

REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL TO BE
HELD IN THE COUNCIL CHAMBERS AT WEST BRANCH CITY HALL, 121
N. FOURTH ST. ON MONDAY, AUGUST 20, 2018, BEGINNING AT 6:00 P.M.

PLEASE NOTE: All guests and parties in attendance are asked to sign in if they will be making any comments during meetings, so that the City Clerk may properly record your name in the minutes. Public comments are limited to 3 minutes in length while matters from the floor are limited to 10 minutes, unless you have signed in and requested additional speaking time, and that request is then approved by either the Mayor or a majority vote of Council. All in attendance are asked to please remove hats and/or sunglasses during meetings and to silence all cell phones and other electronic devices. Due to recent complaints from those in attendance trying to listen, audience members are kindly reminded to **please refrain from having private conversations**

while meetings are in progress—it is disruptive and NOT allowed. Unless you are a scheduled speaker from the floor or in the process of giving public comment for the record, audience members should not converse in the Council Chambers during meetings--if you feel that you must converse during a meeting, you are kindly asked to please do so in the hallway, away from the doors.]

[DISCLAIMER: Views or opinions expressed by City Council Members or employees during meetings are those of the individuals speaking and do not represent the views or opinions of the City Council or the City as a whole.]

[NOTICE: Audio and/or video may be recorded at public meetings of the West Branch City Council.]

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Public Hearing
- V. Additions to the agenda
- VI. Public Comment on Agenda Items Only (limited to 3 minutes)
- VII. Scheduled Matters from the Floor
- VIII. Bids
- IX. Unfinished Business
 - A. Cell phone stipend policy
 - B. DDA bylaws
- X. New Business
 - A. Bills payable.
 - B. Rural Development Loan

- XI. Approval of the minutes and summary from the Meeting held Aug 8, 2018
- XII. Consent Agenda (These items are considered routine and can be enacted in one motion)
 - A. Treasurer's report and Investment Summary
 - B. July Police Report
 - C. Minutes from the Airport Board meeting held July 18, 2018
- XIII. Communications
 - A. Joint work session with DDA, June 22 at 6:00 pm
- XIV. Reports and/or comments
 - A. Mayor
 - B. Council Members
 - C. City Manager
- XV. Public Comment on any item (limited to 3 minutes)
- XVI. Adjournment

Call to Order

Roll Call

**Pledge of
Allegiance**

Public Hearings

Additions to the Agenda

Public Comment -Agenda Items

Scheduled Matters from the Floor

Randy Falconello would like to address Council regarding truck routes within the City.

Bids

Unfinished Business

Because of the short turnaround in between meeting and due to days off during that time, we were not able to round up all the paperwork and the copies of the bills that were originally used for the calculations. We would ask that we continue to postpone this until the first meeting in September which should give us plenty of time to get that information.

**CITY OF WEST BRANCH
DOWNTOWN DEVELOPMENT AUTHORITY**

BY-LAWS

ARTICLE I: NAME

- 1.1 The name of this Authority is the Downtown Development Authority of the City of West Branch (DDA, Authority).

ARTICLE II: PURPOSE

- 2.1 The purpose of the DDA is established by the Downtown Development Authority Act 197 of the Public Acts of Michigan of 1975 (Act), and includes, but not limited to, the correction and prevention of deterioration in the downtown district, the encouragement of historic preservation, the creation and implementation of development plans in the downtown district and the promotion of economic growth therein.

ARTICLE III: BOUNDARIES

- 3.1 The geographic boundaries of the DDA district are depicted in the attached Exhibit A.

ARTICLE IV: BOARD OF DIRECTORS

- 4.1 Board of Directors. The business and affairs of the DDA shall be managed by its Board of Directors (Board).
- 4.2 Members. The Board shall consist of the Mayor and eight (8) members as provided by the Act. The members shall be appointed through the Mayor's recommendation, subject to approval by City Council (Council) and shall hold office for the terms provided in Act 197. All members shall hold office until the member's successor is appointed.
- 4.2.1 A majority of the members shall be persons having an interest in property located within the DDA's district.
- 4.3 Terms. The term of each DDA member shall be four (4) years with an option for reappointment. All members shall hold office until their successors are appointed.
- 4.4 Removal. Pursuant to notice and an opportunity to be heard, a member or officer may be removed by a majority vote of the Board whenever in its judgement, the best interests of the DDA would be served. An officer may resign from office and still remain a member of the Board.
- 4.5 Attendance. If a Board member misses three (3) consecutive regular meetings of the DDA or twenty-five percent (25%) of regular meetings in any fiscal year, the member may be removed

from the Board unless such absence is excused by the Board. If removal is deemed appropriate, the member will receive notice and an opportunity to be heard.

- 4.6 Conflict of Interest. A Board member who has any interest in any matter before the DDA shall disclose his/her interest prior to the DDA taking any action with respect to the matter; which disclosure shall become a part of the record of the DDA's official proceedings. Any member making such disclosure, shall then refrain from participating in the Authority's decision making processes relative to such matter.

4.6.1 In the event a member isn't sure whether he/she is in a conflict of interest position, the remaining members of the DDA, by a majority vote, shall decide whether or not a conflict of interest exists. Any such decision shall be binding and final.

- 4.7 Election of Officers. Officers shall be elected by a majority vote of the Board. The term of office shall be for one (1) year and begin at the close of the Annual Meeting at which they are elected. No member shall hold more than one office at a time.

- 4.8 Officers. Officers of the Board shall be a Chairperson, Vice-Chairperson, Treasurer and Secretary. All officers shall be members of the Board, with the exception of the Secretary. The officers of the Board shall be elected by the Board

4.8.1 Chairperson. The Chairperson shall preside at all meetings of the Board and shall discharge the duties as presiding officer. The Chairperson shall have the general powers and duties of supervision and management of the Board.

4.8.2 Vice-Chairperson. In the absence of the Chairperson or the event of inability to serve as Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson.

4.8.3 Treasurer. The Treasurer shall review a monthly statement of all revenues and expenses with the assistance of City Officials. The fiscal year of the DDA shall be the same as that of the City. Funds shall not be disbursed for any expense (invoices, bills, etc.) of the DDA until after the Board's approval of said expense.

4.8.4 Secretary. The Secretary shall record all votes, take minutes and shall maintain accurate records of all proceedings of the DDA.

4.8.5 Legal Counsel. The Board may retain legal counsel of their choice to advise the Board in the proper performance of its duties, to represent the DDA in actions brought by or against the DDA or for any other reason deemed necessary by the Board.

ARTICLE V: MEETINGS

- 5.1 Regular Meetings. Regular meetings of the Board will be held at least once each month.

- 5.2 Special Meetings. Special meetings of the Board may be called by the Chairperson or three members by written request to the Board Secretary with at least 24 hours' notice (written, email or voicemail) to each member of the Board.

- 5.3 Annual Meeting. An annual meeting shall be held once per year in or around March for the purpose

of the election of officers, strategic planning, and budget planning.

5.4 Work Session. The Board may convene a work session devoted exclusively to the exchange of information relating to municipal affairs.

5.4 Public Meetings. All meetings shall be held in accordance with the Open Meetings Act.

5.5 Closed Meetings. Closed meetings may be called under the conditions outlined in the Open Meetings Act. If a closed meeting is called, all applicable procedures will be followed as outlined in the Open Meetings Act.

5.6 Quorum. A quorum shall consist of a majority of the serving Board members.

5.5.1 If a quorum is not present, the Board may discuss matters of interest, but can take no action until the next regular or special meeting

5.7 Duty to Vote. All members of the Board shall have the duty to vote on matters before the DDA and shall not abstain on any matter except where there is a conflict of interest. If no member states opposition to the motion, it shall be deemed to have passed unanimously and shall be so recorded. In the event a member votes "no", a roll call shall be conducted.

