



Manistee County Board of Commissioners

Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

CHAIRPERSON
Jim Krolczyk
VICE-CHAIRPERSON
Ken Hilliard

Duane Anderson
Ervin Kowalski
Glenn Lottie
Carl Rutske
Richard Schmidt

CLERK

Marilyn Kliber
(231) 723-3331

CONTROLLER/ADMINISTRATOR

Thomas Kaminski
(231) 398-3500

WAYS & MEANS COMMITTEE

Tuesday, August 9, 2011
9:00 A.M.

Manistee County Courthouse & Government Center
Board of Commissioners Meeting Room

AGENDA

- 1) 9:00 A.M. - Finance Report - Jeri Lyn Prielipp, Financial Assistant.
- 2) Review and consideration of funding options available under the Secure Rural Schools and Self Determination Act. (APPENDIX A)
- 3) A) Schedule meeting date for review and prioritization of grant applications which will be submitted through the County to the Manistee Local Revenue Sharing Board. County grants are due in the County Controller/Administrator's Office by 5:00 P.M. on Friday, August 26, 2011. Grant applications are due to be submitted to the Local Revenue Sharing Board by Friday, September 2, 2011 at 5:00 P.M.

B) Schedule meeting dates and times for 2011/12 budget hearings with departments/courts/agencies. These meetings usually take place in late August or the first week of September and are scheduled over a two day period with one meeting in the morning and one scheduled in the afternoon.
- 4) Review and consideration of a recommendation from the Manistee County Tax Allocation Board to establish the renewal of a fixed millage for a five year period at 7.3 mills. A resolution, which establishes separate tax limitation millage rates for the County, the townships and the Intermediate School District, and language to be placed on the ballot at a special election to be held on November 8, 2011, for the purpose of renewing this fixed millage limitation for a five year period, is attached under APPENDIX B.
- 5) 9:15 A.M. - James Smogoleski, Youth Services Director, will appear before the Committee to present and request approval of the FY 2011/12 Child Care Fund Budget that will be submitted to the State of Michigan for approval.
- 6) 9:30 A.M. - Cyndy Fuller, Executive Director of the Alliance for Economic Success, will appear before the Committee on behalf of the Recycling Steering Committee to request approval of an education service agreement between Manistee County and Iris Waste Diversion Specialists, Inc. for a period of September 1, 2011 through August 31, 2013. (APPENDIX C)
- 7) 10:00 A.M. - Review and discussion of millage rates being levied for the operation of the Library, Medical Care Facility, 9-1-1/Central Dispatch, Dial-A-Ride, Council on Aging, and County Operating for 2011. The Committee will review the financial statements of each of these entities before making a recommendation on levying these millage rates in December 2011 and/or July 2012. (NOTE: Committee members were provided with financial statements from each taxing entity prior to the meeting.) (APPENDIX D)
- 8) Other Items from Committee members.
- 9) Adjournment.

[rn h:\agendas\W & M 080911]



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RODNEY A. STOKES
DIRECTOR

(APPENDIX A-1)

July 5, 2011

RECEIVED
JUL 11 2011

County Board of Commissioners

SUBJECT: Payments to your County from National Forest Revenues

Dear County Board of Commissioners:

The Secure Rural Schools and Self-Determination Act of 2000 was passed in October of 2000. On October 3, 2008, H.R. 1424 became Public Law (P.L.) 110-343. Section 601 in Division C of H.R. 1424 reauthorized and amended the Secure Rural Schools and Community Self-Determination Act of 2000 as originally enacted in P.L. 106-393. This law has been extended through fiscal year 2011. At that time, your county was given the choice to receive the 25-percent payment or the State payment amount. Your county chose the state payment.

Background Information

State Payment Amount

Amount Paid to the County: To calculate a State payment, the "adjusted share" for each eligible county within the State is multiplied by the "full funding amount" for the fiscal year for which the payment is made. The State payment is the sum of these amounts. The full funding amount decreases each fiscal year.

How Funds can be Used:

- a. **Counties that receive under \$100,000 - MAY** set aside 15 to 20 percent of their share for the special projects described below, but are not required to do so. The remaining 80 to 85 percent must continue to be used for public schools and public roads (Title I funds).
- b. **Counties that receive over \$100,000 but less than \$350,000 - MUST** set aside 15 to 20 percent of their payment for special projects which includes one or a combination of the three areas below. The remaining 80 to 85 percent must continue to be used for public schools and public roads (Title I funds).
 - **Title II Projects (Federal Projects):** Funds are reserved by the Federal Treasurer and can be used by the USFS for a variety of land management projects on federal lands. Local resource advisory committees must be established to guide use of the funds by the USFS.

