/2013	16461	ICMA	\$563.97 \$244.25	4741	FUEL
9/9/2013	16462	JERRYS TIRE	\$3,855.84	4978	TIRE MAINT/REPLACEMENT
9/9/2013	16463	MML	\$175.00	4960	MEMBERSHIP
9/9/2013	16464	STATE OF MICHIGAN	\$342.47	22022	STATE TAX
9/9/2013	16465	VALLEY PETROLEUM	\$245.43	4741	FUEL
9/16/2013	16466	BRADYS BUSINESS SYSTEMS	\$36.16	4801	ASSOC DUES
9/16/2013	16467	COMCAST	\$184.75	4850	PHONE/INTERNET STA 1
9/16/2013	16468	CONSUMERS ENERGY	\$255.23	4920	STA 2 UTILITIES
9/16/2013	16469	ICMA	\$70.00	22023	DF COMP EE PORTION
9/16/2013	16470	VISA	\$24.44 \$73.44 \$89.95	4727 4728 4978	POSTAGE BUILDING SUPPLIES MUFFLER 41-26
9/23/2013	16471	CITY OF SWARTZ CREEK	\$485.31	4920	UTILITIES STA 1
9/23/2013	16472	PRACTICAL FIRE EQUIP	\$1,260.00	4976	ROOF LADDER SAFETY PLATFORMS
9/23/2013	16473	VALLEY PETROLEUM	\$363.56	4741	FUEL
9/30/2013	16474	C&S MOTORS	\$185.82	22023	DF COMP EE PORTION
9/30/2013	16475	CHARTER	\$118.82	4850	PHONE/INTERNET STA 2
9/30/2013	16476	HALT FIRE	\$47.22 \$10.06	4978 4727	PAINT 41-11 SHIPPING
9/30/2013	16477	ICMA	\$70.00	22023	DF COMP EE PORTION
9/30/2013	16478	MI STATE FIREMANS ASSOC	\$1,110.00	4960	MEMBERSHIP
			(\$342.47)	22022	08/13 STATE TAX PAYABLE
			\$2,541.70	22021	09/13 SOC SEC
			\$364.12	22022	09/13 STATE TAX PAYABLE
			\$1,121.43	1002	09/04 PAYROLL
			\$5,748.94	1002	09/11 PAYROLL
			\$1,064.41	1002	09/18 PAYROLL
		TOTAL	\$20,887.90		

VOID CHECKS:

GUIDELINE: #209

ADOPTED: July 01, 1999

REVIEWED: 11/13/2010

REVISED: 08/23/2009, 11/21/2010, **09/22/13**

SUBJECT: ADMINISTRATIVE GUIDELINES: Duties for apparatus checks and hall cleaning (Station Assignments)

PURPOSE: To establish guidelines associated with apparatus checks and hall cleaning duties.

OBJECTIVE: To provide department personnel with specific guidelines for performing and reporting associated deficiencies as applicable.

1. It shall be the responsibility of the designated Maintenance Supervisor to maintain on file all hard copies associated with the apparatus check sheets and/or inspections, for the life of the vehicle.
2. Personnel shall be assigned, on a monthly basis, those duties associated with station assignments. A station assigned Officer shall be designated by the Chief to oversee said assignments.
3. Apparatus checks and hall cleaning duties shall be performed on a weekly basis. It shall be the assigned duty person to determine the day said duties will be performed. In order that a sufficient number of checks will be performed in the month, the first check will be done within the first 5 days of each month. However, duties shall not be done any further than ten (10) days or closer than five (5) days between events.
4. **The Officer assigned officers' checks, for their station each month, will check their stations assignment books to verify checks were completed. These checks will take place on the 6th, 16th, and 26th. This will allow officers to verify the first required check was completed by the 5th and a check at least every 10 days thereafter is completed. Earlier checks will be accepted if all other stations duties have been completed by the date checked.**
5. In the event an assigned duty person is not available during the interval days, that person shall notify the station responsible Officer of such. In addition, the assigned person shall contact another department firefighter to assume the duties that they will not be available to perform. If they are unable to make substitute contact, the station responsible Officer will then be contacted to advise the same. For those unavailable due to medical leave, contact with the Fire Chief shall be sufficient notification. In turn, the Fire Chief shall notify the station officer in charge of duties for reassignment of station assignments for the duration of the medical leave.
6. Any apparatus deficiencies discovered shall be noted on the checklist and, as applicable, a work order form will be filled out and attached to the checklist sheet for disposition by the station's responsible Officer. If the deficiency can be handled by the duty person, a note of the actions taken will be made on the checklist. All work orders will be forwarded to the appropriate person by the station's responsible Officer for dispensation. Once the work order is rectified, a copy of it will be returned to the duty person. The original will be in the appropriate life of the vehicle folder.
7. The hourly compensation of said duties shall be the basis of payment determined by the Fireboard. During economic difficulties, the Fire Chief may reduce wage rates to align with potential budgetary reductions.
8. Failure to comply with this SOG shall include, but not be limited to, disciplinary action.

SOG209

09/13

Page 1/1

GUIDELINE: #209

ADOPTED: July 01, 1999

REVIEWED: 11/13/2010

REVISED: 08/23/2009, 11/21/2010, 09/22/13

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SOG209

09/13

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GUIDELINE: #407

ADOPTED: April 30, 1993

REVIEWED: 03/15/2006

REVISED: 04/12/92, 05/23/93, 10/24/93, 01/15/96, 07/28/96, 05/18/01, 12/01/01, 05/02/2006, 11/21/2010, 05/22/2011, **09/22/13**

SUBJECT: PERSONNEL GUIDELINES; Training and Makeup Training Requirements

PURPOSE: To provide a means by which department personnel will be aware of the monthly and quarterly training sessions

OBJECTIVE: To establish specific guidelines for the minimum training and training requirements

The SCAFD is dependent upon its on-call personnel for emergency incident response. With the increasing federal and state mandates for training and emergency scene competencies, our personnel must be required to participate in a minimum of training exercises. Accordingly, the SCAFD adopts the following minimum training attendance/participation requirements.

1. Department training will consist of two (2) sessions per month, as follows:
 - A. The second Tuesday starting ~~at 1800~~ **in the PM** or Wednesday ~~at 0900~~ **in the AM**.
 - B. The fourth Sunday of each month, starting ~~at 0800~~ **in the AM** followed by Monday **with one** starting ~~at 0900~~ **in the AM** and ~~1800~~ **another in the PM**.
 - C. Any deviation from the days, stated above, will be determined by the Chief and/or Training Officer. Personnel shall be responsible for knowledge of any deviation, by reading the monthly training notice that is included with payroll and then take whatever steps necessary for compliance.
 - D. Posting of a complete list for the calendar year will be posted in December.
 - E. AM and PM times will be determined by the Training Officer.**
2. All firefighters are required to complete seventy percent (70%) of the total training hours presented based on quarterly periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through November 30 (there is no regularly scheduled training in December).
3. Firefighters are required to attend a mandatory hazardous material refresher course, maintain a current mandatory CPR card, attend a mandatory blood borne pathogens refresher class. These mandatory classes will be held in the first quarter of each year as specified by the Training Officer. Additional training sessions may be deemed mandatory by the Training Officer or the Fire Chief.
4. Firefighters shall be made aware of their on going training percentage by the posting of a department roster on the bulletin board of all stations after the completion of each scheduled training session. Listed will be the person's name, sessions attended and training percentage acquired to date.
5. Firefighters may be excused from training sessions by the Fire Chief or Training Officer for attendance at FF Academy, Fire Officer classes, fire related seminars or for the purpose of outside instruction of an exact related subject of the scheduled one missed and if it interferes with the available sessions. Pre-approval before attendance or instruction, is required before an excuse will be granted. A copy of the certificate received for the course attended will act as verification of attendance. Being excused is not the same as receiving credit for department training missed. If you do not attend the department training, you will not be credited with the amount of time spent.
6. Personnel shall be compensated for the actual amount of time spent during training. The pay rate shall be determined by the Fire Chief as determined by budgetary limitations.

SOG407

09/13

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7. Training may be made up by contacting the Training Officer or his designate.
8. Not all topics that are presented throughout the year will be made up due to their complexity (i.e. live burns, extrication, GM/SPO on site tour, etc.). Certain topics may only be available one time with no alternate date available.
9. Any training involving live fire fighting exercises shall be conducted in compliance with NFPA 1403, Standard on Live Fire Training Evolution in Structures.
10. Smoke generating devices that produce a hazardous atmosphere shall not be used in training exercises.
11. Failure to comply with this SOG shall result in the following disciplinary action in compliance with SOG #420:

1st Offense

Immediately placed on temporary suspension and notified in writing by the Fire Chief. Firefighters placed on temporary suspension must make up the necessary training for compliance within thirty (30) days. Failure to comply shall result in a written warning and the immediate beginning of the 2nd offense.

2nd Offense

Immediately placed on temporary suspension and notified in writing by the Fire Chief. Firefighters placed on temporary suspension must make up the necessary training for compliance within thirty (30) days. Failure to comply shall result in a written reprimand, and the immediate beginning of the 3rd offense.

3rd Offense

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Firefighters should immediately contact the Fire Chief once placed on temporary suspension to rectify the situation. Gross disregard for training attendance may result in immediate discharge.

NOTE: At any time, training sessions may be introduced that change the yearly training schedule due to federal/state laws and regulations or of paramount importance pertaining to the safety and well being of department personnel. They may or may not be deemed mandatory sessions.

SCAFD personnel shall be required to attend all mandatory sessions and absence there from must be made up. All personnel shall be responsible to make arrangements in advance to insure attendance.

GUIDELINE: #407

ADOPTED: April 30, 1993

REVIEWED: 03/15/2006

REVISED: 04/12/92, 05/23/93, 10/24/93, 01/15/96, 07/28/96, 05/18/01, 12/01/01, 05/02/2006, 11/21/2010, 05/22/2011, 09/22/13

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FY2012/2013 ANNUAL REPORT

FLINT AREA NARCOTICS GROUP 2012/2013 ANNUAL REPORT

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FLINT AREA NARCOTICS GROUP

STRUCTURE

BOARD OF DIRECTORS

Chairman - Mark Emmendorfer, Montrose Township Supervisor
Vice-Chair - Larry Green, Mt. Morris Township Supervisor
Secretary - Karyn Miller, Flint Township Supervisor

OPERATIONS BOARD

Chairman - Rick Aro, Chief, Fenton Police Department
Vice-Chair - Rick Cloinger, Chief, Swartz Creek Police Department
Secretary - George Sippert, Flint Township Police Department

SECTION COMMANDER

D/F/Lt. Patrick D. Richard, Michigan State Police

SECRETARIES

Cindy Meiser, Genesee Township
Danelle Barker

PROPERTY/VEHICLE ADMINISTRATOR

Mark Stephenson

FORFEITURE ADMINISTRATOR

Dennis Woizeschke

TEAM #1

TEAM #3

STREET ENFORCEMENT

STREET ENFORCEMENT

D/Lt Michigan State Police (filled 9/1/2013)
D/Sgt. Burton Police Department
D/Tpr Michigan State Police
Ofc Burton Police Department
Ofc Burton Police Department
Ofc Flint Police Department
Ofc Grand Blanc Township Police Department
Ofc Mt. Morris Township Police Department

D/Lt Michigan State Police
D/Sgt Michigan State Police
D/Tpr Michigan State Police
Ofc Davison Township Police Dept
Ofc Flint Police Department
Ofc Flint Township Police Department

FEDERAL PARTNERS

S/A Mark Kloostra, ATF

Dear FANG Members:

It is difficult to believe that another year has passed. As I have learned, time does not pass by at a snail's pace here in Genesee County, especially in the Flint Area Narcotics Group (FANG) office.

FY 2012-2013 has again been a very busy year for the men and women of FANG, as it has been for all of you as well. We all continue to find creative ways to fill the "holes" in our respective budgets and work very hard at keeping the morale of all of our employees up as we continue to "do more with less"! In spite of these challenges, you have all remained committed to ensuring that FANG is and will continue to be a viable resource for the entire law enforcement community in Genesee County.

While this past year brought challenges to FANG, these new challenges did not hinder the many positive outcomes that resulted from your officers' hard work. As in the past, the most significant challenges FANG faced was the turnover of officers. FANG has again been very fortunate to have some of the best and brightest officers in the county assigned as openings have occurred. FANG has received an Officer from Burton Police Department and an Officer from Davison Township Police Department and two (2) Detective Trooper Specialists from the Michigan State Police. We were also fortunate to fill the vacant D/Lieutenant position on September 1st of this year. As I stated last year, what has not changed is the consistent dedication and quality of officers that continue to be assigned to FANG. My thanks to all of the agencies that provide an officer to FANG, because without the quality officers who are assigned to FANG, we could not be the successful team that we are today.

In the past several years there have been numerous changes not only at FANG and your communities, but also around the State of Michigan. I am certain as we go forward we will continue to experience many more changes and challenges. We must also be vigilant in our approach to locating, investigating and apprehending the ever changing "educated" criminal element that we face on a daily basis in our local communities. One thing certain not to change is the drive and dedication of the officers at FANG as they continue to strive to make our communities safer.

We are looking forward to working with you in the coming year and I take this opportunity, on behalf of all assigned at FANG, to say thank you again for your continued and future support.

Sincerely,

D/F/Lt. Patrick D. Richard, Section Commander
Flint Area Narcotics Group
Michigan State Police

FANG OFFICER TRAINING

Each officer assigned to the Flint Area Narcotics Group must, at a minimum, attend 3 of 4 training programs offered by the Michigan State Police. Although the below training is the minimum mandated, officers assigned at FANG attend other various training programs throughout the year. Some of these programs may, if available, include ATF Undercover Officer Training, DEA Undercover Officer Training, Marijuana Grow School, Marijuana Spotter School and ATF Gun Trace Training.

FANG also strives to maintain officers who have received training in Quantico, Virginia and/or at the Michigan State Police Training Academy for Methamphetamine Investigation and Response.

TRAINING PROVIDED UPON ASSIGNMENT AT FANG:

Below is a list of training that officers at FANG received this year.

Basic and Advanced Narcotic School: (5 days) consists of basic/advanced narcotics training in drug identification, informants, laboratory testing, courtroom testimony, field work, technical equipment, and conspiracies.

Raid Entry School: (3 days) Geared toward narcotics raid entry procedures and is presented with the Michigan State Police Emergency Support Unit. Seven hours of classroom instruction on planning, strategy, and safety aspects are followed by twelve hours of practical exercise scenarios addressing entry procedures, building searches, and vehicle stops.

Surveillance School: (5 days) focuses on basic surveillance aspects with emphasis on the following types of surveillance; foot, vehicle, air and nighttime surveillance with emphasis on note taking and techniques.

Marijuana Indoor Grow Operation Training: (3 days) This course is designed to equip investigating officers and support personnel with the knowledge necessary to detect, search for, and seize grow operations and how to prosecute and testify on indoor marijuana grow cases.

Methamphetamine Responder School: (5 days) focuses on safe response and investigation of methamphetamine labs. This school is optional, and we only send officers that are interested in this training.

Sirchie NARK II Progressive System of Drug Identification: (1 day) focuses on Drug Identification and field testing of illegal narcotics.

Internal Revenue Service-Criminal Investigation: (1 day) focus on financial investigation techniques used to further narcotic investigations.

There are many reasons to adequately train officers who are expected and entrusted to perform specific assignments, one of these reasons is to ensure that your liability continues to be reduced.

Training Equates to Reduced Liability

Julie A. Risher, Public Safety Attorney, Winston-Salem, North Carolina, Police Department

On May 12, 1991, an inexperienced, untrained reserve sheriff's deputy stopped a vehicle after the driver turned around to avoid a roadblock. On the dark country road, the deputy extracted the driver's wife (who offered no resistance) using an arm-bar technique. The woman suffered severe injuries to her knees. The deputy had never taken a law enforcement course and in just a few weeks on the job had effected an excessive number of take-down arrests.¹

The U.S. Supreme Court recently considered the negligent hiring claim filed by the plaintiff in the case, known as *Brown v. Bryan County*. On April 30, 2001, the U.S. Supreme Court declined to hear the county's appeal concerning municipal liability for failure to train, allowing the opinion of the U.S. Court of Appeals for the Fifth Circuit to stand.

The Fifth Circuit held that the county was liable because a reasonable jury could conclude (1) that it should have been obvious to the sheriff that not training the deputy would result in his applying force that would jeopardize citizens' Fourth Amendment rights and (2) that this failure was the "moving force" that caused the constitutional injury.² The court concluded that the failure to train one officer adequately, and evidence of a causal connection between that lack of training and the injury, may create municipal liability under Section 1983.

Courts have traditionally considered several factors in determining whether a municipality is liable for failure to train under 42 U.S.C. Section 1983, the federal civil rights statute. In a civil suit alleging failure to train, the plaintiff has the burden of proving three elements:

- the training program is inadequate for the tasks that officers perform;
- the inadequacy of training is a result of the city's deliberate indifference;
- the inadequacy is closely related to or caused the plaintiff's injury.³

Furthermore, the plaintiff must prove that the incident is a usual and recurring situation in the municipality. Only then is the municipality put on notice of the need for more adequate training.⁴ But in *Brown v. Bryan County* the court held that a municipality may be liable for the inadequate training and misconduct of just one officer.