ARTICLE VI: COMMITTEES

6.1 The Board may have committees. Committees shall be established by the Board and listed by name and with a definition of their purpose and scope. Committee members will be members of the Board. Special committees may be established for a specific period of time by the Chair or by a resolution of the Board which specifies the task of the special committee and the date of its dissolution.

ARTICLE VII: ANNUAL PLAN

7.1 Annual Plan. The DDA, consistent with the Act, will prepare an annual plan and include:

7.1.1 The amount and source of revenue in the account.

7.1.2 The amount in any bond reserve account.

7.1.3 The amount and purpose of expenditures from the account.

7.1.4 The amount of principal and interest on any outstanding bonded indebtedness.

7.1.5 The initial assessed value of the project area.

- 7.1.6 The captured assessed value retained by the authority.
- 7.1.7 The tax increment revenues received.
- 7.1.8 The number of jobs created as a result of the implementation of the TIF plan.
- 7.1.9 Any additional information the governing body or the state tax commission considers necessary.

ARTICLE VIII: GENERAL

- 8.1 Effective Date. These By-Laws shall become effective upon approval of the City Council.
- 8.2 Amendment of By-Laws. These By-Laws may be amended by the DDA at any regular meeting, provided that all members have received an advance copy of the proposed amendment(s) prior to the meeting at which such amendments are to be considered.

Adopted by the City of West Branch Downtown Development Authority on _____, 2018.

Chairperson, Samantha Fabbri

Approved by the City Council of the City of West Branch on _____, 2018.

City Clerk/Treasurer, John Dantzer

EXHIBIT A

Beginning at the southeast corner of Lot 9, Block 12, of the recorded plat of D. Wright and Co. Addition to the City of West Branch; thence north along the east line of said block to a point 41.0 feet north of the southeast corner of Lot 8, Block 12, thence west to a point intersecting the southerly line of Lot 8, thence northwesterly along Lot 8, to the southwest corner of the alley; thence west along the south line of Lot 12, Block 12, to the center of Second Street; thence south along said center line to a point 17.0 feet south of Lot 3, Block 3 of the recorded plat of R.H. Weidemann and Co. Addition to the City of West Branch; thence west along said line to the west side of the alley; thence north along the west side of alley to a point 44.0 feet north of the southeast corner of Lot 9, thence west along said line to the centerline of Third Street; thence south along centerline to a point in line with the north line of Lot 1, Block 2, thence west along said line to the west side of alley; thence south along west side of alley 30.0 feet; thence west along said line to the west right-of-way line of Fourth Street; thence north to the northeast corner of Lot 2, Block 1; thence west along said line to the east side of alley; thence north along the east side of alley to the midpoint of Lot 5, Block 1, thence east to a point in the centerline of Fourth Street; thence south 57.0 feet; thence east 129.5 feet; thence north to the line of Lot 9, thence east to the west line of alley; thence north along west line of alley to West Branch of Rifle River; thence northwesterly along said river to the centerline of Fourth Street, thence south along centerline to a point eight feet south of north line of Lot 7, Block 9, of the recorded plat of D. Wright and Co. Addition to the City of West Branch, thence to the east right-of-way line of Fifth Street to the northwest corner Lot 5, Block 9, thence east along the north line of Lot 5, to a point 50.0 feet west of the right-of-way of Fourth Street; thence north to the north line of Lot 2, Block 9, thence west to the centerline of Fifth Street; thence south to a point in line with the north line of Block 4, of the recorded plat of R.H. Weidemann and Co. Second Addition to the City of West Branch; thence west to a point midway on the north line of Lot 11, Block 3, thence north 33.0 feet; thence north 18°23'10"E 110.3 feet to the right-of-way of railroad spur; thence northwesterly along said railroad spur to the centerline of Seventh Street; thence south along centerline to a point 70.0 feet north of the northeast corner of Lot 1, Block 2, of the recorded plat of R.H. Weidemann and Co. Second Addition to the City of West Branch; thence westerly to the northeast corner of Lot 10, Block 2; thence south along said east side of Lot 10, 37.0 feet; thence west to the centerline of Eighth Street; thence south to the north right-of-way of Houghton Avenue; thence west to the midpoint of Lot 2, Block 1; thence north 66.0 feet parallel with the east and west boundaries; thence northwesterly to the northwest corner of Lot 2; thence north to the northeast corner of Lot 10, Block 1; thence west to the easterly right-of-way of M-30 extended north; thence south along said right-of-way to the centerline of Houghton Avenue; thence east to a point in the centerline of Eighth Street; thence south along centerline of Eighth Street to a point intersecting with the south line of Lot 1, Block 2, of the recorded plat of the City of West Branch; thence east to the northwest corner of said Lot 9, Block 2; thence south along the west line to the southwest corner of said lot thence east along the south line of Lot 9, 66.0 feet; thence north to the southwest corner of Lot 8, Block 2, thence east to the northwest corner of Lot 9, Block 4; thence south to the southwest corner of Lot 10, Block 4; thence east to the centerline of Fifth Street; thence south to a point in line with the north right-of-way of Wright Street; thence east to the southeast corner of Lot 6, Block 7; thence north to the southwest corner of Lot 10, Block 7; thence east to the centerline of Second Street; thence north along centerline to a point intersecting with the south line of Lot 1, Block 8; thence east to the southeast corner of Lot 2, Block 8; thence south to the southwest corner of Lot 9; thence east to the southeast corner of Lot 9; thence north along First Street and the center of West Branch of the Rifle River to the north right-of-way of Houghton Avenue; thence east to the place of beginning.

New Business

*ATTACHED IS A
LIST OF THE
BILLS TO BE APPROVED
AT THIS COUNCIL MEETING*

BILLS	\$28,802.51
<i>BILLS AS OF 8/17/18</i>	<i>\$28,802.51</i>
<i>Additions to Bills as of</i>	<i>\$0</i>
<i>Paid but not approved</i>	<i>\$0</i>
TOTAL BILLS	\$28,802.51

**BILLS ARE AVAILABLE
AT THE MEETING
FOR COUNCIL'S REVIEW**

Vendor Name	Amount	Description
AUSABLE VALLEY CMH	698.93	CLEANING CITY HALL, POLICE & RECYCLING
BANNING ELECTRIC	134.00	WWTP REPAIR
CONSUMERS ENERGY	9,474.71	ELECTRIC
CYNERGYCOMM NET INC	83.82	WWTP PHONE
DLL FINANCIAL SERVICES INC	70.08	POLICE COPIER
GODFREY, MICHAEL	38.80	REIMBURSEMENT FOR BARRICADES
HACH COMPANY	404.31	WWTP SUPPLIES
HOLBROOK, BOB	28.65	REIMBURSE FOR OVERPAYMENT ON HOUSE LOAN
INK & THREAD LLC	26.00	POLICE LOGO/SHIRTS
MARCIA'S METAL ART	771.12	RAIN GARDEN ART WORK
MEDLER ELECTRIC CO	24.31	PARK LIGHT REPAIR
NORTH CENTRAL LABORATORIES	156.57	WWTP SUPPLIES
OGEMAW COUNTY REG OF DEEDS	30.00	HOUSING PROJECT DISCHARGE BOB HOLBROOK
REVIZE LLC	760.00	ANNUAL WEBSITE SUPPORT 9/1/18 - 8/31/19
SBAM PLAN	15,408.30	BCN SEPTEMBER
SBAM PLAN	436.61	BCN SEPTEMBER
SELLEY'S CLEANERS	20.25	UNIFORM CLEANING
SHELL	30.44	POLICE GAS
STATE OF MICHIGAN	32.00	WATER TESTING
STATE OF MICHIGAN	70.00	KIRBY LICENSE TEST
UPS	3.61	SHIPPING WATER SAMPLES
WEST BRANCH RETAIL MERCHANTS	100.00	SPONSORSHIP 2018 RODEO
TOTAL	28,802.51	