(A-2)

- **Title III Projects (County Projects):** Funds are paid to the State and passed through to the county and must be used by the county for one or more of the following types of projects:
 - ✓ Carrying out Fire wise Community Programs
 - ✓ Developing community wildfire protection plans
 - ✓ Reimburse for emergency services paid for by counties and performed on Federal land (e.g. search and rescue, firefighting)

- **Return Money to the Federal Treasury**

c. **Counties that receive over \$350,000 - MUST** set aside 15 to 20 percent of their payment for special projects which includes one or a combination of the three areas below except that the allocation for Title III projects MAY NOT exceed 7%. The total of percentage amounts allocated to Title II and Title III combined must be no less than 15% and no greater than 20%. The remaining 80 to 85 percent must continue to be used for public schools and public roads (Title I funds).

- **Title II Projects (Federal Projects):** Funds are reserved by the Federal Treasurer and can be used by the USFS for a variety of land management projects on federal lands. Local resource advisory committees must be established to guide use of the funds by the USFS.]

- **Title III Projects (County Projects):** Funds are paid to the State and passed through to the county and must be used by the county for one or more of the following types of projects:
 - ✓ Carrying out Fire wise Community Programs
 - ✓ Developing community wildfire protection plans
 - ✓ Reimburse for emergency services paid for by counties and performed on Federal land (e.g. search and rescue, firefighting)

- **Return Money to the Federal Treasury**

Enclosed please find a payment projection report for fiscal year 2011 which is broken down by each County for the State of Michigan. All of the information, including the determination of each county's share, is provided to the State by the U.S. Department of the Agriculture, Forest Service. If you have questions about payment amounts, please contact your local USFS office included below. Also, additional information about this program can be found at <http://www.fs.fed.us/srs/>.

Janel Crooks, Public Affairs Officer, Hiawatha National Forest
906-789-3329, jmcrooks@fs.fed.us

Ken Arbogast, Public Affairs Officer, Huron-Manistee National Forests
231-775-5023, ext. 8726, karbogast@fs.fed.us

Lisa Klaus, Public Affairs Officer, Ottawa National Forest
906-932-1330, ext. 328, lklaus@fs.fed.us

(A-3)

Action Required:

- Since your county is a state payment county, you must notify the State of Michigan of your intentions for the following fiscal year under the state payment method no later than September 15 of each fiscal year. **If your county fails to notify the State by this date, the county is deemed to have elected to expend 85 percent of the funds to be received in a ratio of 75 percent to local school districts for school purposes and 25 percent to townships for improvement of county roads and shall remit the balance to the Treasury of the United States.**
- You will be required to provide documentation and reports to the State of Michigan regarding your distribution and expenditure of the funds received, including detailed reports on the monies expended for Title III projects.

Please submit your letter with your decision of what percent of your payment will go to Title I, Title II, and Title III projects to the following address:

Accounting Services Division
Michigan Department of Transportation
P.O. Box 30050
Lansing, Michigan 48909
ATTENTION: Chris Holly

- **We will notify the Secretary of Agriculture of your decision. If we do not receive your response by September 15, 2011, we will assume you want to receive 85% of your payment as Title I funds and remit the 15% balance to the Treasury of the United States.**

If you have any questions, please contact Dorie McArthur at 517-373-1089.

Sincerely,

Chris Holly

Chris Holly, Unit Manager
General Ledger Section
Accounting Services Division

cc: Ms. Kimberly Anderson, USFS
Ms. Janel Crooks, USFS
Ms. Lisa Klaus, USFS
Mr. Ken Arbogast, USFS
Ms. Dorie McArthur, ASD

Enclosure

Secure Rural Schools Act, PL 110-343, projected FY 2011 Forest Service Payments to States, May 5, 2011

Secure Rural Schools Act, PL 110-343, projected FY 2011 Forest Service Payments to States, May 5, 2011 (Does not include payments for O&C lands administered by Bureau of Land Management in Oregon.) Projected payments will differ from actual payments due to updates in factors such as per capita personal income (PCPI) and acres. The PCPI published in April 2011 was used in these computations.