In *Brown v. Gray*, an off-duty plainclothes officer shot and severely injured the plaintiff following a traffic dispute.⁵ The plaintiff filed a claim under 42 U.S.C. Section 1983 against the City of Denver. The jury found that the shooting was directly related to the officer's position as a police officer and that the police department had failed to train him on the always-armed/always-on duty policy. Consequently, the appellate court upheld the verdict against the city, finding that the plaintiff presented sufficient evidence of all three prongs of the test.

Similarly, in *Echlin v. City of Lansing* a U.S. district court found a municipality liable for failure to train under Section 1983 after an accidental discharge during a reverse-buy drug bust.⁶ During the bust, an officer's weapon, an MP-5 machine gun, slipped from his grasp. When the officer caught the weapon, his finger engaged the trigger and the weapon discharged a single round, injuring the plaintiff. The Lansing, Michigan, Police Department Review Board identified necessary changes to department policies and procedures, including changing the straps on the

MP-5 to accommodate both right- and left-hand shooters. The plaintiff filed a lawsuit against the municipality, claiming failure to train.

The court concluded that the city's policy was to arm START team members with MP-5 submachine guns, even when that force would be excessive. Additionally, the city was aware that the officers were having difficulties with the weapons. The court found that the lack of training was so obvious that it showed "deliberate indifference."⁷ The court allowed the case to go to trial.

Failure-to-train claims do not always result from outrageous behavior. Any misstep by an officer that results in injury may lead to a failure-to-train claim. To avoid lawsuits based on these claims, managers must develop a training curriculum that involves every aspect of policing and carefully document the training of all officers. They also must assess the training by testing officers afterwards or by monitoring in-the-field performance evaluations. Lastly, police managers must identify performance problems and address them promptly. Refresher training is a good preventative measure.

Once an incident has occurred, other remedial steps may be appropriate. First, the internal investigation must be accurate and thorough. However, while conducting the internal investigation, the manager must be mindful that its findings may be used against the municipality as an admission. The internal investigation may spawn policy changes, but the policy changes may be used as evidence that the prior policy or practice showed deliberate indifference. Secondly, the department must take prompt and appropriate discipline as appropriate.

1. *Brown v. Bryan*, 219 F.3d 450 (5th Cir. 2000).
2. 2 *Id.* at 461.
3. *Johnston v. Cincinnati*, 39 F. Supp. 1013 (S.D. Ohio 1999).
4. *Brown v. Gray*, 227 F.3d 1278 (10th Cir. 2000).
5. *Id.*
6. *Echlin v. City of Lansing*, 1997 U.S. Dist. LEXIS 1943 (W.D. Michigan 1997).
7. *Id.* at 22.

For more information, please contact:

[Gene Voegtlin](#)

(703)836-6767, ext. 211

2012/2013 DUES

	DUES	DATE PAID	DUES REFUNDED
CITY OF BURTON	\$26,516.26	11/14/2012	\$26,516.26
CITY OF CLIO	\$1,891.12	12/3/2012	\$1,891.12
CITY OF DAVISON	\$4,425.79	11/14/2012	\$4,425.79
CITY OF FENTON	\$18,027.28	11/16/2012	\$18,027.28
CITY OF FLINT	\$52,524.31		
CITY OF LINDEN	\$4,524.62	12/3/2012	\$4,524.62
CITY OF SWARTZ CREEK	\$7,850.60	2/4/2013	\$7,850.60
GAINES VILLAGE	\$251.98	11/16/2012	\$251.98
OTISVILLE VILLAGE	\$573.56	11/14/2012	\$573.56
DAVISON TWP	\$22,327.07	11/14/2012	\$22,327.07
FLINT TWP	\$40,972.39	12/11/2012	\$40,972.39
FOREST TWP	\$4,330.38	11/14/2012	\$4,330.38
GENESEE TWP	\$14,393.53	12/3/2012	\$14,393.53
GRAND BLANC TWP	\$49,563.90	11/14/2012	\$49,563.90
MONTROSE TWP	\$5,394.83	11/14/2012	\$5,394.83
MT MORRIS TWP	\$14,492.69	2/11/2013	\$14,492.69
TOTAL	\$268,060.31		\$215,536.00
	-52524.31		
	\$215,536.00	WITHOUT CITY	

2012/2013 FANG BUDGET		
	REVENUE	
ITEM		12-13 BUDGET
ADMINISTRATIVE TOW FEES		\$10,000
FORFEITURE INCOME		\$150,000
INTEREST		\$7,000
MEMBER DUES		\$287,666
FUND BALANCE		\$101,576
TOTAL		\$556,242
	EXPENDITURES	
ITEM		12-13 BUDGET
AUDIT/BOOKEEPING		\$8,500
BUILDING INSURANCE		\$1,500
BUILDING MAINTENANCE		\$10,000
BUILDING LEASE		\$55,000
CONSULTANT WAGES (3)		\$78,832
EQUIPMENT MAINTENANCE		\$2,500
EQUIPMENT PURCHASES		\$9,000
FORFEITURE EXPENSES		\$35,000
GENESEE TOWNSHIP		\$82,670
INSURANCE - SURVEILLANCE VAN		\$1,000
INVESTIGATIVE EXPENSES		\$70,000
MISCELLANEOUS EXPENSES		\$5,000
MOTOR POOL		\$163,840
OFFICE SUPPLIES		\$7,375
POSTAGE		\$500
SECURITY ALARM		\$525
TELECOMMUNICATIONS		\$20,000
TRAINING		\$5,000
TOTAL		\$556,242

FLINT AREA NARCOTICS GROUP

CLASSIFICATION OF NARCOTIC TRAFFICKERS

To determine the significance of the types of drug violators encountered, a violator classification system is used. The classification system separates drug law violators into five classes; according to the amount of specific drug they are capable of trafficking or the individual's position in an illegal drug organization.

The following is a brief example of the classification criteria for narcotic violators.

Class III	650 grams or More	100 pounds or More	Over 10,000 Dosage Units W/I 12 Months	10,000 Units	Lab Operation
Class II	225/650 grams	50<100 pounds		1,000/10,000 Units	
Class II	50/225 grams	10<50 pounds	1,000/10,000 Dosage Units W/I 12 Months		
Class I	25/50 grams	1<10 pounds		10/100 Units 100/1,000 Units	
Class I	Less Than 25 grams	Less Than 1 pound	Less Than 1,000 Dosage Units W/I 12 Months	Less Than 10 Units	

CLASSIFICATION OF 2012-13 VIOLATORS

<u>I</u>	<u>II</u>	<u>III</u>	<u>OTHER</u>
169	23	25	35
TOTAL			252

CURRENT DRUG PRICES

ID	Schedule	Drug	Price of Measure
1	Schedule 1 Substance	Heroin (Grams)	\$ 300.00
2	Schedule 1 Substance	LSD (Units)	\$ 3.00
8	Schedule 1 Substance	Marijuana (Pounds)	\$ 1,000.00
9	Schedule 1 Substance	Hashish (Grams)	\$ 10.00
10	Schedule 1 Substance	Other (Grams)	\$ 2.00
11	Schedule 1 Substance	Other (Units)	\$ 2.00
12	Schedule 1 Substance	Local Use	
13	Schedule 2 Substance	Amphetamine (Grams)	\$ 100.00
14	Schedule 2 Substance	Cocaine (Grams)	\$ 110.00
15	Schedule 2 Substance	Crack Cocaine (Grams)	\$ 110.00
16	Schedule 2 Substance	Phencyclidine/PCP (Grams)	\$ 100.00
17	Schedule 2 Substance	2-Other (Grams)	\$ 100.00
18	Schedule 2 Substance	2-Other (Units)	\$ 15.00
19	Schedule 2 Substance	2-Other - Fluid Ounces	\$ 100.00
20	Schedule 2 Substance	2-Local Use	
21	Schedule 3 Substance	3-Other (Grams)	\$ 50.00
22	Schedule 3 Substance	3-Other (Units)	\$ 5.00
23	Schedule 3 Substance	3-Other - Fluid Ounces	\$ 20.00
24	Schedule 3 Substance	3-Local Use	
25	Schedule 4 Substance	4-Other (Grams)	\$ 3.00
26	Schedule 4 Substance	4-Other (Units)	\$ 2.00
27	Schedule 4 Substance	4-Other - Fluid Ounces	\$ -
28	Schedule 4 Substance	4-Local Use	\$ -
29	Schedule 5 Substance	Measured in (Grams)	\$ -
30	Schedule 5 Substance	Measured in (Units)	\$ 2.00
31	Schedule 5 Substance	5-Other - Fluid Ounces	\$ -
32	Schedule 5 Substance	5-Local Use	

33	Schedule 2 Substance	Methamphetamine (Grams)	\$ 100.00
34	Schedule 1 Substance	Ecstasy (Units)	\$ 30.00
35	Schedule 1 Substance	GHB (Fluid Ounces)	\$ 15.00
36	Schedule 3 Substance	Steroids (Units)	\$ 15.00
37	Schedule 2 Substance	Methamphetamine (Fluid Ounces)	\$ 100.00
38	Schedule 1 Substance	Marijuana (Plants)	\$ 1,000.00
39	Schedule 2 Substance	Oxycontin/Oxycodone (Units)	\$ 20.00
40	Schedule 3 Substance	Ketamine (Fluid Ounces)	\$ 85.00
41	Schedule 1 Substance	Khat (Pounds)	\$ 1,000.00
42	Schedule 1 Substance	Hallucinogens (Ounces)	\$ 60.00
43	Schedule 3 Substance	Barbiturates (Units)	\$ 10.00
44	Schedule 3 Substance	Ketamine (Grams)	\$ 85.00

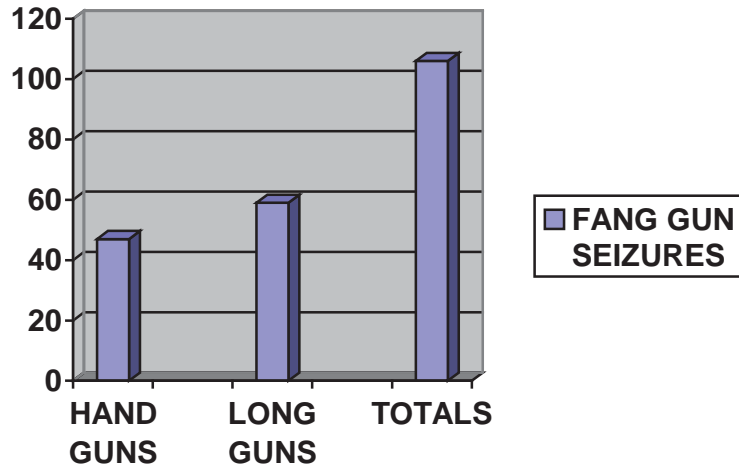
FLINT AREA NARCOTICS GROUP

PURCHASES AND SEIZURES 10/01/12 THRU 9/15/13

<u>DRUGS</u>	<u>AMOUNT</u>	<u>VALUE</u>
HEROIN (grams)	787.13	\$196,782
COCAINE (grams)	1442.1	\$144,210
CRACK COCAINE (grams)	452.92	\$45,292
MARIJUANA (pounds)	218.22	\$310,066
MARIJUANA (plants)	1540	\$1,804,000
METHAMPHETAMINE (grams)	32.94	\$3,294
HYDROCODONE/VICODIN (units)	283	\$4,500
ECSTASY (units)	55	\$1,375
KETAMINE (grams)	29.2	\$2,482
VARIOUS OTHER DRUGS		\$6,033
	TOTAL	\$2,518,034

FIREARM SEIZURES

Firearms seized: Hand Guns = 47
Long Guns = 59
Other = 1
Totals = 107



FLINT AREA NARCOTICS GROUP

FORFEITURES

	AMOUNT	
CASH AND NEGOTIABLE INSTRUMENTS:	\$107,081.50	
REAL PROPERTY:		
REAL ESTATE	\$0.00	
PERSONAL PROPERTY:	\$23,407.12	
CONVEYANCES:		
AUTOMOBILES	\$3,100.00	
BONDS FORFEITED:	\$2,758.00	
FEDERAL FORFEITURE	\$2,374.51	
GROSS PROCEEDS OF PROPERTY FORFEITED:	\$138,721.13	
FORFEITURE EXPENSES:		
	PROSECUTOR'S FEE	\$16,892.77
	OTHER COSTS/FEEES	\$26,766.79
FORFEITURE ADJUSTED THRU NEGOTIATIONS OF DEFENSE & PROSECUTOR		\$6,854.00
NET PROCEEDS OF PROPERTY FORFEITED:		\$88,207.57

FLINT AREA NARCOTICS GROUP

ADDITIONAL ACTIVITIES

INFORMANTS DEVELOPED	59
SEARCH WARRANTS OBTAINED	50
FIREARMS SEIZED	107
POSSESSION OF FIREARM - FELONY	44
TOTAL ARREST COUNTS	507

2012/2013 FANG BUDGET		
	REVENUE	
ITEM		12-13 BUDGET
ADMINISTRATIVE TOW FEES		\$10,000
FORFEITURE INCOME		\$150,000
INTEREST		\$7,000
MEMBER DUES		\$287,666
FUND BALANCE		\$101,576
TOTAL		\$556,242
	EXPENDITURES	
ITEM		12-13 BUDGET
AUDIT/BOOKEEPING		\$8,500
BUILDING INSURANCE		\$1,500
BUILDING MAINTENANCE		\$10,000
BUILDING LEASE		\$55,000
CONSULTANT WAGES (3)		\$78,832
EQUIPMENT MAINTENANCE		\$2,500
EQUIPMENT PURCHASES		\$9,000
FORFEITURE EXPENSES		\$35,000
GENESEE TOWNSHIP		\$82,670
INSURANCE - SURVEILLANCE VAN		\$1,000
INVESTIGATIVE EXPENSES		\$70,000
MISCELLANEOUS EXPENSES		\$5,000
MOTOR POOL		\$163,840
OFFICE SUPPLIES		\$7,375
POSTAGE		\$500
SECURITY ALARM		\$525
TELECOMMUNICATIONS		\$20,000
TRAINING		\$5,000
TOTAL		\$556,242

Paul Bueche

Subject: FW: FANG Activity Update

Subject: FANG Activity Update

To all,

Please see the below activity report for the FANG Section from September 9th thru October 3rd, 2013:

On 9-9-13, FANG officers observed a known drug trafficker and fugitive driving in the City of Flint. FANG officers kept surveillance on the vehicle until a marked MSP unit was able to make a traffic stop. The man was arrested on 5 Misdemeanor Warrants and lodged in the Genesee County Jail.

On 9-10-13, 3rd district methamphetamine response team trained FANG officers responded to Port Huron to assist the St. Clair Co. task force with a meth lab. The hazardous materials were packaged per policy and transported to the 3rd district clandestine lab storage shed in Bridgeport.

On 9-11-13, FANG officers responded to the Wal-Mart in Burton reference a mobile methamphetamine lab. During the course of a retail fraud investigation Burton officers discovered two active methamphetamine one pots in a vehicle. 3rd district methamphetamine response team trained FANG officers made the one pots safe, and packaged the hazardous materials. Three suspects were lodged in the Genesee County Jail.

9-11-13, FANG officers conducted a controlled purchase of Heroin using a Confidential Informant (CI). The CI purchased Heroin from a male at a residence on the eastside of Flint. Intelligence was gathered from the CI and a search warrant was later executed on the address.

9-13-13, FANG officers were conducting surveillance on a suspected drug house on the eastside of Flint. Officers observed 2 males from Flushing arrive and leave from the home just moments later. The vehicle was surveyed until a marked unit was able to make a traffic stop. A search of the vehicle revealed 43 Vicodin pills. Both males were arrested and later released pending further investigation.

9-17-13, FANG officers executed a search warrant to a residence on the eastside of Flint. An illegal Marijuana grow op was discovered in the basement of the home. The homeowner was arrested for manufacturing Marijuana and another man in the home was arrested on several warrants. The homeowner was released pending further investigation and the other man was lodged on his warrants in the Genesee County Jail. Four Marijuana plants were seized from the home.

9-18-13, FANG officers assisted MSP Flint with surveillance and the execution of a search warrant on a residence in the City of Flint. The entry was made and the home secured. The residence was then turned over to MSP detectives.

9-19-13, FANG officers responded to a residence on the south side of Flint in reference to Marijuana plants growing in the backyard. Two Marijuana plants were seized from the garden. No arrest was made, but the investigation is still ongoing.

9-19-13, FANG officers conducted a controlled purchase of Marijuana using a Confidential Informant (CI). The CI purchased Marijuana from a male at a residence on the eastside of Flint. Intelligence was gathered from the CI and the investigation is still ongoing.

On 9-19-13, FANG officers conducted a controlled purchase of heroin from a suspect in the city of Flint. The investigation is on-going.

On 9-19-13, FANG officers responded to a methamphetamine dump site in the city of Flint. 3rd District methamphetamine response team trained FANG officers responded, made the components safe, packaged the components and transported them to the 3rd district clandestine lab storage shed in Bridgeport.