Bond Schedule**Date:****08/15/18**

Borrower Name:	West Branch, City of	Type of Bond: Revenue
Interest Rate:	3.125%	
Yrs Deferred Principle	0	Annual Reserves
Principal:	\$250,000	RRI
Ammort. Factor	\$0	Bond
Ammortized Payment:	\$11,035	\$1,200

Year	1st Interest	2nd Interest	Principal Paid	Total Year Payment	Loan Balance
					250,000
1	3,906	3,906	3,000	10,813	247,000
2	3,859	3,859	3,000	10,719	244,000
3	3,813	3,813	3,000	10,625	241,000
4	3,766	3,766	4,000	11,531	237,000
5	3,703	3,703	4,000	11,406	233,000
6	3,641	3,641	4,000	11,281	229,000
7	3,578	3,578	4,000	11,156	225,000
8	3,516	3,516	4,000	11,031	221,000
9	3,453	3,453	4,000	10,906	217,000
10	3,391	3,391	4,000	10,781	213,000
11	3,328	3,328	4,000	10,656	209,000
12	3,266	3,266	5,000	11,531	204,000
13	3,188	3,188	5,000	11,375	199,000
14	3,109	3,109	5,000	11,219	194,000
15	3,031	3,031	5,000	11,063	189,000
16	2,953	2,953	5,000	10,906	184,000
17	2,875	2,875	5,000	10,750	179,000
18	2,797	2,797	5,000	10,594	174,000
19	2,719	2,719	6,000	11,438	168,000
20	2,625	2,625	6,000	11,250	162,000
21	2,531	2,531	6,000	11,063	156,000
22	2,438	2,438	6,000	10,875	150,000
23	2,344	2,344	6,000	10,688	144,000
24	2,250	2,250	7,000	11,500	137,000
25	2,141	2,141	7,000	11,281	130,000
26	2,031	2,031	7,000	11,063	123,000
27	1,922	1,922	7,000	10,844	116,000
28	1,813	1,813	7,000	10,625	109,000
29	1,703	1,703	8,000	11,406	101,000
30	1,578	1,578	8,000	11,156	93,000
31	1,453	1,453	8,000	10,906	85,000
32	1,328	1,328	8,000	10,656	77,000
33	1,203	1,203	9,000	11,406	68,000
34	1,063	1,063	9,000	11,125	59,000
35	922	922	9,000	10,844	50,000
36	781	781	9,000	10,563	41,000
37	641	641	10,000	11,281	31,000
38	484	484	10,000	10,969	21,000
39	328	328	10,000	10,656	11,000
40	172	172	11,000	11,344	0



**United States Department of Agriculture
Rural Development**
Community Programs – Michigan State Office

**IDENTIFYING AND REPORTING RURAL DEVELOPMENT ASSISTANCE TO RURAL
DEVELOPMENT EMPLOYEES, RELATIVES AND ASSOCIATES**

Dear Applicant:

To assure the high standards of honesty, integrity and impartiality by Rural Development employees, we need to identify any Rural Development assistance to be provided to Rural Development employees, members of the family, a business or close personal associates. This includes insured or guaranteed loans or grants to individuals or organizations.

Please complete the section below and forward this notice to the Rural Development office processing your application. Your response will allow Rural Development to make special provisions for processing, but will not affect your application status. Thank you for your cooperation.

If you have any questions, please contact our office at the address or phone below.

 X There is no known relationship or association with a Rural Development employee.

 There is a known relationship or association with a Rural Development employee.

Signature

Date

Title

3001 Coolidge Road • Suite 200 • East Lansing, MI 48823
Phone: (517) 324-5156 • Fax: (517) 324-5225 • TDD: (517) 324-5169 • Web: <http://www.rurdev.usda.gov/mi>

Committed to the future of rural communities.

"USDA is an equal opportunity provider, employer and lender."
To file a complaint of discrimination write USDA, Director, Office of Civil Rights
1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

DOCKET CERTIFICATIONS

MINORITY CERTIFICATION

The _____ will take affirmative steps to utilize and procure services from small, minority, and women's businesses.

SEAL

ATTEST:

(Applicant)

By: _____

(Title)

(Title)



United States Department of Agriculture

AD-1047

**Certification Regarding Debarment, Suspension, and Other Responsibility Matters
Primary Covered Transactions**

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552(a), as amended). This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, and 2 C.F.R. § 180.335, Participants' responsibilities. The regulations were amended and published on August 31, 2005, in 70 Fed. Reg. 51865-51880. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud privacy, and other statutes may be applicable to the information provided.

(Read Instructions On Page Two Before Completing Certification)

- A. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
1. Are not presently debarred, suspended, or proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A.2.) of this certification; and
 4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- B. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

ORGANIZATION NAME

PR/AWARD NUMBER OR PROJECT NAME

NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)

SIGNATURE(S)

DATE

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.



United States Department of Agriculture

AD-1049

**Certification Regarding Drug-Free Workplace Requirements (Grants)
Alternative I – For Grantees Other Than Individuals**

The following statement is made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552(a), as amended). This certification is required by the regulations implementing §§ 5151-5160 of the Drug-Free Workplace Act of 1998 (Pub. L. 100-690, Title V, Subtitle D: 41 U.S.C. § 8101 et seq.), and 2 C.F.R. Parts 182 and 421. The regulations were amended and published on June 15, 2009, in 74 Fed. Reg. 28150-28154 and on December 8, 2011, in 76 Fed. Reg. 76610-76611. Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the grant.

According to the Paperwork Reduction Act of 1995 an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0505-0027. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The provisions of appropriate criminal and civil fraud privacy, and other statutes may be applicable to the information provided.

(Read Instructions On Page Three Before Completing Certification)

- A. The grantee certifies that it will or will continue to provide a drug-free workplace by:
1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 2. Establishing an ongoing drug-free awareness program to inform employees about –
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace.
 3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (A.1.).
 4. Notifying the employee in the statement required by paragraph (A.1.) that, as a condition of employment under grant, the employee will –
 - a. Abide by the terms of the statement; and
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (A.4.b.) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (A.4.b.), with respect to any employee who is so convicted –
 - a. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or, local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A.1. through A.6.).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

PLACE OF PERFORMANCE *(Street Address, City, County, State, Zip Code)*

Check ☐ if there are workplaces on file that are not identified here.

ORGANIZATION NAME

PR/AWARD NUMBER OR PROJECT NAME

NAME(S) AND TITLE(S) OF AUTHORIZED REPRESENTATIVE(S)

SIGNATURE(S)

DATE

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant or loan.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant or loan, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(name)

(date)

(title)

000

EQUAL OPPORTUNITY AGREEMENT

This agreement, dated _____ between _____

(herein called "Recipient" whether one or more) and United States Department of Agriculture (USDA), pursuant to the rules and regulations of the Secretary of Labor (herein called the 'Secretary') issued under the authority of Executive Order 11246 as amended, witnesseth:

In consideration of financial assistance (whether by a loan, grant, loan guaranty, or other form of financial assistance) made or to be made by the USDA to Recipient, Recipient hereby agrees, if the cash cost of construction work performed by Recipient or a construction contract financed with such financial assistance exceeds \$10,000 - unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965.