Full Funding Amount:
Fiscal Year:

Eligible County	\$500,000,000 FY2008		\$450,000,000 FY2009		\$405,000,000 FY2010		\$364,500,000 FY2011			
	FY2008 25% (7-year rolling average) Payment	County Share of State Payment	County Share of Transition Payment	FY2009 25% (7-year rolling average) Payment	County Share of State Payment	County Share of Transition Payment	FY2010 25% (7-year rolling average) Payment	County Share of State Payment	County Share of Transition Payment	Projected County Share of State Payment
LA Winn			\$617,536							
ME Oxford		\$105,405			\$96,052	\$555,783		\$500,891		\$471,401
ME York		\$3,610			\$3,223					\$74,016
MI Alcona	\$83,755			\$85,805			\$83,072			\$2,619
MI Alger	\$117,247			\$119,984			\$2,917			
MI Baraga	\$41,744			\$39,618						
MI Barry		\$12								
MI Cheboygan		\$51			\$12		\$106,628			\$94,270
MI Chippewa		\$682,330			\$51		\$11			\$11
MI Crawford		\$103,478			\$683,034		\$45			\$40
MI Delta		\$464,761			\$108,204		\$606,519			\$509,973
MI Genesee		\$10			\$445,874		\$94,866			\$89,793
MI Gogebic		\$747,117			\$10		\$410,086			\$351,566
MI G. Traverse		\$2			\$706,241		\$10			\$9
MI Houghton	\$145,306				\$2		\$627,437			\$537,176
MI Iosco	\$83,256			\$137,668			\$2			\$2
MI Iron	\$165,930			\$85,278			\$126,096			
MI Lake	\$75,934			\$157,125			\$95,948			
MI Mackinac				\$71,629			\$143,765			
MI Manistee		\$241,351					\$72,087			
MI Marquette		\$195,289			\$240,350			\$210,426		\$185,982
MI Mason		\$34,573			\$191,929			\$173,813		\$150,138
MI Mecosta	\$40,996			\$38,671	\$31,994		\$29,076			\$25,675
MI Montcalm		\$9,666					\$38,919			
MI Muskegon	\$8,474				\$8,824			\$8,101		\$6,935
MI Newaygo		\$5,643			\$5,672			\$5,335		\$4,634
MI Oceana		\$275,920			\$7,993					
MI Ogemaw	\$36,011			\$33,974			\$8,044			
MI Ontonagon		\$57,595					\$34,196			\$225,221
MI Oscoda		\$597,415			\$54,897			\$47,602		\$41,102
MI Otsego		\$473,238			\$572,163			\$503,747		\$441,493
MI Schoolcraft	\$3				\$463,259			\$401,105		\$405,879
MI Wexford	\$111,684			\$3						
MN Beltrami	\$65,415			\$114,292			\$115,987			
MN Cass		\$165,840			\$61,721			\$207,571		\$189,276
MN Cook		\$590,181						\$134,179		\$112,862
MN Itasca		\$757,014			\$149,119			\$467,713		\$405,921
MN Koochiching		\$755,330			\$762,132			\$690,080		\$602,249
MN Lake	\$104			\$101	\$692,596			\$603,661		\$529,889
MN St. Louis		\$794,756					\$89			
MS Adams		\$884,849			\$745,795			\$649,978		\$595,842
MS Amite		\$590,181			\$794,318			\$748,831		\$687,081
MS Benton		\$115,572			\$103,297			\$87,950		\$84,674
MS Chickasaw		\$415,679			\$376,362			\$324,078		\$293,910
MS Choctaw		\$414,723			\$388,254			\$331,382		\$278,726
MS Copiah		\$177,910			\$169,630			\$155,903		\$133,104
MS Forrest		\$104,246			\$93,583			\$83,616		\$70,924
		\$99,697			\$92,359			\$82,832		\$70,052
		\$248,905			\$243,958			\$234,486		\$220,797

(A-4)

Manistee County Board of Commissioners



Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

(APPENDIX B-1)
CHAIRPERSON
Jim Krolezyk
VICE-CHAIRPERSON
Ken Hilliard

Duane Anderson
Ervin Kowalski
Glenn Lottie
Carl Rutske
Richard Schmidt

CLERK
Marilyn Kliber
(231) 723-3331
CONTROLLER/ADMINISTRATOR
Thomas Kaminski
(231) 398-3500

MANISTEE COUNTY RESOLUTION ESTABLISHING BALLOT LANGUAGE FOR FIXED MILLAGE PROPOSAL

At a regular meeting of the Manistee County Board of Commissioners held in the Manistee County Courthouse & Government Center, 415 Third Street, Manistee, Michigan, on the 16th day of August, 2011.