On 9-23-13, methamphetamine trained FANG officers responded to Genesee Twp. ref. a "one pot methamphetamine bottle" found along the roadway. Officers made the one pot safe and transported the hazardous materials to the 3rd district clandestine lab storage shed in Bridgeport.

On 9-23-13, FANG officers conducted a controlled purchase of heroin from a motel room in Flint Twp. Officers obtained a search warrant for the room. Prior to executing the search warrant the suspect left. Officers followed the suspect away and a traffic stop was conducted by MSP 3rd District HST troopers. The suspect was found to be in possession of approx. 21 grams of heroin, 10 grams of crack, marijuana, and forfeiture proceedings were initiated on \$479.00. The suspect was lodged in the Genesee County Jail.

On 9-23-13, FANG officers performed a controlled purchase of marijuana from a residence in the city of Flint. Based on this buy officers obtained and executed a search warrant at the residence the next day. Officers seized marijuana and crack cocaine packaged for sale. Officers also seized an unregistered pistol and initiated forfeiture proceedings on \$400.00. Two suspects were lodged in the Genesee Co. Jail.

On 9-24-13, FANG officers observed 2 known suspects with felony warrants out of FANG. Officers made contact with the suspects arresting them on the warrants. Officers seized a bottle of codeine and initiated forfeiture proceedings on \$1550.00. The two suspects were lodged at the Genesee County Jail.

On 9-30-13, FANG officers conducted a controlled purchase of crack from a suspect in the city of Flint. The investigation is on-going.

ON 9-30-13, FANG officers conducted a controlled purchase of crack from a suspect in the city of Flint. The investigation is on-going.

On 9-30-13, FANG officers made contact with a suspicious acting subject in the city of Flint. The subject was found to have a felony drug warrant for his arrest; he was lodged at the Flint City lock up.

On 10-1-13, FANG officers conducted a controlled purchase of heroin and crack cocaine from a suspect in the city of Flint. The investigation is on-going.

On 10-1-13, FANG officers conducted a controlled purchase of heroin from a suspect in the city of Flint. The investigation is on-going.

On 10-1-13, FANG officers conducted an undercover purchase of crack from a suspect in the city of Flint. The investigation is on-going.

On 10-2-13, FANG officers responded to Grand Blanc Twp. reference marijuana grow discovered by Grand Blanc Twp. P.D. Officers seized 90 marijuana plants. The suspect was not home at the time. He has since contacted FANG officers and a warrant request will be submitted to the prosecutor's office.

10-2-13, FANG officers received information that a male and female were going to be traveling to Detroit to pick up Heroin and return to Flint with the drugs. Officers located the suspect vehicle and began surveillance. FANG officers surveyed the subjects to a residence in the City of Detroit, near the area of Plymouth and Greenfield roads. Surveillance continued for a few hours until the subjects returned to Genesee County. The vehicle was stopped in the rest area in Fenton Township and both subjects were arrested for PWID Heroin. Approximately 5 grams of Heroin was seized during the search. The male and female were both lodged in the Genesee County Jail.

10-3-13, FANG officers executed a search warrant on a residence on the south side of Flint. A male was arrested in the home for PWID "crack" cocaine. Approximately 5 grams of crack was seized and forfeiture initiated on \$331.00. The male was lodged in the Genesee County Jail and the investigation is still ongoing.

10-3-13, FANG officers executed a search warrant on a residence on the west side of Flint. Three known drug traffickers were located and arrested at the house for PWID "crack" cocaine. Approximately 6 grams of crack cocaine and 10 grams of marijuana were seized from the home. Forfeiture was initiated on \$3965.00. Two males were lodged in the Genesee County Jail and the third at Flint City lock up.

Thanks to all of you for your continued support. If you have any questions or concerns, please contact me at your earliest convenience.

Pat

D/F/Lt. Patrick Richard
Section Commander-Flint Area Narcotics Group
Third District Headquarters
Michigan State Police
Mailing Address:
F.A.N.G.
PO Box 614
Grand Blanc, Mi 48480
Office: 810-233-3689

"A PROUD tradition of SERVICE through EXCELLENCE, INTEGRITY, and COURTESY"

City of Swartz Creek

2013-2014 Final Budget Report Long-Term Structural Deficit Review *Final Report to City Council*



August 12, 2013
Paul Bueche, City Manager

City of Swartz Creek

8083 Civic Drive
Swartz Creek
Michigan 48473

Incorporated 1959... *A Quality Community, 54 Years Young*

12-August-2013

To: Honorable: **DAVE KRUEGER, Mayor**
Councilmembers: **Dave Hurt** **Curt Porath**
John Gilbert **Mike Shumaker**
Rae Lynn Hicks **Richard B. Abrams**
Residents: **Citizens of the City of Swartz Creek**

In Reference: 2013-2014 Fiscal Year Budget

Dear **Mayor, Mayor Pro-Tem, Councilmembers** and **City Residents,**

As I have written in recent past years, our business of government has thrust us to a time and place that is unprecedented. Over the last four years, we have seen a rapid decay of the value of our residential housing stock. Regarding our industrial and commercial properties, a disturbing trend began three years ago with the mass filing of tax appeals. A considerable number of these businesses continue to file appeals annually which are granted with little question from the State Tax Tribunal. The taxable values of our larger commercial and industrial properties have been chipped away to a point that in many cases, they have declined by 75% of what they were just four short years ago. The cost of defending these appeals is significant with no financial assistance from the other taxing entities we collect for. Couple this with near zero interest income, revenue sharing reductions, unfunded mandates and expanding costs in labor, services, utility, commodity, and bankruptcy debt discharges, our revenues continue to spiral downward.

This economy has permanently changed the shape of government and we are compelled to seek solutions in order to adequately serve the public. In comparison, the public we serve are also struggling in managing families, college, debt, utilities, taxes, and the list goes on. In my humble opinion, I do not believe our government, as we have come to know it in our careers and under our existing tax structure, is fiscally sustainable. I do believe that the City, County or State will not recover from this anytime soon and in fact, it may be decades. Having said this, we have stayed ahead of the slide by adjusting services accordingly; however, we have arrived at a critical crossroad that will need decisions.

Before you tonight is a report that addresses an exhaustive 18 months of study that looked closely at consolidation of services, long term structural deficits, legacy commitments and the preservation of a community that provides a good quality of life for its residents. I have gone to great lengths to provide a document that is non-technical in nature for simplicity and comprehension. Wherever possible, we have used illustrations and pictorials to establish points and comparatives. On behalf of the staff and from myself, I Thank the Council for your patience, professionalism and unprecedented quality leadership you have shown.

Sincerely,

Paul Bueche
City Manager

HOW DID WE GET WHERE WE ARE TODAY?

A. There are two primary reasons for why we are where we are today. Simply put, the principal reason is bad policy from long-gone, term limited state politicians. If you look at it simplistically, state elected officials are voted to either two year (representatives) or four year (senate) terms and are “term limited” to either six years maximum (representatives) or eight years maximum (senators). Every two years the entire House of Representatives stand for election and the Senate does so at four-year intervals concurrently with elections for governor. One only has to use an imagination to see what good planning strategies might be crafted from a state congress person who starts a term having to begin campaigning immediately to keep their job and face a total career of six or eight years maximum.

Poor state policy coupled with several other variables, are addressed very well and simplistic in a recent article published by Mlive Guest Columnist Mike Bean, (Bridge Magazine). Excerpts from the article are as follows:

The decline of local governments in Michigan is due in part to the 1990s recession and plummeting property values – the effects of which are exacerbated by the consequences of Headlee limits on taxation and spending and Proposal “A” caps on taxable values. The decline in local fiscal stability also was exacerbated by the dramatic reductions in state support for local governments in the last decade or so and major tax-policy changes.

For example, cumulative reductions in statutory revenue sharing (money from the state to local governments) exceeded \$4.4 billion from 1998 through 2011. In addition, nearly all of the major tax-policy decisions the state has made in recent years have hurt local government funding. When the state enacted the state sales tax, local governments were not allowed to levy one of their own, as local governments can in many other states. Local options were not allowed because the state concluded it could collect and distribute some of the revenue in a much more efficient and equitable manner. Limits also exist on the personal income tax, with only 22 of Michigan cities with their own local version.

Until the early 1990s statutory revenue sharing was funded through earmarks from the personal income tax, sales tax, Single Business Tax and the Intangibles Tax. The Intangibles Tax was repealed without replacement revenue, and during the 1990s recession, statutory revenue sharing experienced cuts, as you might expect. But those cuts pale in comparison to what happened just a few years later.

When the recession of the early 1990s ended, most of those cuts were not fully restored. In the late 1990s the prior cuts were rolled into a new baseline and a new statutory dedication based on sales tax collections was enacted. The problem for local governments is that since 1998 this new system has been fully funded just once – in 2001. At roughly the same time, at the start of the 21st century, the Engler administration and Legislature agreed to use up about \$3.2 billion in surpluses and one-time revenue fixes for state spending, while they were still busy cutting taxes. Everyone who understood the budget knew they were setting up future administrations and future Legislatures for a problem. Term-limited lawmakers knew they wouldn’t be around to face the problem – and some of them wanted to “starve the beast” anyway.

Let’s fast-forward 10 years and look at how times have changed. The fiscal 2012 legislative budget negotiations led to another cut to local government of about \$140 million – via the elimination of statutory revenue sharing – and the creation of an Economic Vitality Incentive Program, or EVIP. EVIP rolled all the previous cuts in state aid into a new baseline. The name “Economic Vitality Incentive Program” is certainly a bit of a misnomer, since it hasn’t brought much vitality to local communities. Citizens want some vitality in their local governments so they can protect local services, such as public safety. A community and an economy cannot thrive if

citizens are afraid to live there. Local police and fire services are essential. Infrastructure is also essential. That includes roads and bridges, but it also includes the resources to remove derelict structures and the resources to repurpose old-use structures to new-use purposes. It also means maintaining the historical and cultural identity of cities and neighborhoods by restoring historical residential and commercial sites.

The quality of life for Michigan residents is impacted daily by choices made by local governments. The ability of local government to make quality decisions has been significantly and negatively affected by state government decisions in recent years. State government should provide local governments with the necessary resources. And if state government doesn't want to provide the resources, they should eliminate restrictions they've placed on local governments and give them the tools to do the job themselves.

Term-limited politicians have made too many poor decisions. The problem is that while politicians may be term-limited, the consequences of their actions are not.

B. The second fault factor can be laid at the feet of the City's Founding Fathers. State statute permits cities, by charter, to levy up to 20 mills for general operating. The movement to create a "City of Swartz Creek" carved areas from three surrounding townships and drafted a new charter. All of this is right as rain, but for reasons that we can only speculate on today, the "fathers" decided in our charter to limit the City's ability to levy at a maximum of 5.0 mills (2.35 additional mills levied for garbage collection). I'll venture a guess that the decision was made due to differing opinions on taxes coupled with the fact that the GM-SPO plant was lucrative in that it provided a significant contribution. In many ways, the size of the City with such a large industrial complex such as the SPO Plant permitted very low taxes for our resident population. Either way, it worked adequately for many years and kept a throttle on spending. Interestingly, it also put the City in a very elite category. Of the 279 cities in the state, we are the sixth lowest; the bottom 2 percentile (includes garbage, debt, etc.). The state average is 17.3 mills. Concurrently, we are in a county and school district that levy some of the highest taxes in the state. If not for the problems described in "A" above, we could continue to get by as we have in the past.

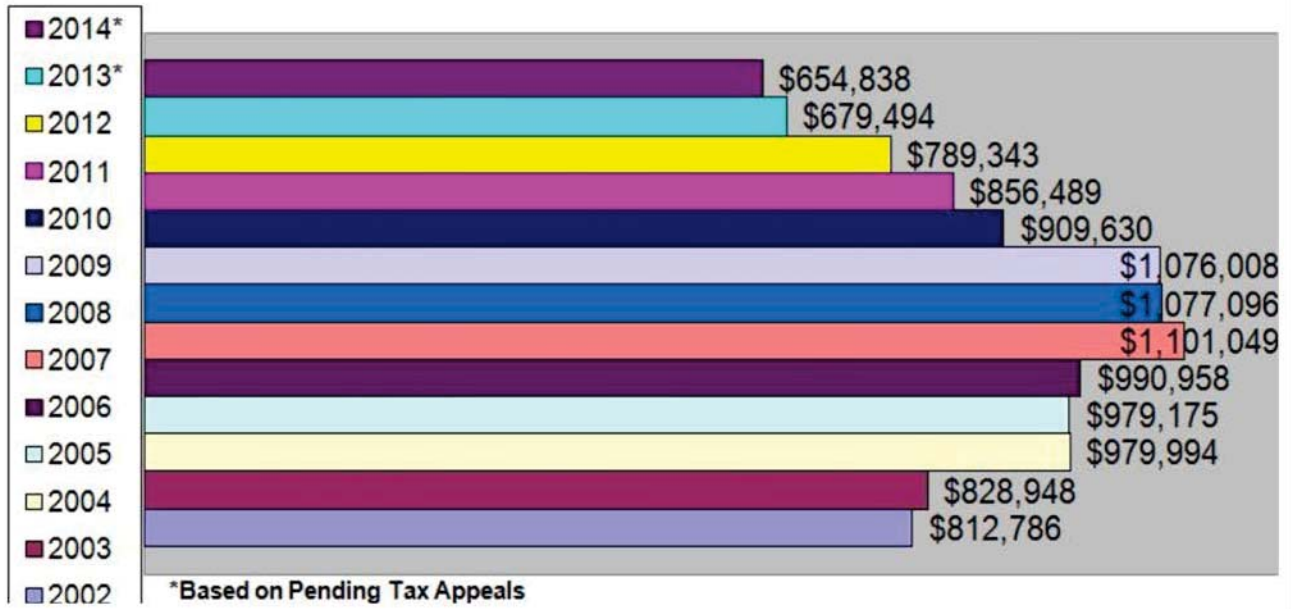
<u>Existing</u>	<u>Levy</u>	<u>Levy Rank</u>	<u>State Avg</u>	<u>Percent Deviation Local to state</u>
City	8.18	6 of 277	17.32	-52.77%
County	9.46	72 of 83	6.5	45.54%
School	15.65	69 of 277*	19.63	-20.28%
Total	33.29	15 of 277	43.44	-23.37%

HOW LONG BEFORE WE GET BACK TO TAX REVENUES WE HAD AT OUR MAXIMUM?

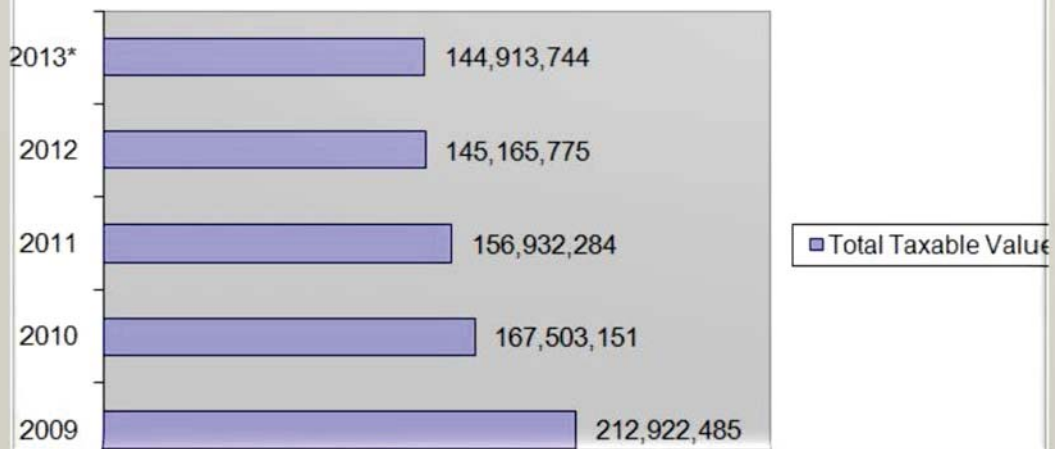
The City's highest tax revenue year was in 2007, being \$1,101,000. The 2013-2014 projected tax revenues are estimated to be \$655,000. Under the state's existing tax model, all of our housing, commercial, industrial and vacant properties would have to return to the 2007 market and taxable values AND they would have to all sell now to uncap the value at the 2007 rate. Best guess? Never, or at least, two or more decades.

Bear in mind that these are tax revenues only. We have lost revenue in virtually all categories', one of which returned us nearly \$100,000 in the general fund – interest income. Prior to 2009, we saw interest rates that approached 10% in some cases, enough to fund a police officer for a year. The rate today runs just over zero percent.