1. To incorporate or cause to be incorporated into any contract for construction work, or modification thereof, subject to the relevant rules, regulations, and orders of the Secretary or of any prior authority that remain in effect, which is paid for in whole or in part with the aid of such financial assistance, the following "Equal Opportunity Clause":

During the performance of this contract, the contractor agrees as follows:

- (a) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited, to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the USDA setting forth the provisions of this nondiscrimination clause.
- (b) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
- (c) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the USDA, advising the said labor union or workers' representative of the contractor's commitments under this agreement and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of all rules, regulations and relevant orders of the Secretary of Labor.
- (e) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, rules, regulations, and orders, or pursuant thereto, and will permit access to his books, records, and accounts by the USDA Civil Rights Office, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by Law.
- (g) The contractor will include the provisions of paragraph 1 and paragraph (a) through (g) in every subcontract or purchase order, unless exempted by the rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the USDA may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the USDA, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

2. To be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the organization so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
3. To notify all prospective contractors to file the required 'Compliance Statement', Form RD 400-6, with their bids.
4. Form AD-425, Instructions to Contractors, will accompany the notice of award of the contract. Bid conditions for all nonexempt federal and federally assisted construction contracts require inclusion of the appropriate "Hometown" or "Imposed" plan affirmative action and equal employment opportunity requirements. All bidders must comply with the bid conditions contained in the invitation to be considered responsible bidders and hence eligible for the award.
5. To assist and cooperate actively with USDA and the Secretary in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and rules, regulations, and relevant orders of the Secretary, that will furnish USDA and the Secretary such information such as , but not limited to, Form AD-560, Certification of Nonsegregated Facilities, to submit the Monthly Employment Utilization Report, Form CC-257, as they may require for the supervision of such compliance, and that it will otherwise assist USDA in the discharge of USDA's primary responsibility for securing compliance.
6. To refrain from entering into any contract or contract modification subject to such Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by USDA or the Secretary of Labor pursuant to Part II, Subpart D, of the Executive Order.
7. That if the recipient fails or refuses to comply with these undertakings, the USDA may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the organization under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such organization; and refer the case to the Department of Justice for appropriate legal proceedings.

Signed by the Recipient on the date first written above.

Recipient

Recipient

(CORPORATE SEAL)

Name of Corporate Recipient

Attest:

Secretary

By _____
President

Position 3

USDA
Form RD 400-4
(Rev. 11-17)

ASSURANCE AGREEMENT
(Under Title VI, Civil Rights Act of 1964)

FORM APPROVED
OMB No. 0575-0018
OMB No. 0570-0062

The

(name of recipient)

(address)

As a condition of receipt of Federal financial assistance, you acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions of national laws and policies prohibiting discrimination, including but not limited to:

1. Title VI of the Civil Rights Act of 1964, as amended, which prohibits you from discriminating on the basis of race, color, or national origin (42 U.S.C. 2000d et seq.), and 7 CFR Part 15, 7 CFR 1901, Subpart E.

As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs [in accordance with USDA RD LEP Guidance for RD Funded (Assisted) Programs]. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. You are encouraged to consider the need for language services for LEP persons served or encountered both in developing your budgets and in conducting your programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.lep.gov>;

2. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating on the basis of sex in education programs or activities (20 U.S.C. 1681 et seq.) [as implemented by 7 CFR Part 15, 7 CFR 1901, Subpart E];
3. The Age Discrimination Act of 1975, as amended, which prohibits you from discriminating on the basis of age (42 U.S.C. 6101 et seq.) [as implemented by 7 CFR Part 15, 7 CFR 1901, Subpart E];
4. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits you from discriminating on the basis of disability (29 U.S.C. 794) [as implemented by 7 CFR Part 15, 7 CFR Part 15b, 7 CFR 1901, Subpart E];
5. Title VIII of the Civil Rights Act, which prohibits you from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (42 U.S.C. 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 CFR part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units, i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators) be designed and constructed with certain accessible features, see 24 CFR Part 100.201; and
6. Titles II and III of the Americans with Disabilities Act, which prohibit you from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and 7 CFR Part 15, 7 CFR Part 15b, 7 CFR 1901, Subpart E.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0018. The time required to complete this information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

You also acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions governing USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) access to records, accounts, documents, information, facilities, and staff:

1. You must cooperate with any compliance review or complaint investigation conducted by USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service).
2. You must give USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by Title VI, Title IX, Age, and Section 504 implementing regulations and other applicable laws or program guidance.
3. You must keep such records and submit to the responsible Department official or designee timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the responsible Department official or his designee may determine to be necessary to ascertain whether you have complied or are complying with relevant obligations.
4. You must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Make available to users, participants, beneficiaries and other interested persons such information regarding the provisions of this agreement and the regulations, and in such manner as the Rural Development or the U.S. Department of Agriculture finds necessary to inform such persons of the protection assured them against discrimination.
6. If, during the past three years, you (the recipient) have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, you must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements.
7. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against you, or you settle a case or matter alleging such discrimination, you must forward a copy of the complaint and findings to USDA Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), Office of Civil Rights.

The United States has the right to seek judicial enforcement of these obligations.

You also acknowledge and agree that you must comply (and require any subgrantees, subrecipients, contractors, successors, transferees, and assignees to comply) with applicable provisions of program-specific nondiscrimination policy requirements found at CFR Part 15, 7 CFR Part 15 b, 12 CFR Part 202, 7 CFR 1901, Subpart E., DR4300-003, DR4330-0300, DR4330-005.

Period of Obligation

In the case of any service, financial aid, covered employment, equipment, property, or structure provided, leased, or improved with federal assistance extended to the Recipient by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), this assurance obligates the Recipient for the period during which federal assistance is extended. In the case of any transfer of such service, financial aid, equipment, property, or structure, this assurance obligates the transferee for the period during which federal assistance is extended. If any personal property is so provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Recipient for the period during which the federal assistance is extended to the Recipient by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service).

Employment Practices

Where a primary objective of the federal assistance is to provide employment or where the Recipient's employment practices affect the delivery of services in programs or activities resulting from federal assistance extended by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service), the Recipient agrees not to discriminate on the grounds of race, color, national origin, sex, age, or disability, in its employment practices. Such employment practices may include, but are not limited to, recruitment, advertising, hiring, layoff or termination, promotion, demotion, transfer, rates of pay, training and participation in upward mobility programs; or other forms of compensation and use of facilities.

Data Collection

The Recipient agrees to compile and maintain information pertaining to programs or activities developed as a result of the Recipient's receipt of federal assistance from Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service). Such information shall include, but is not limited to the following: (1) the manner in which services are or will be provided and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination; (2) the population eligible to be served by race, color, national origin, sex, age, and disability; (3) data regarding covered employment including use or planned use of bilingual public contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English; (4) the location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any person on the basis of prohibited discrimination; (5) the present or proposed membership by race, color, national origin, sex, age and disability in any planning or advisory body which is an integral part of the program; and (6) any additional written data determined by Rural Development (Rural Housing Service, Rural Business and Cooperative Service, and Rural Utilities Service) to be relevant to the obligation to assure compliance by recipients with laws cited in this assurance agreement.

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations as herein described, that the information submitted in conjunction with this Document is accurate and complete, and that the recipient is in compliance with the nondiscrimination requirements set out above.

Rights and remedies provided for under this agreement shall be cumulative.

In witness whereof, _____ on this
(name of recipient)
date has caused this agreement to be executed by its duly authorized officers and its seal affixed hereto, or, if a natural person, has hereunto executed this agreement.

(S E A L)

Recipient

Date

Attest: _____

Title

Title

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT

APPLICANT CERTIFICATION
FEDERAL COLLECTION POLICIES FOR CONSUMER OR COMMERCIAL DEBTS

The Federal Government is authorized to check credit information about the applicant(s) including using the federal Credit Alert Interactive Voice Response System (CAIVRS) or its successors to check to see if the applicant(s) are delinquent or in default on a Federal debt.

The Federal Government is also authorized by law to take any or all of the following actions in the event your loan payments become delinquent or you default on your loan:

- Report your name and account information to a credit reporting agency, and the Credit Alert Interactive Voice Response System (CAIVRS).
- Assess interest and penalty charges for the period of time that payment is not made.
- Assess charges to cover additional administrative costs incurred by the government to service your account.
- Offset amounts to be paid to you from your Federal income tax refund.
- Offset amounts to be paid to you under other Federal Programs.
- Refer your account to a private collection agency to collect the amount due.
- Foreclose on any security you have given for the loan.
- Pursue legal action to collect through the courts.
- Report any written off debt to the Internal Revenue Service as taxable income.
- If you are a current or retired Federal employee, take action to offset your salary, or civil service retirement benefits.
- Debar or suspend you from doing business with the Federal Government either as a participant or principal throughout the executive branch of the Federal Government for the period of debarment or suspension.
- Refer any debt that is delinquent to the Treasury Offset Program (TOP) in accordance with the Debt Collection Improvement Act of 1996.
- Refer any eligible debt that is delinquent to the Treasury for cross servicing in accordance with the Debt Collection Improvement Act of 1996.
- Garnish your wages as allowed by the Debt Collection Improvement Act of 1996.