PRESENT:

ABSENT:

The following resolution was offered by _____ and seconded by _____:

WHEREAS, the voters of Manistee County established Fixed Millage for various governmental units within the County for a period of five years at the Primary Election held in 2006; and

WHEREAS, the Manistee County Board of Commissioners desires to place before the voters of the County the question establishing separate tax limitation millage rates for the County of Manistee, the Townships, and the Intermediate School Districts within the County, the aggregate of which shall not exceed 7.30 mills as follows:

County	5.50 mills
Townships	1.50 mills
Intermediate Schools	<u>0.30 mills</u>
TOTAL =	7.30 mills

NOW, THEREFORE, BE IT RESOLVED, that this question be placed on the ballot at a Special Election, to be held on November 8, 2011, and that the following ballot language be submitted to the Elections Commission for approval:

RENEWAL OF MANISTEE COUNTY SEPARATE TAX LIMITATIONS BALLOT PROPOSITION

Shall separate tax limitations be established for a period of 5 years (2012, 2013, 2014, 2015, and 2016) or until altered by the voters of Manistee County for the County of Manistee and the Townships and Intermediate School Districts within the County, the aggregate of which shall not exceed 7.3 mills as follows?

County of Manistee	5.5 mills
Townships	1.5 mills
Intermediate School Districts	0.3 mills

_____ YES _____ NO

(B-2)

STATE OF MICHIGAN)
)ss.
COUNTY OF MANISTEE)

I, Marilyn Kliber, County Clerk, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Manistee County Board of Commissioners at a special meeting held on the 16th day of August, 2011 by the following vote:

YEAS:

NAYS:

NOT VOTING:

I further certify that the foregoing Resolution is a true, correct and complete transcript of the original of said Resolution appearing on file and of record in my office. I further certify that the meeting was held and the minutes therefore were filed in compliance with Act No. 267 of the Public Acts of 1976.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Manistee this 16th day of August, 2011.

CLERK OF THE COUNTY COMMISSION
MANISTEE COUNTY, MICHIGAN

(11_11)

Marilyn Kliber, County Clerk



Waste Diversion Specialists, Inc.

**County-Wide Recycling Initiative Proposal to
Manistee County, Michigan**

**Work Plan Supplement
July 21, 2011**

Work Plan Introduction

In response to a proposal submitted by Iris Waste Diversion Specialists, Inc. and a subsequent meeting on July 14, 2011, the Manistee County Recycling Leadership Team detailed current priorities for the recycling program. The top priority is the expansion of the program to 100% county-wide participation within the next 3 years. Secondary to expansion is public outreach and school education. With the growth of the program, and concurrently the budget, priorities may shift to include more progressive education and outreach activities.

The following work plan is offered as a supplement to the original proposal with the major emphasis shifting from Public and School education activities to Program Expansion and Program Administration. Iris is interested in providing Public and School Education Services to help sustain Manistee County's Recycling Program therefore, as participation increases and the need or demand arises for a Public Education Campaign or School Education Programs, Iris will communicate with and provide recommendations to The County to address these matters.

The proposed work will occur over a 2-year period of time.

Year One - Weekly rate \$400

Year Two - Weekly rate \$450

YEAR ONE - September 2011 – August 2012

PROGRAM EXPANSION AND FORTIFICATION

Objective I

To offer consistent recycling opportunities to Manistee County residents by increasing participation of Township government in the county-wide recycling program.

The Lay of the Land - September – October 2011

Initiate introductory meetings and discussions with Townships in order to:

- Identify objections and barriers to collaborating in county-wide recycling program
- Gain an understanding of Township Official's perception of resident's support of and participation in recycling
- Gauge willingness to have further discussion on the benefits of the county-wide recycling program
- Attend Township Board meetings, as practical

Relationship Building - October 2011 – August 2012

Continue ongoing contact with Townships to gain trust, maintain an open dialog about the recycling program, to gain buy-in by non-participating Townships and sustain ongoing support of participating Townships.

Stock the Tool Box - September – December 2011

Research and compile data and information on Manistee County communities, perceptions, culture, social norms, etc. to:

- Build a knowledge base and familiarity with the area
- Identify local "favorites"
- Identify influential people and entities
- Determine opportunities to gain support and promotion of program

Build Program Value - January – August 2012

Develop and implement low/no-budget plan to build awareness of recycling program benefits to communities. Educating and building awareness about the recycling program to officials and the general public will demonstrate the value of the program and gain support.

Objective 2

Provide ongoing program administration for recycling program.

Program Administration - September 2011 – August 2012

- Regularly communicate and coordinate with the County Administrator's office and the recycling site coordinator
- Respond to public inquiries regarding the recycling program via email and telephone
- Provide monthly activity reports
- Seek out alternative funding opportunities to support the recycling program

Program Communication - September 2011 – August 2012

Serve as liaison between units of government and residents within Manistee County and the recycling program.