Property Tax Revenue

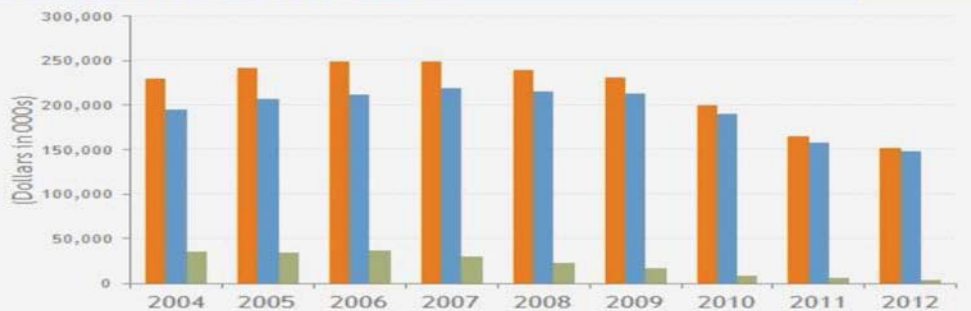


Total Taxable Value

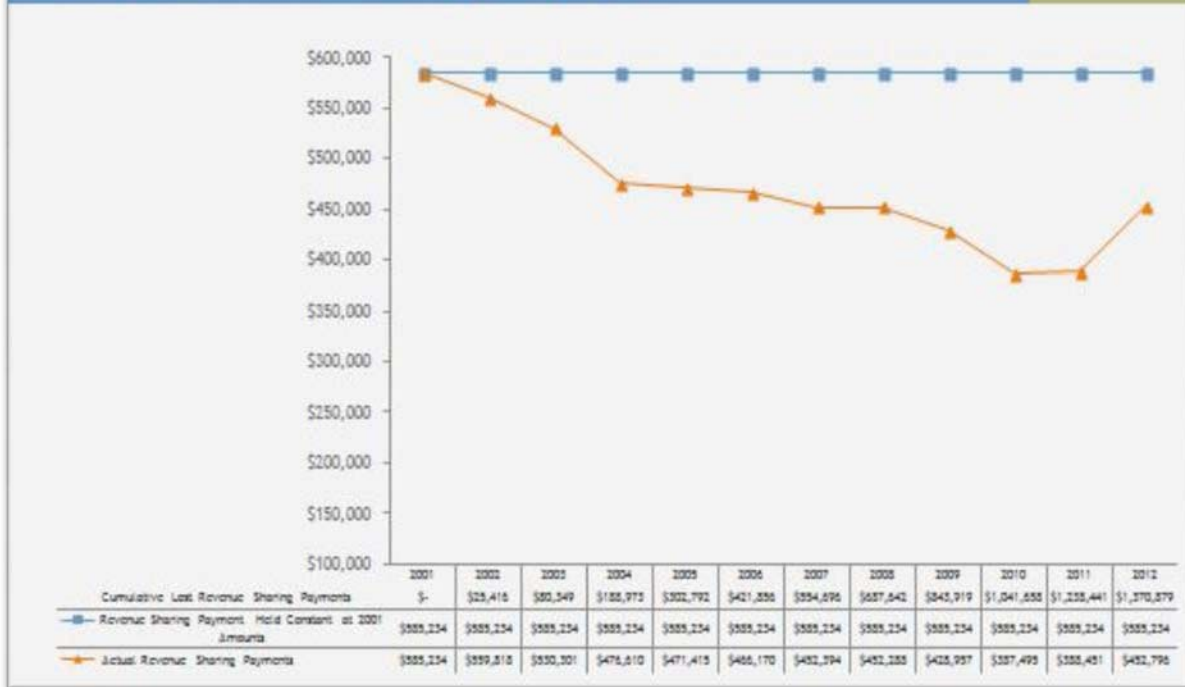


City of Swartz Creek Taxable Values - In Thousands Years Ended June 30

plante moran



City of Swartz Creek Revenue Sharing Payment History and Estimates Fiscal Year Ended June 30



WHAT CITY SERVICES HAVE SUFFERED?

In short, all of them have. We have been successful in negotiating employees into retirements and not replacing them. The Police Department is operating at a staffing level dating back to the 1960's with the slack picked up by part-time officers. Fire services have been held at a 10% cut in operating since 2010 with insufficient funding for capital apparatus purchases. The DPW operates at just three workers, an all time low since our inception as a city. Janitorial services have been eliminated as well as office and summer part-time help.

The disturbing trend is public safety, specifically two categories'. The Police Department is been eroded to a point wherein it's staffed by part-time officers, and the second is the lack of funding for apparatus replacements. There are little funds for these capital purchases. It's been somewhere near a dozen years since we have invested in a capital apparatus expense. Given recent talks with our fire service partner, it appears doubtful that such a replacement purchase will happen in the near future. Following is a ten year snapshot of the City's employee roster that reflects once filled and now vacant positions:

<i>JOB TITLE</i>	<i>STATUS</i>
FULL- TIME	
City Manager	Active- Funded
Assistant City Manager	Vacant
Director of Finance/Dep Clerk	Active- Funded
Treasurer/Deputy Clerk	Active- Funded
Dir of Admin/City Clerk	Active- Funded
Assessor, Z/A, Building Insp	Vacant
Director of Public Works	Active- Funded
Administrative Assistant	Active- Funded
Administrative Assistant	Active- Funded
Administrative Assistant	Active- Funded
Lead Worker	Vacant
Maintenance Worker	Active- Funded

Maintenance Worker	Active- Funded
Maintenance Worker	Active- Funded
Maintenance Worker	Vacant
Chief of Police	Active- Funded
Administrative Assistant	Active- Funded
Police Lieutenant	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Vacant
Police Officer	Vacant

PART- TIME

Council Members***	Active (7)
Office Assistant	Vacant
Office Assistant	Vacant
Election Worker	Active (47)
Election Chairperson	Active (9)
Board of Review	Active (3)
Maintenance Worker	Vacant
Maintenance Worker	Vacant
Maintenance Worker	Vacant
Maintenance Worker	Vacant
Janitor	Vacant
Maintenance Worker (Seasonal)	Vacant (4)
Administrative Assistant	Vacant
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Active- Funded
Police Officer	Vacant
Building Inspector	Active- Funded
CONTRACTED*	
Assessor	Contracted

WHAT ABOUT CONSOLIDATION OF SERVICES?

With the election of Governor Snyder in 2010, the concept of consolidated services was ushered in under the “carrot and stick” approach. We had already begun this out of necessity, but it did drive a full evaluation of our services operation. We engaged a consulting firm to study options with the neighboring communities of Flint and Mundy Townships. The results of such were less than exciting. The results were useful in that they gave us significant insight into comparative efficiency of our departments, but the cost savings was not measurable in the larger cost departments such as public safety. A committee of Council and Staff evaluated the results of the various departments, conclusions as follow:

Police: The study offers several observations and options. Full contracting would offer some savings, but the level of service would drop significantly as Flint Township is a far more urbanized community than is the City. Another option provides for the elimination of the City’s Police Chief and Lieutenant, contracting the supervision out and keeping the patrol officers. The study did not address that the Lieutenant also functions as a patrol officer and would have to be replaced, nor does it address the cost for contracted supervision. Aside from several other minor cost saving observations, the study finds the police department to be very efficient and cost effective.

Fire: The study finds that the City’s joint operation of the Fire Department with Clayton Township is very efficient. It recommends against any further consolidation.

The study re-affirms that operational cost savings can be utilized by following the City – Township Fire Evaluation completed in 2008.

Building: The study finds the City’s building department to be inefficient and poor in compliance and record keeping. It recommends that the City contract with Mundy Township for building and trade inspection services. The cost savings would be minimal, if any, however, the efficiency and record keeping would be vastly improved at similar expense.

Code: The City has no code enforcement services. The combined building – zoning – and assessing position was not filled when a retirement occurred in 2006. The individual jobs associated with the single position were partially contracted out with code enforcement eliminated. Major issues are addressed by the City Manager, DPW Director and the Police chief.

Assessing: The study finds that our contracted assessing firm operates very efficiently and is cost effective. Reporting is accurate, computerized, modern, compliant and up to date.

Misc: In the course of evaluating our operation, we found that a great many of the services the City provides are already consolidated with other agencies, including, but not limited to: water, sewer, street grants, bridge repair grants, 911 dispatch, narcotics policing, auto theft policing, CDBG allocations, senior services, library services, neighborhood stabilization, storm water management, traffic signal maintenance, etc.

EMPLOYEE COMPENSATION PACKAGES, ARE THEY EXCESSIVE?

Concern of salary and compensation packages for public employees have become a magnate for scrutiny as of recent. Good reason exist as many taxpayer funded operations across the state have abused discretion and in many cases, logic and reasoning. Fortunately, we have not been one of them. As indicated earlier in this report, we have been greatly limited in our taxing authority as designed by the City’s founding fathers. The fine line balance of providing adequate services with limited resources have kept compensation packages well below comparative cities across the state. I’d like to say that we’ve been very fortunate in obtaining and keeping qualified and competent employees for reduced compensation. Our benefit packages are modest. Medical insurance is shopped and price compared several times yearly. We opt for a single provider, cost effective, managed care policy provided by Blue Care Network. To go further, we self insure a portion of the deductibles to further reduce the total cost, an approach that has worked very well in controlling escalating costs. The insurance creates a fair amount of oversight and work in the office, but the savings is well worth it. All other benefits provided for are modest in comparison with most all cities our size in the state. The unions we employ work well with management and have been very reasonable and understanding when shown financial resources the City relies on. Salaries of our employee positions are as follows:

<i>TITLE</i>	<i>TOTAL WAGES</i>
City Manager	\$ 61,778
Director of Finance/Deputy Clerk	\$ 55,812
Treasurer/Deputy Clerk	\$ 49,915
Dir of Admin/City Clerk	\$ 56,873
Administrative Assistant #2	\$ 33,991
Director of Public Works	\$ 59,368
Building Inspector	\$ 15,600
Maintenance Worker	\$ 46,448

Chief of Police	\$	61,798
Administrative Assistant #1	\$	38,960
Police Lieutenant	\$	56,011
Police Officer	\$	52,671

WHAT ABOUT POST RETIREMENT PACKAGES?

Another area of public concern and significant irresponsibility on the part of government has been post retirement benefits and packages. The City currently spends about \$40,000 per year for post retirement medical benefits. All of our contracts going back for twenty years have a cost sharing mechanism for retired employee medical insurance. They also have a cap, in that when an employee becomes eligible for Medicare, they must go on the federal plan. There are some horror stories out there wherein some plans are so in deficit that a substantial portion of their tax levy goes to retirees.

As to retirement income, our MMERS plan stands at 90% or better in funding. Despite the economy and interest rates, we have remained diligent in keeping our contributions current and ahead. I have only recently scaled back our contributions as the state has a history of rewarding bad government practices. Many governments across the state have seriously underfunded retirement plans. The state once owned the MMERS system and I fear there may be a backdoor somewhere that may allow changes to average out funded plans with unfunded plans, thus rewarding poor choices. I do not believe the taxpayers for the City of Swartz Creek should help fund those poor choices made by other municipalities.

TAXES HAVE DROPPED, BUT BY HOW MUCH?

This is variable depending on a number of factors. We chose four houses in the City and collected precise data. The comparatives are as follows:

Effect of Declining Taxable Value on Tax Revenue			
These are examples of properties in the different taxable value ranges for years 2009-2013 (2013 is estimated at this time based on assessment data)			
Taxable Value of Property 2013		19,251	McLain St
Tax Year	General Operating Taxes	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)
2009	\$157.75	--	
2010	\$129.98	-\$27.77	-\$27.77
2011	\$111.06	-\$18.92	-\$46.69
2012	\$90.78	-\$20.28	-66.97
2013	\$92.96	\$2.18	-64.79

Taxable Value of Property 2013				28,600	Cappy Ln
Tax Year	General Operating Taxes	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)		
2009	\$205.25	--			
2010	\$204.63	-\$0.62	-\$0.62		
2011	\$161.28	-\$43.35	-\$43.97		
2012	\$143.41	-\$17.87	-61.84		
2013	\$138.11	-\$5.30	-67.14		

Taxable Value of Property 2013				51,097	Jennie Ln
Tax Year	General Operating Taxes	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)		
2009	\$494.47	--			
2010	\$381.00	-\$113.47	-\$113.47		
2011	\$377.61	-\$3.39	-\$116.86		
2012	\$367.96	-\$9.65	-126.51		
2013	\$376.79	\$8.83	-117.68		

Taxable Value of Property 2013				105,984	Oakview Dr
Tax Year	General Operating Taxes	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)		
2009	\$665.42	--			
2010	\$518.62	-\$146.80	-\$146.80		
2011	\$513.31	-\$5.31	-\$152.11		
2012	\$499.79	-\$13.52	-165.63		
2013	\$511.79	\$12.00	-153.63		

HOW MUCH VALUE HAS THE CITY LOST IN ITS PROPERTY?

In 2009, the total taxable value for the entire City was \$212,922,485. The 2013 estimate is \$144,913,744 or about 32%. A breakdown by property type is as follows:

Decrease in Taxable Value 2009 - 2013									
Tax Year	Residential Real Property	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)	Comm/ Indust Real Property	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)	Comm/ Indust/Util Personal Property	Increase (Decrease) From Prior Year	Cumulative Increase (Decrease)
2009	118,833,721	--		74,942,464	--		19,146,300	--	
2010	104,146,243	(14,687,478)	(14,687,478)	50,867,408	(24,075,056)	(24,075,056)	12,489,500	(6,656,800)	(6,656,800)
2011	96,069,801	(8,076,442)	(22,763,920)	49,782,483	(1,084,925)	(25,159,981)	11,080,000	(1,409,500)	(8,066,300)
2012	88,073,690	(7,996,111)	(30,760,031)	45,979,585	(3,802,898)	(28,962,879)	11,112,500	32,500	(8,033,800)
2013	84,930,625	(3,143,065)	(33,903,096)	48,665,019	2,685,434	(26,277,445)	11,318,100	205,600	(7,828,200)

SO NOW WHAT?

The 2013-2014 General Fund Fiscal Year Operating Budget was approved in a deficit of \$194,000. We can do this for a year, but a permanent solution must be found.

	FY 14 Recom'd Operating Revenues	FY 14 Recom'd Operating Expend	FY 14 Est Effect on Fund Balance
General Fund	1,713,753	1,893,778	(194,242)

Options are limited, but simple.

1. We can continue following the spiral down and wait for the bottom using the “cut and slash” method. Trends indicate we are near the bottom, but may not there yet. The problem is that when we reach this point, state statutes will force us to remain there for a very long time. We have reached the point where further reduction in services will affect the very things we are charged with providing for residents... health and safety and quality of life. The next step in cutting is going to less than 24 hour police protection and additional reduction in fire services. We currently have no code enforcement, and it shows. Parks are suffering as when equipment deteriorates, we do not replace it, we remove it. Other infrastructure repairs related to buildings, parking lots, etc., have been abandoned so as to continue public safety. Local street repairs are a good example of where public safety, parks, buildings and lots are headed. Two failed street millages over three decades have left many local streets in ruins. The same will happen to the general fund operations.
2. Approach residents with a ballot question for funding a portion of public safety. The average resident today better understands the loss their communities have sustained over the last four years. The problem with this approach is that a small amount will not be sufficient. I suggest that the City would need a four to five mill increase just to get back to the 2009 levels and continue covering losses until values and tax appeals stabilize.
3. The last potential option is a special assessment. Changes in the law and recent appellate court decisions have opened up new avenues for public safety assessments. The City could levy up to ten mills for police and fire. The process would require a series of public hearings along with a referendum period wherein property owners could seek a petition to push the matter to a ballot question.

CLOSING

I suspect that the City's Founding Fathers and very first seated Council had insurmountable issues, problems and concerns in creating the City and setting up an affordable government that provided a good quality of life for its residents, businesses and visitors. Without a doubt, they were very successful. Not to detract from the seated Council's from 1959 to 2013, but today's seated Council has very similar issues, problems and concerns in continuing to provide good government in a toxic economic roller coaster environment. Our current leadership could not be any better in the challenge we are faced with.

Thank-you.

Paul Bueche

City Manager

The table below shows the approximate revenue that would have been collected in tax year 2013 for a proposed police millage

2013 Real Property	Taxable Value	127,655,867 **
Unit Oper	616,437.42	
Admin*	51,431.91	
	<u>\$667,869.33</u>	
Residential Property Only		
Unit Oper	410,121.50	

Proposed Police Millage:

4 Mills

Real Property	\$510,623.47	Admin \$5,106.23
---------------	--------------	------------------

4.5 Mills

Real Property	\$574,451.40	Admin \$5,744.51
---------------	--------------	------------------

5 Mills

Real Property	\$638,279.34	Admin \$6,382.79
---------------	--------------	------------------

5.5 Mills

Real Property	\$702,107.27	Admin \$7,021.07
---------------	--------------	------------------

6 Mills

Real Property	\$765,935.20	Admin \$7,659.35
---------------	--------------	------------------

* Admin Fee calculation based on FY14 Revenue Estimate for taxes and taken from that worksheet.