Any or all of these actions may be used to recover any debts owed when it is determined to be in the interest of the Government to do so.

CERTIFICATION: I/we have read and I/we understand the actions the Federal Government may take in the event that I/we fail to meet my/our scheduled payments in accordance with the terms and conditions of my/our agreement. I/we understand that the above list is not all inclusive and that the Federal Government may deem additional actions necessary to collect should I/we become delinquent.

(Signature-Individual(s))

(Date)

(Signature-Individual(s))

(Date)

(SEAL)

(Date)

(Name of Applicant)

(Signature of Authorized Entity Official)

(Title of Authorized Entity Official)

ATTEST:

(Signature of Attesting Official)

(Address)

(Title of Attesting Official)

(City, State, and Zip Code)

LEGAL REQUIREMENTS GUIDE

For the use of Rural Development applicants in preparing the legal requirements for Rural Utilities Service (RUS) loans and grants.

1. Color Coded Right-of-Way Map - Provide a map that outlines system improvements, such as pipeline, wells, storage tanks, pump stations, lagoons, treatment plants, as well as existing pipeline, wells and other structures creating a continuous uninterrupted system. Color code the map to show the appropriate type of right-of-way. (example: private, public, or railroad easement, fee simple title, special permits.) The sites that include structures must be numbered or labeled to correspond to the deeds and title opinions, or title insurance policies.
2. Right-of-Way Certificate - The applicant certifies on RD Form 442-21, that they have acquired all rights-of-way, easements, permits, franchises and authorizations needed for the construction, operation and maintenance of the facility to be installed or enlarged. The certification must be attached to the color coded Right-of-Way Map and be without exceptions.
3. Easements - RD Form 442-20, Easement of Right-of-Way, may be used. A sample copy of the type of easement to be used and a list of the easements obtained should be provided to RD.
4. Opinion of Counsel Relative to Rights-of-Way, Form RD 442-22. The applicant's local attorney must review action taken by the applicant in obtaining rights-of-way, easements, permits and licenses for the construction, operation and maintenance of the facility. The attorney should examine all instruments, permits and public records to determine legal sufficiency of the instruments covered by the Right-of-Way Certificate executed by the applicant. Further, the local attorney must examine the Right-of-Way Map to determine whether continuous and adequate land and right-of-way has been acquired by the applicant as certified in their Right-of-Way Certificate. This opinion must be without exceptions and display the proper date of the Right-of-Way Certificate executed by the applicant on RD Form 442-21.
5. Preliminary Opinion of Title - This opinion should cover all land optioned, fee simple ownership, public and private easements that include structures other than piping materials and individual on-site grinder pumps or septic tanks, above or below ground. The opinion may be recorded on MI Form 1927-9, Preliminary Title Opinion, with the legal description attached as a Schedule A, or a title insurance commitment may be obtained. For leasehold interests see item 12. The preliminary title opinion must be unqualified, not contain any restrictions, including reverter clauses that will adversely affect the system and may involve a physical search of the records. It is preferable that searches commence with a patent or land grant. Where this is not possible, the search must commence at least 40 years prior to the date of the opinion. References to abstracts or assumptions that abstracts are complete are unacceptable. Face amount for title insurance policies must equal the value of land after improvements, and must be approved by Rural Development. A numbering or labeling system must be used so that each opinion may be located on the Right-of-Way Map.
6. Final Opinion of Title - A Final Title Opinion may be completed on RD Form 1927-10, or a final owners title insurance policy may be issued. The final opinion could be rendered at the time the preliminary opinion is completed in cases where title to land is already with the borrower and recordings are unnecessary.

7. Copy of Deeds - A copy of all deeds to the land held by the applicant identified on the Right-of-Way Map must be provided.
8. An Opinion from the Local Attorney - Certifying that the executed contract documents, including performance and payment bonds, are adequate. That the persons executing the documents have been properly authorized to do so and that the agreements constitute valid and legally binding obligations upon the parties executing the same in accordance with terms, conditions, and provisions thereof. Refer to RUS Bulletin 1780-26, Exhibit I CERTIFICATE OF OWNER'S ATTORNEY, located in the construction contract documents.
9. Information on condemnation suits should be provided to the Rural Development Area Office if they are listed as exceptions on the Form RD 442-21 or Form RD 442-22.
10. Shared lien agreements, subordination's and the various bond transcript documents will be reviewed by the Rural Development Manager prior to loan closing.
11. Leasehold Interests – Normally are acceptable for structure sites only when the borrower is a corporation and the Government's security will be a note and mortgage. Lease agreements shall not contain provisions for restricted use of the site or facility, forfeiture or summary cancellation clauses. Lease agreements shall provide for the right to transfer, encumber, assign and sub-lease without restriction. Lease agreements will be written for a term at least equal to the term of the loan and must be approved by Rural Development.

Approval of Council Minutes & Summary

RESCHEDULED REGULAR MEETING OF THE WEST BRANCH CITY COUNCIL HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 121 NORTH FOURTH STREET ON WEDNESDAY, AUGUST 8, 2018.

Mayor Denise Lawrence called the meeting to order at 6:00 p.m.

Present: Mayor Denise Lawrence and Council Members Joanne Bennett, Mike Jackson, Tim Schaiberger, Rusty Showalter, Aaron Tuttle, and Dan Weiler.

Absent: None

Other officers present: Treasurer/Clerk John Dantzer, DDA Chairperson Samantha Fabbri, and Police Chief Ken Walters.

All stood for the Pledge of Allegiance.

* * * * *

As an addition to the agenda, a special event permit was submitted on behalf of Hannah and Autumn White to have a lemonade stand on the Saturday of the Victorian Art Fair on the Corner of Houghton Ave. and N. Valley to raise money for their aunt who was recently diagnosed with cancer

MOTION BY SCHAIBERGER, SECOND BY TUTTLE, TO APPROVE THE SPECIAL EVENT PERMIT CONTINGENT UPON THE APPLICANT RECEIVING PERMISSION FROM THE OWNER OF THE LAND TO USE THEIR PRIVATE PROPERTY AND ALSO APPROVING THE WAIVING OF THE PEDDLERS AND SOLICITORS PERMIT.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None Absent – None Motion carried

* * * * *

As another addition to the agenda, a Consumers tree grant application was submitted on behalf of GPSCR Coordinator Kelli Collins.

MOTION BY SCHAIBERGER, SECOND BY SHOWALTER, TO APPROVE THE CONSUMERS ENERGY 2018 TREE GRANT APPLICATION AS SUBMITTED.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None Absent – None Motion carried

* * * * *

As another addition to the agenda, a City cell phone stipend policy was submitted for approval.

Council Member Showalter raised questions on how the formula was calculated to come up with the amount of the stipend.

Council Member Bennett raised concerns if there was a cost comparison done to see what the cost of savings is to have the stipend instead of the City provided phones.

MOTION BY BENNETT, SECOND BY JACKSON, TO POSTPONE THE APPROVAL OF THE CITY CELL PHONE STIPEND POLICY.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No — None

Absent — None

Motion carried

* * * * *

As another addition to the agenda, an updated contract was submitted on behalf of Lee Ann Fischer of Housing Consultants Services LLC. It was noted that their third party housing administrator contract was up for renewal. Clerk Dantzer noted that the rate was the same as approved in the past and that Ms. Fischer has been helpful in the past with City housing needs.