- Attend Manistee County Board of Commissioners meeting and present program updates, a minimum of twice annually
- Present program updates, a minimum of twice annually, to participating Township and Village Boards
- Provided leadership for the Recycling Leadership Team
- Participate in local and regional solid waste committees, as practical

Master Calendar of Activities - September 2011

Create working calendar and update as needed

- Gather schedules for municipal and county meetings, solid waste committee meetings, and all other related committee or group meetings
- Identify reporting deadlines

Objective 3

Begin development of recycling education support materials.

Recycling Education Support - June – August 2012

- Develop recycling education support materials and resource list for educators to encourage activities in conjunction with America Recycles Day (Nov 15) and Earth Day (April 22).
- Identify communication outlets to promote availability of support materials.

(2-4)

YEAR TWO - September 2012 – August 2013

SUSTAIN AND EDUCATE

WORK PLAN

Objective 1

To offer consistent recycling opportunities to Manistee County residents by increasing participation of Township government in the county-wide recycling program.

Relationship Building - September 2012 – August 2013

Continue ongoing contact with Townships to gain trust, maintain an open dialog about the recycling program, to gain buy-in by non-participating Townships and ongoing support of participating Townships.

Objective 2

Provide ongoing program administration for recycling program.

Program Communication - September 2012 – August 2013

Serve as liaison between units of government and residents within Manistee County and the recycling program.

- Attend Manistee County Board of Commissioners meeting and present program updates, a minimum of twice annually
- Present program updates, a minimum of twice annually, to participating Township and Village Boards
- Provided leadership for the Recycling Leadership Team
- Participate in local and regional solid waste committees, as practical

Program Administration - September 2012 – August 2013

- Regularly communicate and coordinate with the County Administrator's office and the recycling site coordinator
- Respond to public inquiries regarding the recycling program via email and telephone
- Provide monthly activity reports
- Seek out alternative funding opportunities to support the recycling program

Master Calendar of Activities – September 2012 – August 2013

Maintain working calendar and update as needed

Objective 3

Develop education and outreach plan, based on available budget.

Build Program Awareness - September 2012 – August 2013

Implement plan to build awareness of recycling program benefits to communities. By educating and building awareness about the recycling program to officials and the general public will demonstrate the value of the program and gain support.

Objective 4

Provide recycling education support to Manistee County schools.

Education Program Promotion – September – October 2012

Promote availability of educational support materials through a variety of communication methods.

(c-6)

DRAFT

MANISTEE COUNTY-WIDE RECYCLING PROGRAM

EDUCATION SERVICE AGREEMENT

This Contract is made as of the ____ day of August, 2011 by and between the Manistee County Board of Commissioners with offices at 415 Third Street, Manistee, MI 49660 (hereinafter referred to as "County"), and Iris Waste Diversion Specialists, Inc. with offices at _____ (hereinafter referred to as "Contractor").

Recitals

A. The County has formed a "Green Team" to provide leadership and develop policies to support energy efficiency and conservation in the County, and the County and its "Green Team" are desirous of continuing the County-wide recycling program as part of the County's long term strategy for sustainability, energy efficiency and resource conservation, and;

B. The Alliance for Economic Success, on behalf of the County, administered two grant to support the creation and expansion of a County-Wide Recycling program which to date has seven participating townships. The County, AES, and the Recycling Leadership Team are desirous of providing education and recruitment to expand the program and issued an RFP for these services which Contractor submitted a proposal in response thereto, and;

C. The County and the Contractor desire to place their mutual understanding, and respective rights and obligations in writing through this Service Agreement below.

Agreement

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree to the following terms and conditions for Recycling Education and Outreach Services:

1. Term

This contract shall be effective September 1, 2011 and shall terminate August 31, 2013. This agreement may be terminated by either party upon six months prior written notice to the other.

2. Contractor's Services

Contractor will furnish all labor, materials, and services required for an education program and outreach campaign focused on growing a sustainable recycling program for Manistee County by increasing the number of governmental unit(s) participating, working to achieve 100% participation throughout the county, and growing the program by increasing the amount of materials recycled in Manistee County (see Attachment "A").

3. Contractor Compensation

The County shall pay Contractor on a monthly basis for services rendered based upon the following pricing:

- a. Year One (September 1, 2011 - August 31, 2012) at a weekly rate of \$400.00.
- b. Year Two (September 1, 2012 - August 31, 2013) at a weekly rate of \$450.00.

4. Communications, Liaison, Reporting and Invoicing

Contractor shall carry out the work outlined in this agreement under the review and continuous liaison with the Manistee County Administrator. Contractor will provide monthly invoicing and reporting as mutually agreed by Manistee County Administrator and Contractor.

5. Insurance

Contractor shall procure and maintain the insurance required below for the life of this contract, and shall not commence work under this contract until such insurance is procured. All coverage shall be with insurance companies licensed and/or admitted to do business in the State of Michigan. All coverage shall be with insurance carriers acceptable to County.