** The taxable value reflects General Motors MTT Settlement

The table below shows the approximate revenue that would have been collected in tax year 2013 for a proposed police millage

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** The taxable value reflects General Motors MTT Settlement

Conceptual View: Swartz Creek, MI

Morrish Road Alley Project - Swartz Creek DDA

Planter Examples



Wausau TF-4105



Wausau TF-4341



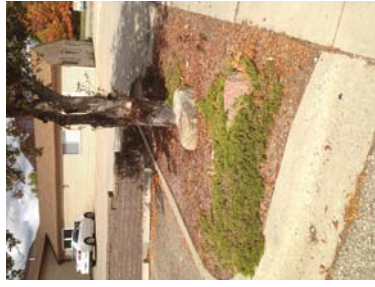
Wausau TF-4144

Lighting Examples

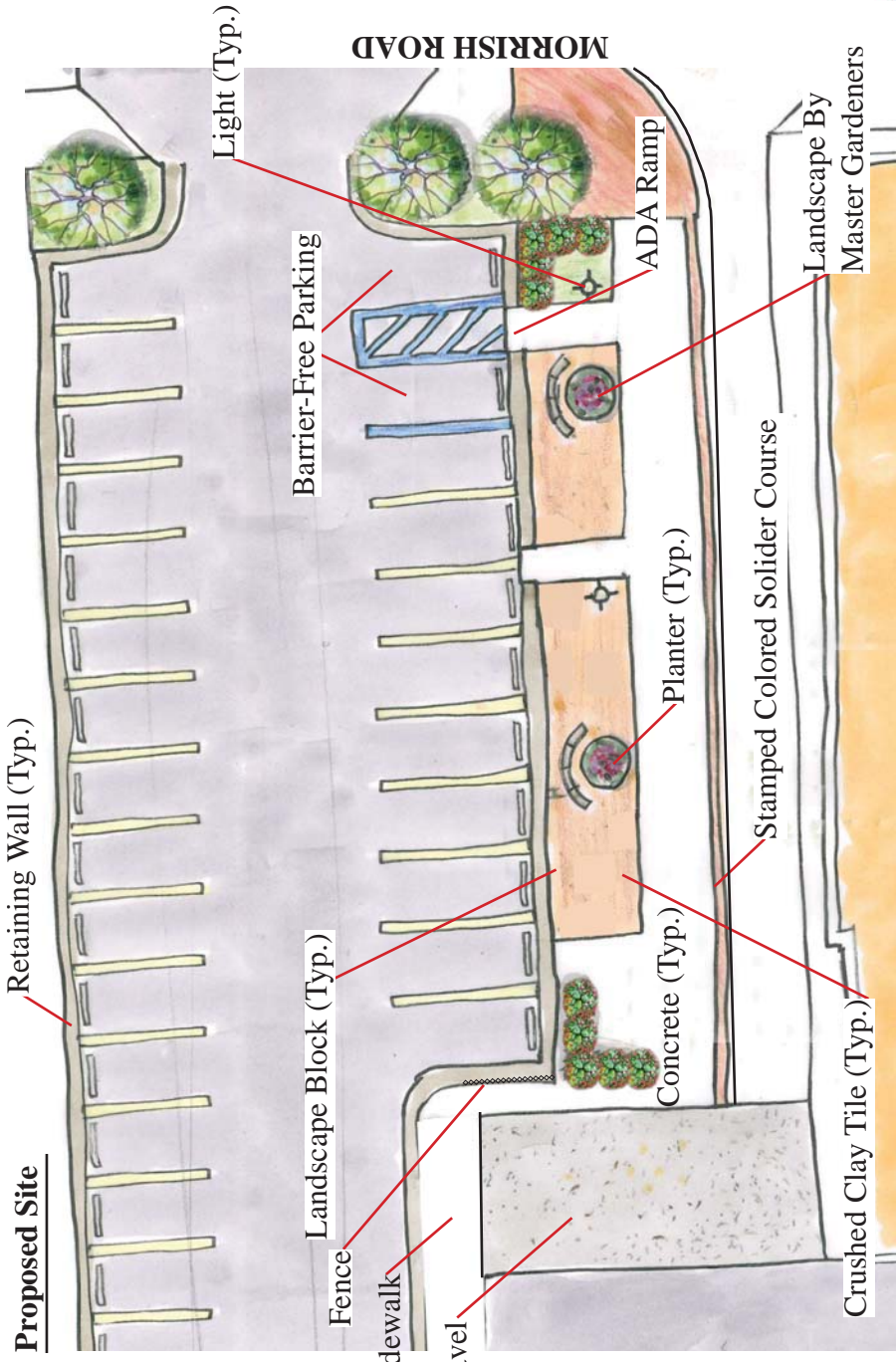


Lumecon - Model LR0F

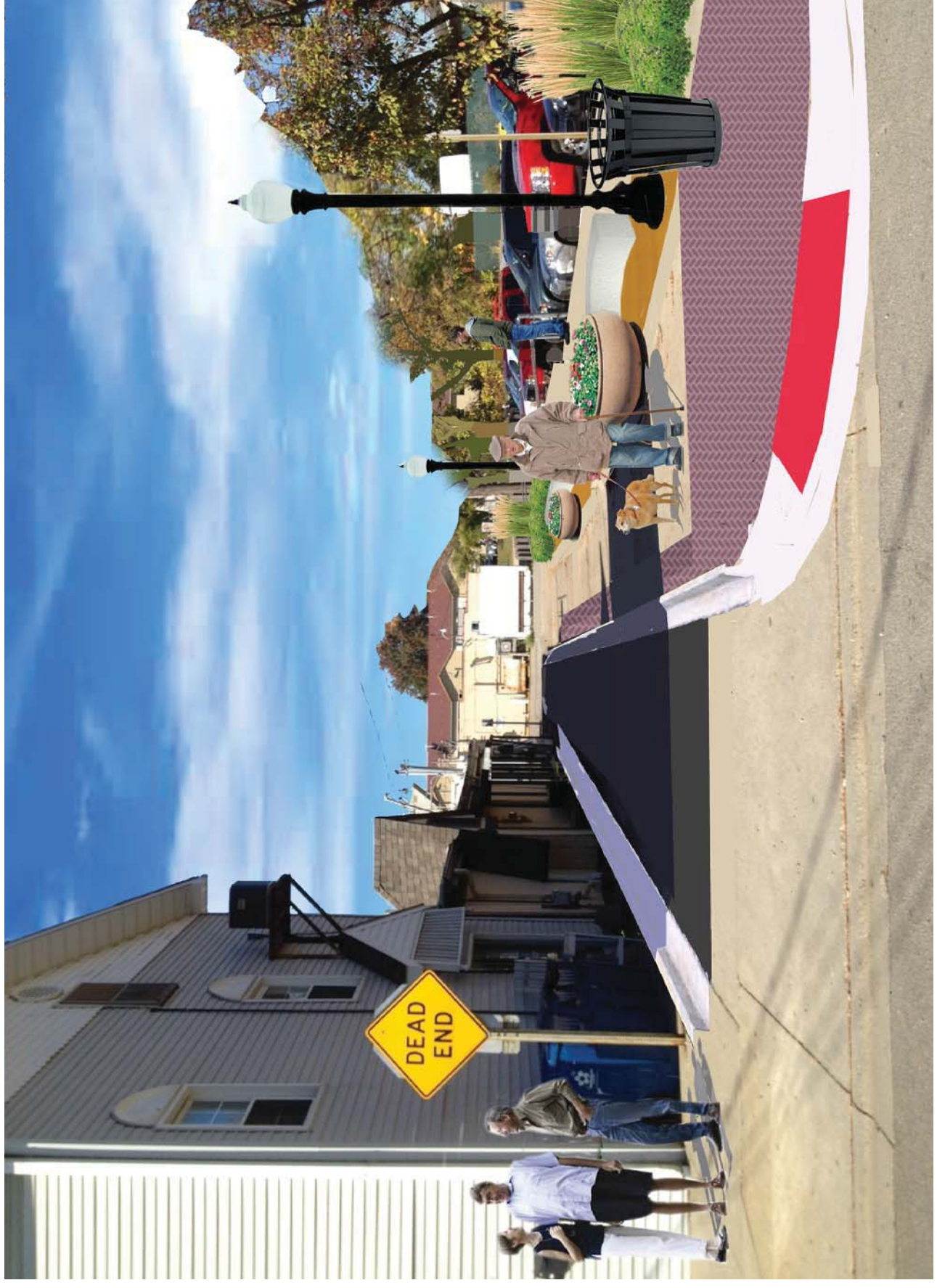
Existing Conditions



Proposed Site



0 20' SCALE





MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF WASTE MANAGEMENT AND RADIOLOGICAL PROTECTION

FOR STATE USE ONLY

Date Received

Application Number

**LETTER OF INTEREST FOR SCRAP TIRE MARKET DEVELOPMENT
GRANT PROGRAM FUNDING - FISCAL YEAR 2013-2014**

For additional information, contact the Michigan Department of Environmental Quality, Office of Waste Management and Radiological Protection, Solid Waste Section, at 517-284-6588.

Applicant Name: City of Swartz Creek	
Street Address: 8083 civic Drive	
City/State/ZIP Code: Swartz Creek, MI 48473	
Michigan Corporate ID#:	
Project Location (if different than above): N/A	
Telephone Number: (810) 635-4464	E-mail Address: pbueche@cityofswartzcreek.org
Contact Person: Paul Bueche	
Funding Requested for: Scrap Tires <input type="checkbox"/> Equipment <input type="checkbox"/> Research and Development <input checked="" type="checkbox"/>	
Funding Requested/Project Cost:	
1. Amount of funding requested for scrap tires only:	\$.00
2. Amount of funding requested for equipment and/or research and development:	\$ 500,000.00
3. Total amount of grant funding requested (to be REIMBURSED to the grantee) (= lines 1 + 2):	\$ 500,000.00
4. Total amount of matching funds committed by applicant (only required for equipment and/or research and development):	\$ 1,506,000.00
5. Total project cost (total amount of funding requested AND matching funds committed):	\$ 2,000,6000.00
Eligibility Criteria: Your responses to the following questions will determine your eligibility as outlined on Page 2 of the grant application packet. You must be able to answer "yes" to all the following in order to be further considered for funding. Please check yes or no for each of the following questions:	
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> The project will result in new or increased uses of scrap tires in manufactured products.
<input checked="" type="checkbox"/>	<input type="checkbox"/> Scrap tires are from Michigan and will be purchased or obtained from a Michigan processor or other Michigan generator.
<input checked="" type="checkbox"/>	<input type="checkbox"/> Applicant is not currently in litigation with the State or any other public entity concerning compliance with Part 169, Scrap Tires, or Part 115, Solid Waste Management, of the NREPA, 1994 PA 451, as amended.
<input checked="" type="checkbox"/>	<input type="checkbox"/> Project is located in Michigan.
<input checked="" type="checkbox"/>	<input type="checkbox"/> Applicant is registered to do business in Michigan.
<input checked="" type="checkbox"/>	<input type="checkbox"/> Applicant has reviewed all eligibility criteria and evaluation criteria contained in the grant application packet.
Narrative Description: Please attach no more than 2 pages describing the following:	
Scrap Tire Funding: Describe the method used to process scrap tires and the end use of the processed scrap tires.	
Equipment and/or Research and Development: Please include a detailed sketch or diagram that illustrates existing process or related equipment, the new process, and modifications and/or equipment proposed as part of your project; a proposed project time line, and the following: <ul style="list-style-type: none"> • A brief summary of the project. • Why the project should be funded. • A projected quantity of scrap tires to be used in the project and from where the scrap tires will come. 	
APPLICANT SIGNATORY	I, the undersigned applicant, swear and affirm, under penalty of law, that the statements contained herein are true and correct and that the removal, transportation, storage, and disposal of scrap tires will be performed in accordance with the requirements of Part 169. I certify under penalty of law that the information contained on this form, to the best of my knowledge and belief, is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment.
	PRINT NAME Paul Bueche
	SIGNATURE DATE 10/24/2013
PLEASE SUBMIT THE COMPLETED ORIGINAL LETTER OF INTEREST AND ALL ATTACHMENTS TO:	
Scrap Tire Regulatory Program Office of Waste Management and Radiological Protection Michigan Department of Environmental Quality P.O. Box 30241 Lansing, Michigan 48909-7741	Overnight Mailing Address: Constitution Hall, 4 South 525 West Allegan Street Lansing, Michigan 48933

**2014 City of Swartz Creek- SCRAP TIRE MARKET DEVELOPMENT GRANT –
13 Local Roads**

NARRATIVE

1. Project Summary- The city seeks funding for the paving of 13 Local Roads throughout the City of Swartz Creek. Construction will involve cold milling existing pavement and resurface with rubberized asphalt. Roads included are Birchcrest Drive, Chelmsford Drive, Chesterfield Drive, Daval Drive, Durwood Drive, Greenleaf Drive, Hill Road, Helmsley Drive, Oakview Drive, Oxford Court, Worchester Drive, Young Drive, and Valleyview Drive.
2. Why the project should be funded – By utilizing scrap tires in the asphalt mix, the project will help reduce the surplus of scrap tire piles, which is consistent with the goals of the MDEQ.
3. Projected Quantity / Source – The total asphalt quantity is estimated at 7,900 tons, from this it is expected that 7,900 scrap tires will be incorporated into the asphalt binder mix. All material will come from one of the approved Michigan Scrap Tire Processing plants.

R:\sdsk\Proj\05C0186\Doc\2014 SCRAP TIRE GRANT APP\2014 LOI\2014 SCRAP TIRE NARRATIVE.docx



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD - FLINT, MICHIGAN 48532-2617

PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT
COMMISSIONER

October 15, 2013



Juanita Aguilar, Clerk
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

RE: Obligations for Bond Payment During 2014

Dear Ms. Aguilar:

In keeping with the Genesee County Board of Commissioners' Resolution No. 72-155, which requires that we report to the Board on the manner in which each of the communities will secure the necessary funds to pay the principal and interest due on the bonds in the Year 2014, we are transmitting herewith two (2) copies of a resolution for consideration by the governing body. This resolution indicates the total payment which will be due on the bond issues for which your municipality is obligated to make payment.

After completing the portion of the resolution indicating where the necessary funds will be secured to meet the total payment, please present it for consideration at the next meeting of the governing body. When the resolution is approved, please return **one (1) completed copy by January 1, 2014**, to us, and retain **one (1) copy for your records**.

If you need any additional information from us while considering this resolution, please advise us. Your cooperation in this matter will be greatly appreciated.

Sincerely,

Karl Kramer, Division Finance Officer
Division of Water and Waste Services

KK:kt

Enclosures

CC: JFO/File
Accounting



RESOLUTION

At a _____ meeting of the City of Swartz Creek held in the City Hall in the said City of Swartz Creek on the _____ day of _____, _____ at _____ o'clock ____m. local time.

Present: _____

Absent: _____

The City Clerk presented the amount of money to be paid by the City of Swartz Creek to meet the principal and interest requirements on all bond obligations for water and sewer facilities during the calendar year. The Council then considered the various means by which they were planning to secure the funds necessary to meet this obligation. The following resolution was offered by _____ and seconded by _____.

WHEREAS, the City of Swartz Creek has a need to pay to the County of Genesee the sum of \$57,883.12 to meet the bond and principal requirements on all bond obligations for water and sewer facilities in; and

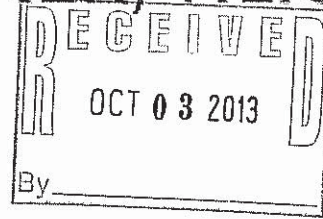
WHEREAS, there are several means by which the funds can be secured to meet this payment; and

WHEREAS, all various means of securing these funds have been reviewed and considered.

NOW THEREFORE, BE IT RESOLVED BY THE City of Swartz Creek, that the monies to meet the principal and interest requirements and all bond obligations for water and sewer facilities will be secured from the following funds.

Funds Already Available	\$ _____
Tap-In Fees to be Collected	\$ _____
Funds from Monthly Rates for Services	\$ _____
General Fund	\$ _____
Ad-Valorem Levy	\$ _____
Other	\$ _____

Grand Total:



MEMORANDUM

TO: All municipal clients of Simen, Figura & Parker, P.L.C.
FROM: Michael J. Gildner, Esq. *MSJ*
DATE: September 26, 2013
RE: Shortened Statute of Limitations Period

**This memo is provided as a public service by
Simen, Figura & Parker, P.L.C.**

A recent court case shows how important it is to carefully review contracts with all your vendors, including your professional consultants.

Alcona County hired a firm to do its annual auditing work. The county treasurer embezzled \$1.2 million from the county, but the auditor failed to detect it. The county sued the auditor for negligence and accounting malpractice and those claims are typically subject to three and two-year statute of limitation periods. However, the auditor's contract with the county contained a one-year limitations period. The county filed its lawsuit after one year, but within the typical statute of limitations for those claims. The auditor asked to have the case dismissed because the county missed the one-year deadline.

The Court ruled that the shortened limitations period was reasonable and enforceable. Because the county filed its claim more than a year after the auditor performed its services, the Court dismissed the county's complaint.

It is worth taking a close look at your engagement letters with all of your service providers to see if they contain provisions which either limit their liability or make it more difficult for you to bring such claims. This case shows us that the devil is truly in the details.

If you have any questions about this case, please call Michael Gildner at (810) 235-9000 or (810) 577-0179.

JEREMY R.M. PIPER, PLC

ATTORNEY-AT-LAW
1426 MOTT FOUNDATION BUILDING
503 SOUTH SAGINAW STREET
FLINT, MI 48502

TELEPHONE: 810.235.2558 www.PIPERLEGALONLINE.com

FAX: 810.235.5035



CITY OF SWARTZ CREEK
ATTN: PAUL BEUCHE
8083 Civic Drive
Swartz Creek, MI 48473

August 9, 2013

Re: Springbrook Colony Association

Dear Sir:

I serve as counsel to Springbrook Colony Association, a Michigan non-profit corporation. I understand that the Association and the City of Swartz Creek desire to enter into an agreement whereby the common element sanitary sewer system and water system of the Association would be dedicated to the public. The primary reason being that the City is desirous of owning, operating and maintaining these utility systems.