MOTION BY SHOWALTER, SECOND BY WEILER, TO APPROVE THE HOUSING THIRD PARTY ADMINISTRATOR CONTRACT FROM HOUSING CONSULTANT SERVICES LLC AS PRESENTED.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No — None

Absent — None

Motion carried

* * * * *

Van Sheltroun addressed Council on a utility bill adjustment request. He noted that the water was from a leaking boiler system and that the water did not go to the sewage plant so he was requesting an adjustment on the sewer amount.

MOTION BY LAWRENCE, SECOND BY SHOWALTER, TO APPROVE THE ONE TIME UTILITY BILL ADJUSTMENT REQUEST AND ADJUST THE BILL TO \$379.65

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No — None

Absent — None

Motion carried

* * * * *

Mandi Chasey addressed Council with an EDC update and asked about having a new representative appointed to the EDC Board so they could move their meeting schedule back to the original date and time of the third Monday of the month at 5:15 pm.

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO APPROVE MIKE JACKSON BEING NAMED AS INTERIM EDC REPRESENTATIVE.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

Rachel Smego addressed Council about the possibility of adding a library in the park and noted that it would include a box placed in the park with books where people could stop by and get them to read or drop off books they wanted to share with others.

It was noted that MDEQ approval would have to be granted.

It was the consensus of Council to have Ms. Smego look into funding options and report back to Council on what she was able to find out.

**MOTION BY JACKSON, SECOND BY SHOWALTER, TO APPROVE THE PLACEMENT OF A
“LIBRARY” BOX IN IRONS PARK AT AN AGREED UPON LOCATION.**

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

An outstanding invoice from Ogemaw County for the additional 911 billing was resubmitted for Council approval. Chief Walters noted that while a couple Townships have already paid, the majority have not. It was his recommendation to wait till it get closer to the September 30 due date and see what all of the other Municipalities and Townships eventually decide to do before the City pays.

**MOTION BY SCHAIBERGER, SECOND BY JACKSON, TO POSTPONE THE PAYMENT OF THE 911
INVOICE UNTIL MORE INFORMATION CAN BE GATHERED AND IF OTHER TOWNSHIPS ARE
PAYING.**

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

**MOTION BY SHOWALTER, SECOND BY BENNETT, TO PAY BILLS IN THE AMOUNT OF
\$110,148.62**

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

Clerk Dantzer went over the schedule for the LED light conversion throughout town and went over the payment and refunds status of the project.

* * * * *

Updated DDA bylaws were submitted for approval.

Mayor Lawrence asked if the City attorney had looked them over and it was noted that she has not.

Member Showalter noted that he would like the City to pay for the attorney fees instead of the DDA if they were going to be looked over.

MOTION BY LAWRENCE, SECOND BY BENNET, TO SUBMIT THE PROPOSED DDA BYLAWS TO THE CITY ATTORNEY TO LOOK THEM OVER AND RESUBMIT TO COUNCIL FOR APPROVAL AT THE NEXT MEETING.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

MOTION BY SCHAIBERGER, SECOND BY JACKSON, TO RESCHEDULE THE CITY COUNCIL MEETING FROM MONDAY, SEPTEMBER 3RD TO TUESDAY, SEPTEMBER 4TH AT 6:00 PM IN THE COUNCIL CHAMBERS.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

A letter requesting the use of a portable tent at Irons Park was submitted on behalf of the Northland Area Federal Credit Union for their employee picnic.

MOTION BY SCHAIBERGER, SECOND BY TUTTLE, TO ALLOW NORTHLAND AREA FEDERAL CREDIT UNION THE USE OF A PORTABLE TENT AT IRONS PARK CONTINGENT UPON LOCATION APPROVAL WITH DPW SUPERINTENDENT MIKE KILLACKY.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

A Special Event Permit for the Victorian Art Fair was presented.

MOTION BY SCHAIBERGER, SECOND BY SHOWALTER, TO APPROVE THE SPECIAL EVENT PERMIT AS PRESENTED.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

MOTION BY BENNETT, SECOND BY SCHAIBERGER, TO APPROVE THE MINUTES AND SUMMARY FROM THE MEETING HELD JULY 16, 2018.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

MOTION BY SHOWALTER, SECOND BY SCHAIBERGER, TO RECEIVE AND FILE THE TREASURER'S REPORT AND INVESTMENT SUMMARY; MINUTES FROM THE PLANNING COMMISSION MEETING HELD JULY 10, 2018; MINUTES FROM THE SUMMER MUSIC SERIES MEETING HELD MAY 15, 2018; MINUTES FROM THE EMS MEETING HELD JUNE 21, 2018; MINUTES FROM THE AIRPORT BOARD MEETING HELD JUNE 20, 2018; MINUTES FROM THE FIRE BOARD MEETING HELD APRIL 17, 2018; AND THE MINUTES FROM THE BOARD OF REVIEW MEETING HELD JULY 16, 2018.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent –None

Motion carried

* * * * *

A rodeo sponsorship was shared.

MOTION BY SCHAIBERGER, SECOND BY JACKSON, TO APPROVE THE SPONSORSHIP OF THE RODEO AT THE BRONZE LEVEL BECAUSE OF THE SERVICE IT PROVIDES TO THE CITY AND TO PAY FOR THE ADVERTISEMENT FROM THE CITY'S COMMUNITY PROMOTION LINE ITEM.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

An Airport Capital Improvements plan was shared.

A Charter Cable lineup change was shared.

The MML Convention reminder and annual meeting notice was shared.

MML Blog updates were shared.

A MidMichigan Health groundbreaking ceremony was shared.

A TR McTaggerts 50 years in business invitation was shared.

A Sting communication was shared.

A MDEQ wellhead protection plan approval letter was shared.

A MERS meeting invitation was shared. It was noted that a MERS employer representative was not yet selected to attend the meeting. It was also noted the Deputy Clerk/Treasurer Frechette was chosen as the employee representative.

MOTION BY BENNET, SECOND BY JACKSON, TO NAME MANAGER GRACE AS THE EMPLOYER DELEGATE WITH CHIEF WALTERS AS THE ALTERNATE AND TO CONFIRM DEPUTY CLERK/TREASURER MICHELLE FRECHETTE AS THE EMPLOYEE DELEGATE .

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

Member Showalter asked if the City had named anyone as a voting delegate for the MML conference. Clerk Dantzer noted that no one has of yet because no one was registered for the conference. Member Showalter noted he is planning on attending the conference and would look into if he could be a voting delegate due to the fact he is on the MML Board.

Member Showalter congratulated Member Schaiberger for winning his election as well as congratulated all of those that turned in nominating petitions to run for City positions. Member Showalter noted concern over the return date for the City Manager. Member Showalter noted concerns over some current issues within the City. Member Showalter addressed rumors that he solicited people to run for Council and noted that they were true and he has always encouraged residents to get involved which is totally legal.

Member Bennett asked why the meeting had been rescheduled. Mayor Lawrence noted that she was going to be out of town on Monday and was unable to make contact with Mayor Pro Tem Schaiberger about his availability for the meeting due to the election so she rescheduled it to make sure either the Mayor or Mayor Pro Tem would be in attendance.

Member Schaiberger thanked everyone who voted for him and noted he was elected to serve as the Democratic candidate for the 103rd House of Representative and that is why he did not seek reelection to City Council. He further noted his encouragement to have people get involved.

* * * * *

Eric Young of the Ogemaw Herald asked if anyone had a date of return to work for the City manager.

DDA Chairperson Samantha Fabbri addressed Council about a FOIA expense that was discussed at the last meeting. Clerk Dantzer noted that he did speak with the City auditor who advised the City that the FOIA expense should have been expensed based on who signed the request and further noted the request was made on City letterhead and was signed by the City Manager but it was noted as looking for DDA information.

Mayor Lawrence discussed issues with the Wayfinding signs and the importance of having those installed to direct people to the downtown area.