Workers' Compensation Insurance including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.

Motor Vehicle Liability including Michigan No-Fault Coverage, with limits of liability not less than \$1,000,000 per occurrence combined single limit for Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.

Additional Insured: Commercial General Liability and Motor Vehicle Liability, as described above, shall include an endorsement stating that the following shall be named "Additional Insured" only for that which was the fault of the Contractor in the course of providing services under this Agreement.: Manistee County, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof.

Cancellation Notice: All policies described above, shall include an endorsement stating the following: "It is understood and agreed that Thirty (30) days Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change, other than for Non-payment of Premium, which shall be Ten (10) days notice, shall be sent to: Tom Kaminski County Administrator, Manistee County 415 Third St, Manistee MI 49660.

Contractor shall provide Manistee County with an original certificate of insurance, meeting all the requirements listed above, at least Ten (10) days prior to the signing of the contract. If any of the above policies expire during the term of this contract, Contractor shall deliver renewal certificates and/or policies to the County at least ten (10) days prior to the expiration date.

Contractor agrees that it is the full responsibility of Contractor to pay any deductible or self-insured retention applicable to all policies listed above. The limits of insurance provided above are in no way to be considered a total limit of liability or responsibility of the contractor.

6. General Provisions

a. Integration

This contract, together with any affixed schedules and exhibits, constitutes the entire understanding between the parties with respect to the subject matter of this Contract and supersedes any prior discussions, negotiations, agreements, and understandings. It may be amended only in a written instrument signed by both parties.

b. Choice of Law

This Contract will be governed and controlled in all respects by the laws of the State of Michigan, including interpretation, enforceability, validity, and construction.

c. Notices

All notices and other communications required or permitted under this Contract when given in writing will be deemed given when delivered personally or by registered or certified mail, return receipt requested, addressed as follows, or any other address that is specified in writing by either party:

If to County: Manistee County Board of Commissioners
ATTN: County Controller/Administrator
415 Third St
Manistee, MI 49660

If to Iris: Iris Waste Diversion Specialists, Inc.
P. O. Box 5708
Saginaw, MI 48603-0708

d. Non-waiver

Either party's failure to exercise a right or remedy or acceptance of a partial or delinquent performance will not operate as a waiver of any of the rights or that party to require full and timely performance by the other party.

e. Severability

Whenever possible, each provision of this Contract will be interpreted in such a way as to be effective and valid under applicable law. If a provision is prohibited by, or invalid under applicable law, it will be ineffective only to the extent of such prohibitions or invalidity, without invalidating the remainder of such provision or the remaining provisions of this contract.

f. Assignment

No assignment of this Contract or any right or obligation under this Contract will be made by either party without prior consent of the non-assigning party. Notwithstanding the foregoing, either party may assign this contract as part of a merger, acquisition, or other reorganization.

g. Counterparts

This may be executed in one or more counterparts, each of which will be deemed an original agreement, but all of which will be considered one instrument and will become a binding agreement when one or more counterparts have been signed by each of the parties and delivered to the other.

h. Injunctive relief

The parties acknowledge that irreparable injury will result from the failure of either party to comply with the terms of this Contract. In the event of any actual or threatened default or breach of any of the provisions of this Contract, the aggrieved party will have the right to specific performance or injunctive relief, as well as monetary damages and any other appropriate relief.

i. Survival

The obligation of any party to hold the other party harmless from liability shall survive termination of this Contract with respect to occurrences during the term of this contract.

j. Force Majeure

Neither party will be deemed to be in default or otherwise responsible for delays or failure in performance resulting from acts of God; acts of war or civil disturbance; epidemics; governmental action or inaction, (excluding action or inaction by Manistee County); fires; earthquakes; strikes; unavailability of labor, materials, power, or communication; or other causes beyond the reasonable control of the party.

k. Titles

Titles and heading to articles, sections, or paragraphs in this Contract are inserted for convenience of reference only and are not intended to affect the interpretation or construction of the Contract.

l. Attorney review

The parties represent that they have carefully read this Contract and have consulted with their attorneys. The parties affirmatively state that they understand the contents of this Contract and sign this Contract as their free act and deed.

m. Third party beneficiaries

This contract will not confer any rights or remedies on any third party, other than the parties to this contract and their respective successors and permitted assigns.

n. Attorney fees

In the event of a dispute arising out of this Contract, the prevailing party will be entitled to actual attorney fees and costs. In the case of an employed attorney, "attorney fees" shall be deemed to include the costs allocated to that attorney by the client's accounting system as customarily applied.

o. Civil Rights

The parties agree not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, age, sex, height, weight, handicapped status or marital status.