I have been asked to provide you with my opinion regarding the authority of the Association to enter into such an agreement with the City as well as the Association's authority to grant a general easement to the City for access to the utility systems. To provide this opinion I have examined the following documents:

- a. The Springbrook Colony Condominium's master deed and bylaws including all amendments.
- b. Michigan State law including the Condominium Act MCL 559.101.

In my capacity as counsel to the Association I have examined copies of documents that in my judgment are necessary to render the opinions expressed below. As to any factual matters material to this opinion that I did not independently verify I relied upon the Association's representation.

Based on our examination of the forgoing and our examination of questions of laws as we have considered necessary or appropriate we are of the opinion that:

1. The Association is a duly established domestic non- profit corporation incorporated under the laws of the State of Michigan and is currently in good standing with the State of Michigan.
2. The Association has the power through its Board of Directors and its designated officers to manage its affairs and assets and carry on the business as now conducted.
3. The Association has the right, capacity and authority to convey and assign real and personal property on behalf of the Association in furtherance of any purpose of the Association.
4. The Association will conduct the appropriate procedures in compliance with its governing documents and applicable law in regards to dedication of the utility systems to the public. In accordance with the governing documents the Association's Board of Directors approved and signed a Board resolution that authorized the Association's Board of Directors and officers to take any and all actions necessary to consummate this transaction.

Accordingly it is my opinion that the Association has the authority to enter into such an agreement with the City and has the authority to grant a general easement to the City for access to the utility systems.

The opinions expressed in this letter are solely for the use of the City and are not to be relied upon by any other person, firms, entities without my prior written approval. These opinions expressed in this letter are limited to the matters set forth in this letter and no other opinion should be inferred beyond the matters expressly stated.

Please contact my office to discuss this matter if you have any questions.

Yours Truly,



JEREMY R.M. PIPER
ATTORNEY AT LAW

cc: Springbrook Colony Association

**RESOLUTION
OF SPRINGBROOK COLONY CONDOMINIUM ASSOCIATION,
A Domestic Nonprofit Corporation**

WHEREBY the Board of Directors of Springbrook Colony Condominium Association, Inc. (the "Association"), having met in accordance with the terms and conditions of the By Laws, specifically but not limited to Article X section 7 took the following action by unanimous consent:

BE IT RESOLVED, at a meeting held on or about 8/12/13, the Association has determined that the water distribution systems, the sanitary sewer systems and the storm sewer systems, all of which are part of the General Common Elements of the Association, should be conveyed to the City of Swartz Creek. The City shall then be responsible for the maintenance of these systems.

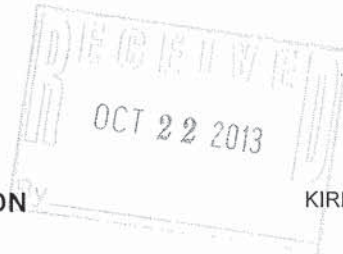
BE IT FURTHER RESOLVED, that this conveyance does not materially alter or change the rights of the co-owners and the provisions of the Master Deed are not altered by this conveyance, specifically Article IV, section I.

All of the resolutions in this Meeting shall be deemed to have become effective on the 12th day of August 2013.

Signatures follow on the next page.



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING



RICK SNYDER
GOVERNOR

KIRK T. STEUDLE
DIRECTOR

October 18, 2013

City Street Administrators
Board of County Road Commissioners

Act 51, MCL 247.668j, Annual Certification of Employee-related Conditions

Beginning next year on September 30, 2014 and annually each September 30 thereafter, certification must be made to the Michigan Department of Transportation (MDOT) for compliance to MCL 247.668j, also known as Section 18j, of Public Act 51 of 1951, as amended.

We are sending this notification to you now so you have a year to prepare. In addition to the annual certification to MDOT, your agency will need to prepare for the public reporting and disclosures that are required in Section 18j(3). The entire Section 18j is attached for your review.

Each local road agency must certify they offer one of the following conditions with respect to transportation employees or acknowledge they are in noncompliance with this section. Please understand failure to comply with either Section 18j(1)(a) or (b) may result in the withholding of all or part of the distributions made to your local road agency from the Michigan Transportation Fund. Listed below are the compliance statements from Section 18j(1):

- (a) The local road agency has developed and publicized a transportation employee compensation plan that the local road agency intends to implement with any new, modified, or extended contract or employment agreements for transportation employees not covered under contract or employment agreement. The transportation employee compensation plan that each local road agency plans to achieve shall be posted on a publicly accessible internet site and shall be submitted to the department.
- (b) The local road agency complies with one of the following:
 - i. A local road agency that offers medical benefits to its transportation employees or elected public officials shall certify to the department that it is in compliance with the publicly funded health insurance contribution act, 2011 PA 152, MCL 15.561 to 15.569.
 - ii. A local road agency that does not offer medical benefits to its transportation employees or elected public officials shall certify to the department that it does not offer medical benefits to its transportation employees or elected public employees.

Page 2
October 18, 2013

MDOT Form 2067 is for use by counties and MDOT Form 2068 is for use by cities and villages to meet the annual certification requirement. The forms can be found on our website at www.michigan.gov/act51. Select Forms under the Act 51 heading in the center of the page and you will be able to select these fillable forms. Forms are NOT DUE UNTIL NEXT YEAR, September 30, 2014.

If you have any questions, please contact either Lori Cole, at (517) 335-2556, or colel@michigan.gov, or Mary Cumberworth, at (517) 241-3178, or cumberworthm@michigan.gov.

Sincerely,



Brenda Chapman, Supervisor
Act 51 Financial Outreach Program Support Unit
Financial Operations Division

Enclosure

STATE TRUNK LINE HIGHWAY SYSTEM (EXCERPT)
Act 51 of 1951

247.668j Annual certification that certain employee-related conditions met; failure to make certification; withholding distributions to local road agency; website; "transportation employee" defined.

Sec. 18j. (1) Beginning September 30, 2014, each local road agency shall annually certify to the department that it satisfies 1 of the following conditions with respect to transportation employees:

(a) The local road agency has developed and publicized a transportation employee compensation plan that the local road agency intends to implement with any new, modified, or extended contract or employment agreements for transportation employees not covered under contract or employment agreement. The transportation employee compensation plan that each local road agency plans to achieve shall be posted on a publicly accessible internet site and shall be submitted to the department. At a minimum, the transportation employee compensation plan shall include all of the following:

(i) New transportation employee hires who are eligible for retirement plans are placed on retirement plans that cap annual employer contributions at 10% of base salary for transportation employees who are eligible for social security benefits. For transportation employees who are not eligible for social security benefits, the annual employer contribution is capped at 16.2% of base salary.

(ii) For defined benefit pension plans, a maximum multiplier of 1.5% for all transportation employees who are eligible for social security benefits, except, if postemployment health care is not provided, the maximum multiplier shall be 2.25%. For all transportation employees who are not eligible for social security benefits, a maximum multiplier of 2.25%, except, if postemployment health care is not provided, the maximum multiplier shall be 3.0%. This subparagraph does not apply to years of service accrued prior to September 30, 2013, or to contracts entered into prior to September 30, 2013.

(iii) For defined benefit pension plans, final average compensation for all transportation employees is calculated using a minimum of 3 years of compensation and shall not include more than a total of 240 hours of paid leave. Overtime hours shall not be used in computing the final average compensation for a transportation employee. This subparagraph does not apply to years of service accrued prior to September 30, 2013, or to contracts entered into prior to September 30, 2013.

(iv) Health care premium costs for new transportation employee hires shall include a minimum transportation employee share of 20%; or, an employer's share of the local health care plan costs shall be cost competitive with the new state preferred provider organization health plan, on a per-transportation-employee basis.

(b) The local road agency complies with 1 of the following:

(i) A local road agency that offers medical benefits to its transportation employees or elected public officials shall certify to the department by September 30, 2014 that it is in compliance with the publicly funded health insurance contribution act, 2011 PA 152, MCL 15.561 to 15.569. For purposes of this subparagraph, dental and vision coverages are not considered medical benefits. The department shall develop a certification process and method for local road agencies to follow.

(ii) A local road agency that does not offer medical benefits to its transportation employees or elected public officials shall certify to the department by September 30, 2014 that it does not offer medical benefits to its transportation employees or elected public officials. For purposes of this subparagraph, dental and vision coverages are not considered medical benefits. The department shall develop a certification process and method for local road agencies to follow.

(2) If a local road agency does not make the certification required under subsection (1), the department may withhold all or part of the distributions to the local road agency from the Michigan transportation fund under this act. A withholding under this subsection shall continue for the period of noncompliance with subsection (1) by the local road agency.

(3) A local road agency shall maintain a searchable website accessible by the public at no cost that includes, but is not limited to, all of the following:

(a) Current fiscal year budget.

(b) The number of active transportation employees of the local road agency by job classification and wage rate.

(c) A financial performance dashboard that contains information on revenues, expenditures, and unfunded liabilities. The county road agency may link to financial information provided by the Michigan transportation asset management council.

(d) The names and contact information for the governing body of the local road agency.

(e) A copy of the certification required by subsection (1).

(4) The department shall maintain a searchable website accessible by the public at no cost. A website maintained by the department under this subsection shall include, but is not limited to, the following:

(a) Current fiscal year budget.

(b) The number of active transportation employees of the department by job classification and wage rate.

(c) A financial performance dashboard that contains information on revenues, expenditures, and unfunded liabilities. The department may link to financial information provided by the Michigan transportation asset management council.

(d) The names and contact information for the governing body of the department.

(5) A local road agency may develop and operate its own website to provide the information required under subsection (3), or the local road agency may reference this state's central transparency website as the source for the information required under subsection (3). If a local road agency does not have a website, the local road agency may post the information required under subsection (3) on the website for the county, city, or village within which the local road agency is located or on the website of a statewide road association of which the local road agency is a member.

(6) As used in this section, "transportation employee" means an employee paid in whole or in part through revenues distributed under sections 12 to 13 or an employee who is engaged primarily in work funded through revenues distributed under sections 12 to 13.

History: Add. 2012, Act 506, Imd. Eff. Dec. 28, 2012.

Compiler's note: Former MCL 247.668j, which pertained to pledge for annual debt service requirements and to successive borrowings, was repealed by Act 234 of 1987, Imd. Eff. Dec. 28, 1987.

Popular name: McNitt Act

Popular name: Michigan Transportation Fund Act



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
 LANSING

RICK SNYDER
 GOVERNOR

KIRK T. STEUDLE
 DIRECTOR

October 18, 2013

Street Administrators
 Board of County Road Commissioners

The Michigan Department of Transportation (MDOT) occasionally bills for products and services it provides to others. In order to be more accurate in cost accounting, MDOT engaged an independent consultant to perform a cost allocation study and update the Indirect Cost Rates (overhead rates) it uses to bill for work performed for others. Previously, MDOT used an unsupported rate of 7.5 percent. MDOT implemented a 39.94 percent rate for work MDOT staff performs on highway maintenance and 7.65 percent when overseeing maintenance work performed by contractors. This action would be similar to a county moving from the unsupported 8.5 percent rate to a calculated actual rate on its trunkline maintenance contract.

The new rates were developed using generally accepted accounting practices for allocating administrative and overhead costs. Allocations of costs for central services such as finance, executive administration, and purchasing/accounting; as well as highways central office, and regional operations were used to develop the overhead rate for maintenance activities. Separate rates were developed for maintenance, construction, design, real estate, and traffic and safety activities as shown below.

MDOT OPERATIONS INDIRECT COST RATES												
Maintenance activities performed by MDOT Staff	Construction activities performed by MDOT Staff	Design activities performed by MDOT Staff	Real Estate activities performed by MDOT Staff	Traffic and Safety activities performed by MDOT Staff	MITS activities performed by MDOT Staff	Maintenance activities performed under contract	Construction activities performed under contract	Design activities performed under contract	Real Estate activities performed under contract	Traffic and Safety activities performed under contract	MITS activities performed under contract	Support for Local Projects
39.94%	39.44%	71.84%	47.18%	50.61%	24.33%	7.65%	5.73%	10.79%	12.71%	20.98%	16.29%	6.71%

These overhead rates are used to not only bill local units of government but are also used for other billings, such as to recover overhead costs from insurance companies for damage claim repairs.

MDOT will be using these updated overhead rates on invoices for work performed for traffic signal maintenance/repair and other services billed from a Memorandum Job Report (such as general maintenance, guard rail repair, and tree or sign removal).

Street Administrators
Board of County Road Commissioners
Page 2
October 18, 2013

MDOT will not apply the overhead rate on traffic signal energy billings, road and bridge project billings, or equipment and maintenance advances.

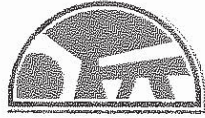
MDOT is in the process of updating these rates and anticipates using the revised rates in January of 2014. We will notify your agency of the new rate prior to the change.

If you have any questions or need further information, please contact me at (517) 373-1527 or TimpfE@michigan.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Timpf". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Edward A. Timpf, Administrator
Financial Operations Division
Bureau of Finance and Administration



ROWE PROFESSIONAL SERVICES COMPANY

Large Firm Resources. Personal Attention.™

October 4, 2013

Ms. Lynnette Firman, P.E.
Safety Engineer, Local Agency Programs
Development Services Division
425 W. Ottawa Street, P.O. Box 30050
Lansing, MI 48909-7550

Re: MDOT Safety Project FY 2015 Application – City of Swartz Creek

Dear Ms. Firman:

On behalf of the City of Swartz Creek, please accept the attached application for the Fiscal Year 2015 Federal Local Safety Program. The city is requesting safety funds to realign Paul Fortino Drive at Morrish Road. We will submit a resolution of support from the Swartz Creek City Council as an amendment to the application following the next City Council meeting.

There is currently a concrete retaining wall in the southwest quadrant of the intersection. The concrete retaining wall is located within the intersection sight triangle, presenting a safety concern. While there have been minimal accidents at the intersection, the one accident during the five year analysis period was a result of inadequate sight distance. Relocating Paul Fortino Drive to the north at Morrish Road will allow for necessary intersection sight distance to be provided, resulting in improved intersection safety.

The City of Swartz Creek is committed to improving the safety of the vehicular and pedestrian traffic on the streets within the city for the residents and businesses located there. We appreciate your time and effort in reviewing these Safety Project Applications.

Respectfully submitted,
ROWE Professional Services Company


Louis P. Fleury, P.E.
Project Manager

Attachments

R:\sdsk\Proj\05C0186\safety projects 2013\Fortino-Morrish\New\2015 Safety Grant Cover Letter.docx

**LOCAL AGENCY PROGRAMS SAFETY PROJECT
SUBMITTAL FORM**

FUNDING TEMPLATE:

FISCAL YEAR: 2015

LOCAL AGENCY City of Swartz Creek		LOCAL AGENCY CONTACT Tom Svrcek	
PHONE NO. (810) 635-4464	FAX NO. (810) 635-2887	EMAIL ADDRESS	
ALTERNATIVE CONTACT Lou Fleury		PHONE NO. (810) 341-7500	FAX NO. (810) 341-7573
EMAIL ADDRESS lfleury@rowepsc.com		HOUSE DISTRICT 49	SENATE DISTRICT 27

PROPOSED PROJECT LOCATION, LIMITS AND PROJECT DESCRIPTION

Intersection realignment at Paul Fortino Drive and Morrish Road in the City of Swartz Creek. Project entails relocation of 500 feet of Paul Fortino Drive to the north at Morrish Road.

PROPOSED COST \$161,143	TIME OF RETURN (YEARS) 251.52	IMPROVEMENT CATEGORY (CHECK THE CATEGORY THAT APPLIES) <input checked="" type="checkbox"/> Intersection Improvements <input type="checkbox"/> Roadway and Structure Improvements <input type="checkbox"/> Roadside Improvements <input type="checkbox"/> Pedestrian and Bicycle Improvements <input type="checkbox"/> Other _____
BENEFIT TO COST RATIO 0.00398	TOWNSHIP/CITY City of Swartz Creek	
PLEASE LIST THE CRASH REDUCTION FACTORS USED: Intersection Improvements (Realignment) - Rear End, Left-Turn		
DOES A PROJECT IMPACT A SCHOOL OR OTHER SENSITIVE ORGANIZATION? PLEASE DESCRIBE: None.		

ROADWAY DATA		CROSS ROAD DATA (If an intersection improvement)	
PRIMARY ROUTE NAME Paul Fortino Drive		ROUTE NAME Morrish Road	
ADT 2,282 (2010)		ADT 7,950 (2010)	
PERCENT COMMERCIAL 3	*NO. OF CRASHES 1	PERCENT COMMERCIAL 3	*NO. OF CRASHES 1
*NO. OF FATAL CRASHES 0	*NO. OF "A" TYPE CRASHES 0	*NO. OF FATAL CRASHES 0	*NO. OF "A" TYPE CRASHES 0
*PERIOD OF CRASH DATA 2008-2012	FUNCTIONAL CLASSIFICATION Urban Major Collector	*PERIOD OF CRASH DATA 2008-2012	FUNCTIONAL CLASSIFICATION Urban Minor Arterial

*Please attach Crash Summary and UD-10's to your project submittal with the most recent 5 years of available data.