MOTION BY SCHAIBERGER, SECOND BY JACKSON, TO REIMBURSE THE DDA \$600 IN FEES PAID FOR A FOIA REQUEST AND TO HAVE IT BILLED TO THE CITY INSTEAD.

Yes — Bennett, Jackson, Lawrence, Schaiberger, Showalter, Tuttle, Weiler

No – None

Absent – None

Motion carried

* * * * *

Mayor Lawrence adjourned the meeting at 7:44 pm.

Denise Lawrence, Mayor

John Dantzer, Clerk

SUMMARY OF THE RESCHEDULED REGULAR MEETING OF THE WEST
BRANCH CITY COUNCIL HELD WEDNESDAY, AUGUST 8, 2018.

Mayor Lawrence called the meeting to order at 6:00 p.m.

Present: Mayor Lawrence, Council Members Bennett, Jackson, Schaiberger, Showalter, Tuttle, and Weiler.

Absent: None

Other officers present: Clerk/Treasurer Dantzer, DDA Chair Fabbri, and Chief Walters.

All stood for the pledge of allegiance.

As an addition to the agenda, Council approved a special event permit submitted by Hannah and Autumn White to have a lemonade stand to raise money for their aunt who was diagnosed with cancer.

As an addition to the agenda, Council approved a Consumers tree grant.

As an addition to the agenda, Council postponed decision on a City cell phone stipend.

As an addition to the agenda, Council approved the renewal of Housing Consultant Services LLC as the City's Third Party Housing Administrator.

Council approved a one-time utility bill adjustment.

Mandi Chasey gave Council an EDC update and Council approved Mike Jackson as the City's interim EDC representative.

Rachel Smego addressed Council about the idea of having a library box in Irons Park.

Council approved the installation of a library box in Irons Park.

Council approved the postponement of the payment for a 911 invoice.

Council approved bills in the amount of \$110,148.62.

A LED light conversion update was shared.

Council postponed approval of updated DDA bylaws.

Council rescheduled the September 3rd meeting to September 4th.

Council approved the use of a portable tent at Irons Park.

Council approved the special event permit for the Victorian Art Fair.

Council approved the minutes and summary from the regular meeting held July 16, 2018.

Council received and filed the Treasurers Report and Investment Summary as well as the minutes from the Planning Commission meeting held July 10, 2018; minutes from the EMS meeting held June 21, 2018; minutes from the SMS meeting held May 15, 2018; minutes from Airport Board meeting held June 20, 2018; minutes from the Fire Board meeting held April 17, 2018; and the minutes from Board of Review meeting held July 16, 2018.

Communication were shared.

Council approved advertisement for the downtown rodeo.

Council approved delegates for the 2018 MERS meeting.

Members Showalter, Bennet and Schaiberger, and Mayor Lawrence, gave a report.

Eric Young addressed Council with a question on the return date of the City Manager

DDA Chair Fabbri addressed Council with a DDA question on a FOIA request payment that was brought up at the last meeting.

Council approved the reimbursement of \$600 to the DDA and authorized to have it billed to the City.

Mayor Lawrence adjourned the meeting at 7:44 pm.

Consent Agenda

CASH SUMMARY BY BANK FOR WEST BRANCH
FROM 08/01/2018 TO 08/31/2018

08/16/2018 01:20 PM
User: MICHELLE
RD: Westbranch City

Bank Code		Beginning Balance 08/01/2018	Total Debits	Total Credits	Ending Balance 08/31/2018
Fund	Description				
150	CEMETERY PERPETUAL CARE	19,007.98	0.00	0.00	19,007.98
209	CEMETERY FUND	(614.49)	1,850.71	4,107.58	(2,871.36)
248	DDA OPERATING FUND	54,603.63	1,264.64	3,051.93	52,816.34
251	INDUSTRIAL PARK FUND	3,008.30	0.00	761.95	2,246.35
276	HOUSING RESOURCE FUND	190,053.92	1,199.21	0.00	191,253.13
318	SEWER DEBT FUND	76,461.87	31,332.13	61.14	107,732.86
319	WATER DEBT FUND	9,136.60	6,993.39	12.70	16,117.29
571	COLLECTION REPLACEMENT FUND	30,816.95	0.00	0.00	30,816.95
572	PLANT REPLACEMENT FUND (R&I)	8,640.02	455.12	0.89	9,094.25
590	SEWER FUND	176,384.90	30,098.52	40,823.65	165,659.77
591	WATER FUND	115,423.63	15,882.31	10,664.11	120,641.83
592	WATER REPLACEMENT FUND	281,421.43	0.00	0.00	281,421.43
593	SEWER COLLECTION	56,155.40	4,412.31	4,773.64	55,794.07
561	EQUIPMENT FUND	127,033.35	14,044.73	6,156.78	134,921.30
704	PAYROLL CLEARING	(36,482.76)	74,447.63	37,964.87	0.00
705	IRONS PARK ENTERTAINMENT FUND	1,569.21	316.16	0.00	1,885.37
707	YOUTH SAFETY PROGRAM	744.73	0.00	0.00	744.73
714	RECYCLING CENTER	5,769.16	442.00	621.86	5,589.30
203	LOCAL STREET FUND	364,476.68	9,072.72	3,862.56	369,686.84
150	CEMETERY PERPETUAL CARE	1,673.13	0.00	0.00	1,673.13
251	INDUSTRIAL PARK FUND	20,850.21	0.00	0.00	20,850.21
571	COLLECTION REPLACEMENT FUND	2,368.13	0.00	0.00	2,368.13
591	WATER FUND	26,116.74	0.00	0.00	26,116.74
592	WATER REPLACEMENT FUND	19,549.14	0.00	0.00	19,549.14
593	SEWER COLLECTION	781.16	0.00	0.00	781.16
561	EQUIPMENT FUND	103,283.58	0.00	0.00	103,283.58
714	RECYCLING CENTER	1,041.42	0.00	0.00	1,041.42
	TOTAL - ALL FUNDS	3,167,873.69	433,683.07	438,313.18	3,163,243.58

08/16/2018 01:20 PM
User: MICHELLE
DB: Westbranch City

CASH SUMMARY BY ACCOUNT FOR WEST BRANCH
FROM 08/01/2018 TO 08/31/2018
FUND: ALL FUNDS
INVESTMENT ACCOUNTS

Fund Account	Description	Beginning Balance 08/01/2018	Total Debits	Total Credits	Ending Balance 08/31/2018
Fund 101					
004.300	CERTIFICATE OF DEPOSIT A	100,000.00	0.00	0.00	100,000.00
004.400	CERTIFICATE OF DEPOSIT B	150,000.00	0.00	0.00	150,000.00
		<hr/> 250,000.00	<hr/> 0.00	<hr/> 0.00	<hr/> 250,000.00
Fund 150	CEMETERY PERPETUAL CARE				
004.300	CERTIFICATE OF DEPOSIT C	114,255.00	0.00	0.00	114,255.00
004.400	CERTIFICATE OF DEPOSIT D	114,822.11	0.00	0.00	114,822.11
	CEMETERY PERPETUAL CARE	<hr/> 229,077.11	<hr/> 0.00	<hr/> 0.00	<hr/> 229,077.11
Fund 251	INDUSTRIAL PARK FUND				
004.300	CERTIFICATE OF DEPOSIT A	100,000.00	0.00	0.00	100,000.00
004.400	CERTIFICATE OF DEPOSIT B	100,000.00	0.00	0.00	100,000.00
	INDUSTRIAL PARK FUND	<hr/> 200,000.00	<hr/> 0.00	<hr/> 0.00	<hr/> 200,000.00
Fund 661	EQUIPMENT FUND				
004.300	CERTIFICATE OF DEPOSIT A	150,000.00	0.00	0.00	150,000.00
004.400	CERTIFICATE OF DEPOSIT B	100,000.00	0.00	0.00	100,000.00
	EQUIPMENT FUND	<hr/> 250,000.00	<hr/> 0.00	<hr/> 0.00	<hr/> 250,000.00
	TOTAL - ALL FUNDS	<hr/> 929,077.11	<hr/> 0.00	<hr/> 0.00	<hr/> 929,077.11



West Branch Police Department

Chief Kenneth W. Walters

130 Page St.

West Branch, Michigan 48661

Phone: 989-345-2627 Fax: 989-345-0083

E-mail: police@westbranch.com

8/13/2018

Honorable Mayor and Council,

This is the month end report for July. Officers handled 116 complaints and made 8 arrests. Four of these arrests were dangerous narcotics.