C-10

Dated:

Witnesses:

Waste:

Parties:

Manistee Board of Commissioners:

BY: _____
Jim Krolczyk, Chairman

Iris Waste Diversion Specialists, Inc.

BY: _____
Sarah M. Archer, Owner

Attachment A

Work Plan

YEAR ONE - September 2011 – August 2012

PROGRAM EXPANSION AND FORTIFICATION

Objective 1

To offer consistent recycling opportunities to Manistee County residents by increasing participation of Township government in the county-wide recycling program.

The Lay of the Land - September – October 2011

Initiate introductory meetings and discussions with Townships in order to:

- Identify objections and barriers to collaborating in county-wide recycling program
- Gain an understanding of Township Official's perception of resident's support of and participation in recycling
- Gauge willingness to have further discussion on the benefits of the county-wide recycling program
- Attend Township Board meetings, as practical

Relationship Building - October 2011 – August 2012

Continue ongoing contact with Townships to gain trust, maintain an open dialog about the recycling program, to gain buy-in by non-participating Townships and sustain ongoing support of participating Townships.

Stock the Tool Box - September – December 2011

Research and compile data and information on Manistee County communities, perceptions, culture, social norms, etc. to:

- Build a knowledge base and familiarity with the area
- Identify local "favorites"
- Identify influential people and entities
- Determine opportunities to gain support and promotion of program

Build Program Value - January – August 2012

Develop and implement low/no-budget plan to build awareness of recycling program benefits to communities. Educating and building awareness about the recycling program to officials and the general public will demonstrate the value of the program and gain support.

Objective 2

Provide ongoing program administration for recycling program.

Program Administration - September 2011 – August 2012

- Regularly communicate and coordinate with the County Administrator's office and the recycling site coordinator
- Respond to public inquiries regarding the recycling program via email and telephone
- Provide monthly activity reports
- Seek out alternative funding opportunities to support the recycling program

Program Communication - September 2011 – August 2012

Serve as liaison between units of government and residents within Manistee County and the recycling program.

- Attend Manistee County Board of Commissioners meeting and present program updates, a minimum of twice annually
- Present program updates, a minimum of twice annually, to participating Township and Village Boards
- Provided leadership for the Recycling Leadership Team
- Participate in local and regional solid waste committees, as practical

Master Calendar of Activities - September 2011

Create working calendar and update as needed

- Gather schedules for municipal and county meetings, solid waste committee meetings, and all other related committee or group meetings
- Identify reporting deadlines

Objective 3

Begin development of recycling education support materials.

Recycling Education Support - June – August 2012

- Develop recycling education support materials and resource list for educators to encourage activities in conjunction with America Recycles Day (Nov 15) and Earth Day (April 22).
- Identify communication outlets to promote availability of support materials.

YEAR TWO - September 2012 – August 2013

SUSTAIN AND EDUCATE

WORK PLAN

Objective 1

To offer consistent recycling opportunities to Manistee County residents by increasing participation of Township government in the county-wide recycling program.

Relationship Building - September 2012 – August 2013

Continue ongoing contact with Townships to gain trust, maintain an open dialog about the recycling program, to gain buy-in by non-participating Townships and ongoing support of participating Townships.

Objective 2

Provide ongoing program administration for recycling program.

Program Communication - September 2012 – August 2013

Serve as liaison between units of government and residents within Manistee County and the recycling program.

- Attend Manistee County Board of Commissioners meeting and present program updates, a minimum of twice annually
- Present program updates, a minimum of twice annually, to participating Township and Village Boards
- Provided leadership for the Recycling Leadership Team
- Participate in local and regional solid waste committees, as practical

Program Administration - September 2012 – August 2013

- Regularly communicate and coordinate with the County Administrator's office and the recycling site coordinator
- Respond to public inquiries regarding the recycling program via email and telephone
- Provide monthly activity reports
- Seek out alternative funding opportunities to support the recycling program

Master Calendar of Activities – September 2012 – August 2013

Maintain working calendar and update as needed

Objective 3

Develop education and outreach plan, based on available budget.

Build Program Awareness - September 2012 – August 2013

Implement plan to build awareness of recycling program benefits to communities. By educating and building awareness about the recycling program to officials and the general public will demonstrate the value of the program and gain support.

Objective 4

Provide recycling education support to Manistee County schools.

Education Program Promotion – September – October 2012

Promote availability of educational support materials through a variety of communication methods.



Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

(APPENDIX D-1)

OFFICE OF
CONTROLLER/
ADMINISTRATOR
231-398-3500 • Fax 231-723-1795
www.manisteecountymi.gov

MEMORANDUM

TO: James Espvik, 9-1-1 Director/Central Dispatch; Charles Haemker, Library Administrator; Linda Duchon, Medical Care Facility Administrator; Richard Strevey, General Manager, Manistee County Transportation, Inc.; and Lora Laurain, Director, Council on Aging

FROM: Thomas D. Kaminski, County Controller/Administrator

DATE: July 12, 2011

RE: Financial Statement Request

=====

For the past several years, the Manistee County Board of Commissioners has combined the adoption of the County budget and the truth in taxation process by holding one Public Hearing. The hearing, which this year will be held during the September meeting, allows the public to comment on the County's tentative budget and the 2011 levy of allocated and special millage. Immediately following this Public Hearing, the Board of Commissioners will adopt a fiscal year 2011/12 County budget and approve the 2011 levy of millage. A copy of the preliminary maximum allowable millage levy for 2011 is enclosed for your review. In an effort to make an informed decision on the 2011 levy of millage, the Ways & Means Committee is requesting that you please provide the following information no later than Monday, August 1, 2011.

- 1) Most recent completed audit.
- 2) Most recent month end balance sheet including fund balance.
- 3) A copy of your fiscal year 2011/12 tentative budget if completed. If not yet completed, an overview in letter form of anticipated revenue and expense projections is acceptable.

This information can be mailed to my attention at the Manistee County Courthouse, 415 Third Street, Manistee, Michigan 49660. It is the Committee's intention to review this financial information at the Ways & Means Committee meeting which is scheduled for Tuesday, August 9, 2011 at 9:30 A.M. in the Board of Commissioners meeting room. If you would like to attend and provide further explanation of your revenue needs and answer questions from the Committee, please contact me and I will schedule you for a specific time on the agenda.

On behalf of the Ways & Means Committee, thank you for your immediate attention to this matter. If you have any questions, please contact me.

Enclosure

cc: Manistee County Board of Commissioners
Roger Elbers, Equalization Director
Russell Pomeroy, County Treasurer
Jeri Lyn Prielipp, Finance Assistant

[m h:\budget\FY_2011_12\financial stmt request 2011]

**2011 TAX RATE REQUEST
MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS**

County MANISTEE	2011 Taxable Value of ALL Properties in the Unit as of 5-23-11 (Not including Ren Zone) 1,086,690,227
Local Government Unit MANISTEE COUNTY	

**PLEASE READ THE
INSTRUCTIONS ON
THE REVERSE SIDE
CAREFULLY.**

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec. 211.119.
The following tax rates have been authorized for levy on the 2011 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Millage Authorized by Election, Charter, etc.	(5) 2010		(6) 2011		(7) Millage Rate Permanently Reduced by MCL 211.34d	(8) Sec. 211.34 Millage Rollback Fraction	(9) Maximum Allowable Millage Levy*	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
				Millage	Rate	Current Year Millage	Millage Rate Permanently Reduced by MCL 211.34d						
ALLOCATION	OPERATING	08/06/06	5.5000	5.4615	1.0000	5.4615	1.0000	5.4615	1.0000	5.4615	5.4615	N/A	Dec-2011
VOTED	LIBRARY	08/05/08	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000		1.0000	Dec-2012
VOTED	MEDICAL CARE	08/03/10	0.5000	0.5000	1.0000	0.5000	1.0000	0.5000	1.0000	0.5000		0.5000	Dec-2015
VOTED	911	08/05/08	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000		0.7000	Dec-2012
VOTED	DIAL A RIDE	08/06/06	0.3300	0.3276	1.0000	0.3276	1.0000	0.3276	1.0000	0.3276		0.3276	Dec-2013
VOTED	COUNCIL ON AGING	08/03/10	0.3000	0.3000	1.0000	0.3000	1.0000	0.3000	1.0000	0.3000		0.3000	Dec-2015

Truth in Taxation procedure accomplished through annual budget process

Prepared by Roger Elbers	Title Equalization Director	Date 06/01/11
------------------------------------	---------------------------------------	-------------------------

As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary, to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34, and for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, MCL 380.1211(3).

<input checked="" type="checkbox"/> Clerk	Signature <i>Marilyn Kliber</i>	Type Name Marilyn Kliber	Date 5/31/2011
<input type="checkbox"/> Secretary			
<input type="checkbox"/> Chairperson	Signature <i>Jim Krolczyk</i>	Type Name Jim Krolczyk	Date 5/31/2011
<input checked="" type="checkbox"/> President			

*Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. A public hearing and determination is required for an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

**** IMPORTANT:** See instructions on the reverse side for the correct method of calculating the millage rate in column (5).

(D-2)