EXPLANATION OF HOW THE PROPOSED IMPROVEMENT WILL IMPROVE SAFETY AND REDUCE CRASHES

The proposed intersection improvements will improve left turn visibility for Paul Fortino Drive. It will also improve intersection sight distance as well.

There is a concrete retaining wall located within the clear vision area in the southwest quadrant of the intersection. Realignment of the intersection to the north will result in the retaining wall no longer being a sight obstruction.

HAS YOUR LOCAL AGENCY RECEIVED APPROVAL OF A SAFETY PROJECT OR HRRR PROJECT THROUGH MDOT'S LAP UNIT IN THE PAST 5 YEARS?

YES NO SAFETY PROJECT HRRR PROJECT

IF YES, HAVE ALL PROJECTS BEEN COMPLETED?

YES NO

IF NO, PLEASE EXPLAIN WHY

OTHER PROJECT CONSIDERATIONS

This project can meet letting/construction time lines. All ex. sidewalk ramps in the area will be upgraded to meet ADA requirements.

COMPUTED BENEFITS DERIVED THROUGH CRASH REDUCTION

TOR 2014 (Local Agency)

Date: 23-Sep-13

Proj: Paul Fortino Drive and Morrish Road Intersection I City/Twp.: Swartz Creek

Prepared by: **Matt Seitz**

County: **Genesee**

PR Number: **1523103**

PR MP: **0.171-0.266**

The method of evaluating crash costs, used below, is given on page 67 of Roy Jorgensen's report of Highway Safety Improvement Criteria 1966 edition. This same method is given in the Bureau of Public Roads IM21-3-67. In 1994 we have adapted the Q formula to blend Fatalities and A-injuries only. In the following analysis the costs provided by the National Safety Council (NSC) are:

2011 NSC VALUES:

Death	\$1,420,000	=FATCOST
Disabling (A) injury:	\$70,500	=ACOST
B-Injury	\$22,700	=BCOST
PDO and/or Minor Injury Crash:	\$9,100	=PDOCCST

$$BTOTAL = ADTa/ADTb \times (Q \times R1 + (BCOST \times R2) + (PDOCCST \times R3))$$

WHERE:

BTOTAL=	Total Benefit in Dollars Over Years Used	2502.5
ADTa =	Average traffic volume after the improvement	1.1
ADTb =	Average traffic volume before the improvement	1.0
R1 =	Reduction in fatalities and A-Injuries Combined.	0.0
R2 =	Reduction in B-injury crashes:	0.0
R3 =	Reduction in PDO and C-injury crashes	0.3
Q =	$[FATCOST + ((I/F) \times ACOST)] / [1 + (I/F)]$	
=	$[1,210,000 + (8.10 \times 62,500)] / [1 + 8.10]$	218,900.0
	for AREA TYPE ERR	
I/F =		8.10

Q-Reference	Q	A-Injuries	Fatalities	I/F
RURAL	268700	7644	1316	5.8085106
URBAN	218900	10492	1296	8.095679
BETWEEN	240400	18136	2612	6.9433384
Data from Safety Programs Unit, E. Line 5-Year, Statewide, Non-Trunkline crash figures. (From 1-1-08 through 12-31-12) used.				

Time of Return (T.O.R.) is based on 5.0 years of data.

NOINFB = No-Inflation Annual Benefit = BTOTAL / years 500.5

With an inflation rate of 2.50%

B = Annual Benefit = Present Value (with Inflation) \$641

C = Project Cost \$161,143

TOR = C/B = COST/ANNUAL BENEFIT = 251.52

NUMBER OF CRASHES OR INJURED PERSONS.

YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
2008	2009	2010	2001	2012

Urban - Rear End Crashes		15%		%REDUCTION	
Number of Crashes	1	0	0	0	0
PDO+C Injury Crashes	1	0	0	0	0
B-Injured Persons	0	0	0	0	0
A-Injured or Killed Persons	0	0	0	0	0
Intersection - Left Turn Related		10%		%REDUCTION	
Number of Crashes	1	0	0	0	0
PDO+C Injury Crashes	1	0	0	0	0
B-Injured Persons	0	0	0	0	0
A-Injured or Killed Persons	0	0	0	0	0
0		0%		%REDUCTION	
Number of Crashes	0	0	0	0	0
PDO+C Injury Crashes	0	0	0	0	0
B-Injured Persons	0	0	0	0	0
A-Injured or Killed Persons	0	0	0	0	0
0		0%		%REDUCTION	
Number of Crashes	0	0	0	0	0
PDO+C Injury Crashes	0	0	0	0	0
B-Injured Persons	0	0	0	0	0
A-Injured or Killed Persons	0	0	0	0	0
0		0%		%REDUCTION	
Number of Crashes	0	0	0	0	0
PDO+C Injury Crashes	0	0	0	0	0
B-Injured Persons	0	0	0	0	0
A-Injured or Killed Persons	0	0	0	0	0

A-Injuries: 0 For reference only
 # Fatalities: 0 For reference only; "Q" accounts for the risk of a fatality.
 PROJECT COST ESTIMATE : \$161,143 If unknown, enter "0" (zero).
 ADTb (before-volume) 1.0 You may change these
 ADTa (after-volume) 1.1 default ADT values.
 NUMBER OF YEARS OF DATA: 5.00 3 to 5 years should be used.
 RATE OF INFLATION: 2.50%
 AREA TYPE: 2 (1 = RURAL, 2 = URBAN, 3 = BETWEEN)

REMARKS:

0	Paul Fortino Drive and Morrish Road Intersection Improve Paul Fortino Drive 1523103 0.171-0.266 Intersection Realignment
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Accident Analysis

City of Swartz Creek
Paul Fortino Drive and Morrish Road
September 24, 2013

The following crash analysis is for the intersection of Paul Fortino Drive and Morrish Road in the City of Swartz Creek. This analysis encompasses the most recent crash data available, from 2008 to 2012.

The proposed project is approximately 500 feet long, and will entail relocating Paul Fortino Drive approximately 500 feet to the north from its current intersection with Morrish Road. The existing ADT of Paul Fortino Drive is 2,282, and the existing ADT of Morrish Road is 7,950. The existing speed limit on Morrish Road is 30 mph. The intersection has three legs, with Morrish Road operating under as free flow and Paul Fortino Drive being stop controlled. Paul Fortino Drive has two 15-foot lanes, one in each direction, and Morrish Road currently has three 12 foot lanes, one in each direction with a center left turn lane and seven foot bike lanes in each direction as well.

An analysis of the available traffic crash reports indicates one crash within the five (5) year analysis period. The accident at the intersection resulted in property damage only, and was a rear end-left turn accident, involving two vehicles eastbound on Paul Fortino Drive. Both vehicles were stopped on Paul Fortino Drive at Morrish Road. The lead vehicle began to pull out to make a left turn onto northbound Morrish Road, but then stopped due to traffic on Morrish Road. The lead vehicle then backed up into the vehicle behind them. This more than likely occurred due to the presence of the concrete retaining wall in the southwest quadrant of the intersection, which is an obstruction within the intersection sight triangle. Had adequate intersection sight distance been provided, the lead vehicle would have been able to sufficiently see cross traffic on Morrish Road, and not needed to pull out into the intersection, and then back up.

The proposed realignment of Paul Fortino Drive to the north will address the intersection sight distance issue. By moving the intersection to the north, the concrete retaining wall will no longer be located with the intersection sight triangle, and intersection safety will thus be improved.

Prepared By:
ROWE Professional Services Company
P.O. Box 3748
Flint, MI 48502

Authority: 1949 PA 306, Sec. 237.522
Compliance: Required MSP LD-10
Penalty: \$100 and/or 90 days (Rev 1/04)

Do Not Use

Crash ID 7087825

Page _____ Of _____

STATE OF MICHIGAN TRAFFIC CRASH REPORT

File Class **9300-1**

ORI: **MI-2577200**

Department Name **Swartz Creek Police Department**

Incident Disposition
 Open Closed

Review

Crash Date Month 09 Day 12 Year 2008		Crash Time Hour 17 Minute 16		No. of Units 02		Crash Type <input type="radio"/> Single Motor Vehicle <input type="radio"/> Head On <input type="radio"/> Head On-Left Turn <input type="radio"/> Angle <input type="radio"/> Rear End <input checked="" type="radio"/> Rear End-Left Turn <input type="radio"/> Rear End-Right Turn <input type="radio"/> Sideswipe-Same <input type="radio"/> Sideswipe-Opposite <input type="radio"/> Other/Unknown		Special Circumstances <input type="radio"/> None <input type="radio"/> Deer <input type="radio"/> School Bus <input type="radio"/> Hit and Run <input type="radio"/> Fleeing Police <input type="radio"/> Special Study <input type="radio"/> Local <input type="radio"/> State		Special Checks <input type="radio"/> Fatal (Report At) <input type="radio"/> Corrected Copy <input type="radio"/> Replace (Entire Report) <input type="radio"/> Delete (Entire Report) <input type="radio"/> Non-Traffic Area <input type="radio"/> DRV/Snowmobile	
County 25	Traffic Control <input type="radio"/> None of These <input type="radio"/> Signal <input checked="" type="radio"/> Stop Sign <input type="radio"/> Yield Sign	Position to Roadway (Location of First Impact) <input type="radio"/> Shoulder <input type="radio"/> Outside of Shoulder/Curb <input checked="" type="radio"/> On Road <input type="radio"/> Median <input type="radio"/> Other/Unknown		Weather (Mark Only One) <input type="radio"/> Clear <input type="radio"/> Severe Wind <input type="radio"/> Cloudy <input type="radio"/> Snow/Blowing Snow <input type="radio"/> Fog/Smoke <input type="radio"/> Sleet/Hail <input checked="" type="radio"/> Rain <input type="radio"/> Other/Unknown		Light (Mark Only One) <input checked="" type="radio"/> Daylight <input type="radio"/> Dark-Lighted <input type="radio"/> Dawn <input type="radio"/> Dark-Unlighted <input type="radio"/> Dusk <input type="radio"/> Other/Unknown		Road Condition (Mark Only One) <input type="radio"/> Dry <input type="radio"/> Snowy <input type="radio"/> Debris <input checked="" type="radio"/> Wet <input type="radio"/> Muddy <input type="radio"/> Other/Unknown <input type="radio"/> Icy <input type="radio"/> Slushy		Area 07 Total Lanes 2 Speed Limit 25 Posted <input type="radio"/> Yes <input type="radio"/> No	
Construction Zone (if applicable) Type <input type="radio"/> Const./Maint. <input type="radio"/> Utility		Lane Closed <input type="radio"/> Yes <input type="radio"/> No		Activity <input type="radio"/> On Road <input type="radio"/> Off Road <input type="radio"/> None		Divided Roadway <input checked="" type="radio"/> (N S E W)		Road Type DR Suffix		Distance 25 FT <input checked="" type="radio"/> North <input type="radio"/> East <input type="radio"/> Beginning of Ramp <input type="radio"/> MI <input type="radio"/> South <input checked="" type="radio"/> West <input type="radio"/> End of Ramp	

Prefix	Road Name PAUL FORTINO	Divided Roadway <input checked="" type="radio"/> (N S E W)	Road Type	Suffix
--------	----------------------------------	--	-----------	--------

Distance	25	<input checked="" type="radio"/> FT <input type="radio"/> North <input type="radio"/> East <input type="radio"/> Beginning of Ramp <input type="radio"/> MI <input type="radio"/> South <input checked="" type="radio"/> West <input type="radio"/> End of Ramp	Trafficway <input checked="" type="radio"/> (2) <input type="radio"/> (3) <input type="radio"/> (4)	Access Control <input checked="" type="radio"/> (2) <input type="radio"/> (3)
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Prefix	Intersecting Road MORRISH	Divided Roadway <input checked="" type="radio"/> (N S E W)	Road Type	Suffix
--------	-------------------------------------	--	-----------	--------

Unit Number 1	State MI	Date of Birth 08/02/1947	License Type <input checked="" type="radio"/> O <input type="radio"/> CY <input type="radio"/> C <input type="radio"/> F <input type="radio"/> M <input type="radio"/> R	Sex <input checked="" type="radio"/> M <input type="radio"/> F	Total Occup 01	Hazard Action 11
Unit Type <input checked="" type="radio"/> MV <input type="radio"/> B <input type="radio"/> P <input type="radio"/> E (Train)	City/Zip SWARTZ CREEK MI 48473		Injury <input type="radio"/> K <input type="radio"/> A <input type="radio"/> B <input type="radio"/> C <input type="radio"/> O	Position 01	Restraint 04	Hospital N/A
Driver Condition <input checked="" type="radio"/> (2) <input type="radio"/> (3) <input type="radio"/> (4) <input type="radio"/> (5) <input type="radio"/> (7) <input type="radio"/> (8) <input type="radio"/> (9)	Interlock <input type="radio"/> Yes <input checked="" type="radio"/> No	Refused <input type="radio"/> Not offered	Airbag Deployed <input checked="" type="radio"/> Yes <input type="radio"/> No		Ambulance NA	
Alcohol <input type="radio"/> Yes <input checked="" type="radio"/> No	Test Type	Field <input type="radio"/> PBT <input type="radio"/> Breath <input type="radio"/> Blood <input type="radio"/> Urine	Citation Issued Hazardous <input type="radio"/> Other <input type="radio"/>			
Drugs <input type="radio"/> Yes <input checked="" type="radio"/> No	Test Type	Blood <input type="radio"/> Urine <input type="radio"/>				

Vehicle Description DODGE CARAVAN WHITE 1997		Vehicle Type <input type="radio"/> PA <input type="radio"/> CY <input type="radio"/> OR <input checked="" type="radio"/> VA <input type="radio"/> MO <input type="radio"/> Other <input type="radio"/> PU <input type="radio"/> GC <input type="radio"/> Truck/Bus <input type="radio"/> ST <input type="radio"/> SM	Vehicle Direction <input type="radio"/> North <input type="radio"/> South <input checked="" type="radio"/> East <input type="radio"/> West	Special Vehicles <input type="radio"/> (1) <input type="radio"/> (2) <input type="radio"/> (3) <input type="radio"/> (4) <input type="radio"/> (5) <input type="radio"/> (6)	Private Trailer Type <input type="radio"/> (1) <input type="radio"/> (2) <input type="radio"/> (3) <input type="radio"/> (4) <input type="radio"/> (5) <input type="radio"/> (6) <input type="radio"/> (7)
Location of Greatest Damage <input checked="" type="radio"/> (1) <input type="radio"/> (2) <input type="radio"/> (3) <input type="radio"/> (4) <input type="radio"/> (5) <input type="radio"/> (6) <input type="radio"/> (7) <input type="radio"/> (8) <input type="radio"/> (9) <input type="radio"/> (10) <input type="radio"/> (11)	First Impact 05	Extent of Damage 0	Driveable <input checked="" type="radio"/> Yes <input type="radio"/> No	Vehicle Defect <input type="radio"/> (1) <input type="radio"/> (2) <input type="radio"/> (3) <input type="radio"/> (4) <input type="radio"/> (5) <input type="radio"/> (6)	

Date of Birth	Sex <input type="radio"/> M <input type="radio"/> F	Position	Restraint	Hospital
Ambulance		Ejected <input type="radio"/> Yes <input type="radio"/> No	Trapped <input type="radio"/> Yes <input type="radio"/> No	

Date of Birth	Sex <input type="radio"/> M <input type="radio"/> F	Position	Restraint	Hospital
Ambulance		Ejected <input type="radio"/> Yes <input type="radio"/> No	Trapped <input type="radio"/> Yes <input type="radio"/> No	

Age	Pos.	Rest.
Age	Pos.	Rest.

Damaged Property

Public Y N

SANITIZED

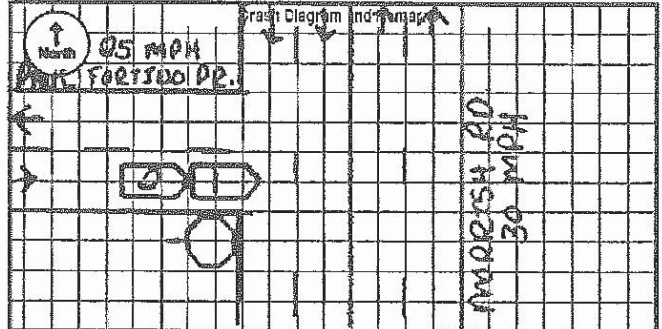
BACK

Unit Number: 2 State: MI
 Date of Birth: 04/28/1958
 License Type: O, C, M, CY, F, R, M, F
 Total Occup: 02 Hazard Action: 00
 Unit Type: MV, B, P, E (train)
 City: SWARTZ CREEK State: MI Zip: 48473
 Driver's Condition: 2, 3, 4, 5, 6, 7, 8, 9, 99
 Interlock: Yes/No
 Alcohol: Yes/No Test Type: Refused/Not offered
 Drugs: Yes/No Test Type: Blood/Urine
 Vehicle Description: CADILLAC 4 DOOR CTS Color: BLK Year: 2004
 Location of Collision Damage: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
 First Impact: 01 Extent of Damage: 1 Drivable: Yes/No
 Vehicle Type: PA, VA, PU, ST, CY, MO, GC, SM, OR, Other, Truck/Bus
 Vehicle Direction: North, South, East, West
 Special Vehicles: 1, 2, 3, 4, 5, 6
 Private Trailer Type: 1, 2, 3, 4, 5, 6, 7
 Vehicle Defect: 1, 2, 3, 4, 5, 6
 Vehicle Use: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11
 Date of Birth, Sex, Position, Restraint, Hospital, Ambulance, Ejected/Trapped (Yes/No), Age, Pos., Post.

Forward Original To: Michigan State Police, Traffic Crash Reporting Section, 7150 Harris Drive, Lansing, MI 48913

Unit Reported on Front				
Action Prior	Sequence of Events			
0717				
Most Harmful	(M)	(M)	(M)	

Unit Reported Above				
Action Prior	Sequence of Events			
0417				
Most Harmful	(M)	(M)	(M)	(M)



BOTH UNITS WERE EAST ON DAN FORTHENY DR. STOPPED AT STOP SIGN FOR MORRISH RD.
 UNIT #1 STARTED TO PULL ON TO MORRISH RD. THEN STOPPED BECAUSE OF ONCOMING TRAFFIC. UNIT #1 STARTED TO BACK UP FOR THE TRAFFIC ON MORRISH RD. AND STRUCK UNIT #2 IN THE FRONT.

Unit Number: []
 City: [] State: []
 Zip: [] GVWR/GCWR: []
 Carrier Source: Papers, Vehicle, Log Book, Driver
 Driver's CDL Type: A, B, C, None, Interstate, Intra (MI Only)
 CDL Restrictions: 28, 29, 30
 CDL Exempt: Farm, Other
 Vehicle Type: AS, AL, BS, CX, AR, AT, BB, BX, Other, AH, AX, BH, CH, AN, AY, BN, CP, AP, AZ, BP, CS
 Medical Card: Y, N
 Hazardous Material: Placard, Cargo Spill
 Class # []
 Type & Axes Per Unit: []
 Cargo Body Type: 1, 2, 3, 4, 5, 6, 7, 8
 ID # []

Investigated at Scene (N)

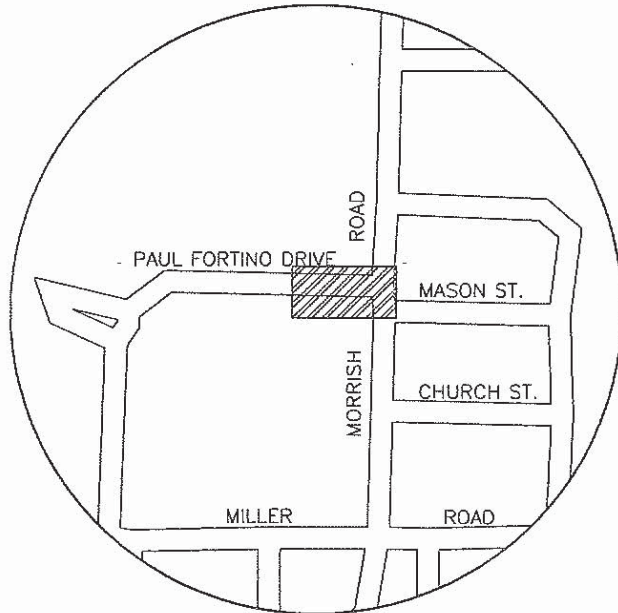
CITY OF SWARTZ CREEK
 PAUL FORTINO DRIVE AND MORRISH ROAD
 SAFETY GRANT APPLICATION ESTIMATE
 9/23/2013



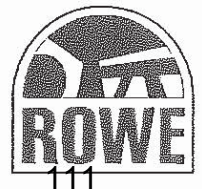
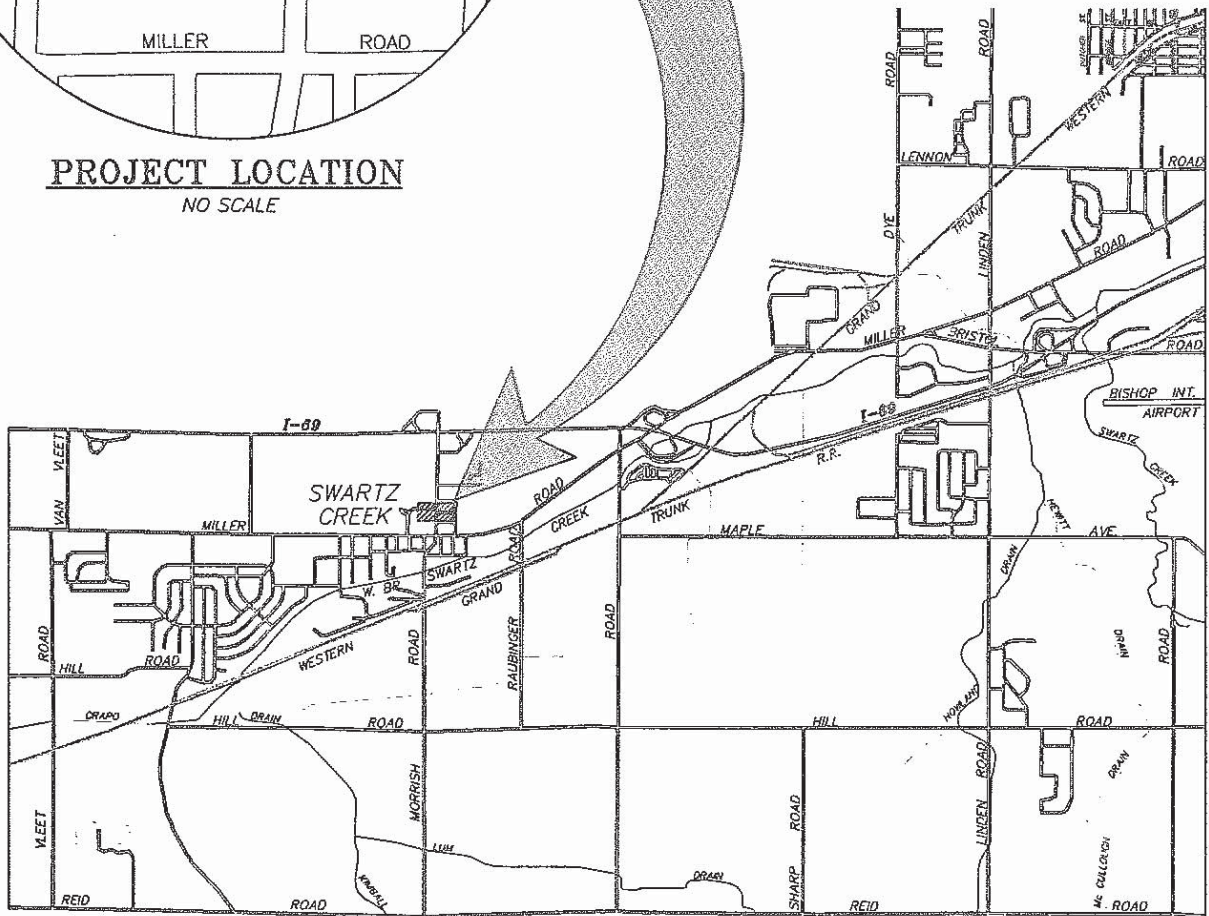
Description: This estimate includes the relocation of approximately 500 feet of Fortino Drive to the north along Morrish Road

Pay Item	Total Quantity	Unit	Unit Price	Total Cost
Mobilization	1	LSUM	\$12,100.00	\$12,100.00
Aggregate Base, 6 inch	1500	Syd	\$7.00	\$10,500.00
Remove Pavement	1500	Syd	\$6.00	\$9,000.00
Remove Curb & Gutter	1000	Ft	\$8.00	\$8,000.00
Machine Grading	5	Sta	\$3,500.00	\$17,500.00
Dr. Structure, 48 inch	4	Ea	\$1,500.00	\$6,000.00
Dr. Structure Cover	2000	Lb	\$1.50	\$3,000.00
Sewer, 12 inch	100	Ft	\$50.00	\$5,000.00
Maintenance Aggregate	100	Ton	\$20.00	\$2,000.00
Concrete Curb & Gutter, MDOT Det C-4	1000	Ft	\$15.00	\$15,000.00
5" Bituminous Asphalt	455	Ton	\$55.00	\$25,025.00
Dr Structure Cover, Adj, Case 1	2	Ea	\$500.00	\$1,000.00
Maintaining Traffic	1	LSUM	\$10,000.00	\$10,000.00
Cleanup and Restoration	1	LSUM	\$3,000.00	\$3,000.00
Erosion Control	1	LSUM	\$3,000.00	\$3,000.00
Pavement Marking	1	LSUM	\$1,000.00	\$1,000.00
Permanent Signing	1	LSUM	\$1,500.00	\$1,500.00
Non-Hazardous Contaminated Soil	100	Cyd	\$75.00	\$7,500.00
	Subtotal			\$140,125.00
	15% Contingency			\$21,018.75
	TOTAL PROJECT COST			\$161,143.75

INTERSECTION IMPROVEMENTS
FOR THE CITY OF SWARTZ CREEK
PAUL FORTINO DRIVE & MORRISH ROAD
FISCAL YEAR 2015



PROJECT LOCATION
NO SCALE





October 9, 2013

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



Dear Mr. Bueche:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of some channel changes. Customers are being notified of these changes via bill messages.

Effective November 11, 2013, Bloomberg will move from channel 178 to channel 103.

Also, effective December 5, 2013, TV Guide Network (ch. 100) on the Limited Basic package will undergo a format change, swapping the split-screen version for a full-screen version and moving to the Digital Starter and Digital Economy packages.

Additionally, effective December 16, 2013, Howard Stern On Demand will no longer be provided by Comcast.

As always, feel free to contact me directly at 586-883-7075 with any questions you may have.

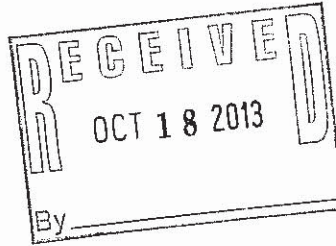
Sincerely,

A handwritten signature in black ink, appearing to read "Gerald W. Smith".

Gerald W. Smith
Senior Manager, Government Affairs
Comcast, Heartland Region
27800 Franklin Rd.
Southfield, MI 48034



October 15, 2013



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

Dear Mr. Bueche:

Having completed our digital network enhancement to an all-digital system, on or shortly after November 21, 2013 we will begin encrypting our Limited Basic service in your area. Encryption has a number of consumer benefits; including the reduced need for home service calls and the enhanced security of our network by reducing service theft that impacts our customers' service experience.

When Limited Basic service is encrypted, all XFINITY Video customers will need equipment supplied by Comcast connected to each television in order to continue receiving services.

- A customer that has a set-top box, digital adapter, or a retail CableCARD™ device connected to each TV will be unaffected by this change.
- A customer that is currently receiving Comcast's Limited Basic service on any TV *without* equipment supplied by Comcast will lose the ability to view any channels on that TV. These customers will be entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices the customer is entitled to receive, and for how long, will vary depending on the customer's situation.

Enclosed please find a sample of the customer notice that the FCC requires be sent to customers regarding encryption and the availability of devices at no additional charge or service fee. You'll note that we have established a special toll free number and website so that our customers can learn more about the equipment offer and eligibility.

In addition, the encryption of our Limited Basic service will impact those accounts receiving courtesy services. Courtesy accounts are entitled to receive up to three digital adapters or CableCARDS at no additional monthly charge, including those they may have previously received as part of our digital network enhancement to an all-digital platform. A sample of the courtesy notice to be received by these accounts is enclosed.

As always, if you have any questions or concerns regarding this program, or any other matter, please feel free to contact me at 586-883-7075.

Sincerely,

Gerald W. Smith
Senior Manager, Government Affairs
Comcast, Heartland Region
27800 Franklin Rd.
Southfield, MI 48034

Enclosures



If you receive XFINITY® TV service on any TVs in your home without Comcast equipment, please review this information.

Sample A. Sample
Apt 1-A
123 Anystreet
Anytown US 12345

*****BARCODE*****

For service at:
[123 Street Name]
[City, State 12345]

On November 21, 2013, Comcast will start encrypting Limited Basic service on your cable system.

If you have a set-top box, digital adapter (DTA) or retail CableCARD™ device connected to each of your TVs, you will be unaffected by this change. However, if you are currently receiving Comcast's Limited Basic service on any TV *without* equipment supplied by Comcast, you will lose the ability to view any channels on that TV.

If you are affected, you should contact Comcast at 1-855-860-8989 to arrange for the equipment you need to continue receiving your services. In such case, you are entitled to receive equipment at no additional charge or service fee for a limited period of time. The number and type of devices you are entitled to receive, and for how long, will vary depending on your situation:

- If you are a Limited Basic customer and receive the service on your TV without Comcast-supplied equipment, you are entitled to up to two devices for two years (five years if you also receive Medicaid).
- If you subscribe to a higher level of service and receive Limited Basic service on a secondary TV without Comcast-supplied equipment, you are entitled to one device for one year.

You can learn more about this equipment offer and eligibility at comcast.com/digitaladapterinfo or by calling 1-855-860-8989. To qualify for any equipment at no additional charge or service fee, you must request your equipment between October 22, 2013 and March 21, 2014 and satisfy all other eligibility requirements.

To order equipment, or for more information, call 1-855-860-8989 or visit comcast.com/digitaladapterinfo.





IMPORTANT INFORMATION ABOUT YOUR COURTESY VIDEO SERVICES

Sample A. Sample
Apt 1-A
123 Anystreet
Anytown US 12345

*****BARCODE*****

For service at:
[123 Street Name]
[City, State 12345]

On Month XX, XXXX, Comcast will begin encrypting Limited Basic service on the cable system in your community.

TVs connected to a set-top box, digital adapter (DTA) or retail CableCARD™ device will be unaffected by this change. However, if you have any TVs that are currently receiving Comcast's Limited Basic service *without* equipment supplied by Comcast, you will lose the ability to view any channels on those TVs.

If you are affected, you should contact Comcast at the number below to arrange for the equipment you will need to continue receiving services. We will provide you with **up to three digital adapters or CableCARDS at no additional charge** (including those you may already have on your account). Please know that if you choose not to take a digital device for any TV, you will not receive Comcast service on that TV. If you request **more** than the three digital devices mentioned above, you will incur a monthly charge of \$1.99 for each additional digital adapter and a monthly equipment charge of no more than \$1.50 for each additional CableCARD in the same retail device.

For more information or to obtain your digital equipment, please call [designated Comcast rep phone] and reference this letter.

Sincerely,

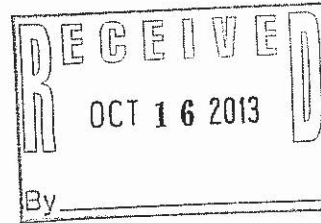
[name]
Comcast



GENESEE COUNTY PARKS

Get away. Right away.

October 15, 2013



Amy M. McMillan
Director

Pegge Adams
County Commissioner

Archie Bailey
County Commissioner

Ted Henry
County Commissioner

Michael J. Keeler
Citizen Representative

Joe Krapohl
Citizen Representative

William C. Lucas
Citizen Representative

James Washington
Citizen Representative

Cloyce Dickerson
Ex-Officio

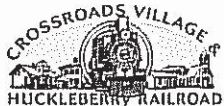
Carl Arthur III
Ex-Officio

Jeffrey Wright
Ex-Officio

A member of:

Michigan Recreation &
Park Association

National Recreation &
Park Association



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

Dear City Manager Bueche,

The Genesee County Parks and Recreation Commission is in the process of updating its Community Park, Recreation, Open Space and Greenway Plan.

Public input will be gathered through a statistically valid survey that will be mailed to randomly selected residents in each of the County's nine districts. An open survey will also be available on our website to give all Genesee County residents an opportunity to share their thoughts about the County Parks' facilities, programs and priorities.

We are also trying something new with this update of our Plan: extending an invitation to each local unit of government to "opt-in" to the action program section of the plan. Opting in to the Genesee County Park, Recreation, Open Space, and Greenway Plan won't replace your local parks, recreation, open space and greenway plan. And, it won't give the County Parks any authority over your parks.

Opting in to the County Parks plan is a no-cost way to demonstrate the type of cooperative planning efforts that the state is encouraging in several initiatives that may, ultimately, provide access to additional resources for individual communities and for the Genesee County region as a whole. This is the first effort of its kind in Michigan, so we are charting new territory.

It's easy for your community to opt-in. Just a copy of the action program from your local Community Park, Recreation, Open Space and Greenway Plan and a resolution from your governing board authorizing the Genesee County Parks and Recreation Commission to include your action plan in the Genesee County Parks' Community Park, Recreation, Open Space and Greenway Plan. All resolutions and action plans must be received by November 27, 2013 to be included in the current update.

If you have any questions, please give me a call at 810-249-3812 or send me an email at amcmillan@gcparks.org.

Sincerely,

A handwritten signature consisting of several loops and a long horizontal line extending to the right.

Amy M. McMillan, Director
Genesee County Parks and Recreation Commission