During the month July, the department began to investigate a case of wrongful death. I would expect to see an arrest warrant come from the Prosecuting Attorney's Office soon, probably along the lines of a Manslaughter charge.

The investigation is further closed regarding the homicide from last April. The suspect has taken a plea and was sentenced to 20-30 years in prison.

The new vehicle has still not arrived. We have been waiting over four months, and are essentially at the mercy of Ford production. I have been tracking the vehicle and it is currently out of production and awaiting shipping, as of this date.

Sincerely,

A handwritten signature in black ink, appearing to be "K. Walters", written over a horizontal line.

Chief Kenneth W. Walters

West Branch Police Department

Offense Count Report

Page: 1

Report Criteria:

Start Offense	End Offense		
01000	99009		
JULY 2018	TOTAL 2018	TOTAL 2017	TOTAL 2016
07/01/2018-07/31/2018	01/01/2018-07/31/2018	01/01/2017-12/31/2017	01/01/2016-12/31/2016

Offense	Description	JULY 2018	TOTAL 2018	TOTAL 2017	TOTAL 2016
11001	SEXUAL PENETR'N PENIS/VAGINA CSC1	0	1	1	2
11003	SEXUAL PENETRATION ORAL/ANAL CSC1	0	0	0	1
11004	SEXUAL PENETRATION ORAL/ANAL CSC3	0	0	2	0
11007	SEXUAL CONTACT FORCIBLE CSC2	0	1	1	0
11008	SEXUAL CONTACT FORCIBLE CSC4	0	3	4	2
12000	ROBBERY	0	0	1	0
13001	NONAGGRAVATED ASSAULT	0	11	18	13
13002	AGGRAVATED/FELONIOUS ASSAULT	0	1	2	3
13003	INTIMIDATION/STALKING	1	2	2	5
22001	BURGLARY - FORCED ENTRY	0	3	3	6
22002	BURGLARY - ENTRY W/OUT FORCE(INTENT	0	1	0	0
22003	BURGLARY - UNLAWFUL ENTRY(NO INTENT	0	0	2	3
23003	LARCENY - THEFT FROM BUILDING	0	2	3	10
23005	LARCENY - THEFT FROM MOTOR VEHICLE	0	2	1	0
23007	LARCENY - OTHER	0	6	9	3
24001	MOTOR VEHICLE THEFT	0	1	0	3
25000	FORGERY/COUNTERFEITING	0	0	1	0
26001	FRAUD - FALSE PRETENSE/SWINDLE/CONF	0	0	1	5
26002	FRAUD - CREDIT CARD/ATM	0	0	0	2
26003	FRAUD - IMPERSONATION	0	0	0	1
26006	FRAUD - BAD CHECKS	0	1	1	2
27000	EMBEZZLEMENT	0	1	1	0
29000	DAMAGE TO PROPERTY	1	7	8	11
30002	RETAIL FRAUD - THEFT	0	6	12	12
35001	VIOLATION OF CONTROLLED SUBSTANCE	2	3	7	22
35002	NARCOTIC EQUIPMENT VIOLATIONS	0	0	0	1
36004	SEX OFFENSE - OTHER	0	3	0	3
37000	OBSCENITY	0	0	1	0
38001	FAMILY - ABUSE/NEGLECT NONVIOLENT	0	0	1	4
41002	LIQUOR VIOLATIONS - OTHER	0	0	1	0
42000	DRUNKENNESS	0	1	2	5
48000	OBSTRUCTING POLICE	0	1	0	1
50000	OBSTRUCTING JUSTICE	4	47	69	67
52001	WEAPONS OFFENSE - CONCEALED	0	0	0	1
52003	WEAPONS OFFENSE - OTHER	0	0	0	2
53001	DISORDERLY CONDUCT	0	0	3	8
53002	PUBLIC PEACE - OTHER	0	0	1	0
54001	HIT & RUN MOTOR VEHICLE ACCIDENT	0	3	10	13
54002	OUIL OR OUID	0	3	7	14
54003	DRIVING LAW VIOLATIONS	1	14	51	73
55000	HEALTH AND SAFETY	4	23	40	10
57001	TRESPASS	0	6	3	8
70000	JUVENILE RUNAWAY	0	1	2	9
70004	Juvenile Issues	0	1	1	1
73000	MISCELLANEOUS CRIMINAL OFFENSE	0	2	8	7
90001	Vehicle Lockouts	9	76	133	157

Offense Count Report

Page: 2

Report Criteria:

Start Offense	End Offense		
01000	99009		
JULY 2018	TOTAL 2018	TOTAL 2017	TOTAL 2016
07/01/2018-07/31/2018	01/01/2018-07/31/2018	01/01/2017-12/31/2017	01/01/2016-12/31/2016

Offense	Description	JULY 2018	TOTAL 2018	TOTAL 2017	TOTAL 2016
90002	Motorist Assists	2	15	21	32
90003	Assist E.M.S.	16	89	167	160
90005	City Ordinance Violations	6	24	16	40
90006	Prisoner Transports	0	0	1	0
90007	Parking Complaints	0	0	7	3
90008	ANIMAL COMPLAINTS	0	8	17	12
90009	Maplewood Manor Alarm / Criminal History Checks	0	1	0	2
91001	Delinquent Minors	0	6	15	4
91002	Runaway	0	0	2	0
91004	Abandoned Vehicle	0	0	5	5
92003	Walk Away (Ment. & Host.)	0	1	2	4
92004	Insanity	0	5	15	14
93001	PROPERTY DAMAGE ACCIDENT/PI	7	30	43	44
93002	Accident, Non-Traffic	1	12	14	20
93003	Civil Traffic Violations	0	0	0	1
93004	Parking Violations	0	1	0	4
93006	Traffic Policing	0	3	6	2
93007	Traffic Safety Public Relations	0	3	0	1
93008	Inspections/Investigations -Breathalyzer	0	2	2	1
94001	Valid Alarm Activations	0	1	2	1
94002	False Alarm Activations	4	36	74	63
95001	Accident, Fire	0	2	3	4
95003	Inspection, Fire	0	0	0	1
95004	Hazardous Condition	4	8	0	0
97001	Accident, Traffic	0	0	1	0
97003	Accident, Other Shooting	0	0	1	0
98000	Other Types Not Listed	0	0	0	3
98002	Inspections/Investigations -Motor Vehicles	0	0	0	1
98003	Inspections/Investigations -Property	0	4	9	8
98004	Inspections/Investigations -Other	0	0	1	3
98006	Civil Matters/Family Disputes	6	28	58	29
98007	Suspicious Situations/Subjects	17	97	182	215
98008	Lost/Found Property	0	4	17	14
98009	Inspections/Investigations -Drug Overdose	0	1	0	3
99001	Suicide	0	0	1	1
99002	Natural Death	0	1	4	4
99003	Missing Persons	0	0	2	3
99007	PR Activities	3	8	14	5
99008	General Assistance	26	165	234	321
99009	General Non-Criminal	2	9	28	24
Totals:		116	797	1377	1542

The West Branch Community Airport Board met on this date in the Conference Room, West Branch Community Airport Terminal, West Branch, Michigan. Chairman Ron Quackenbush called the meeting to order at 12:00 p.m.

Present: Ron Quackenbush, Craig Scott, Mike Jackson, Karen Michael, Ken Walters, Terry Hodges, Denise Lawrence, and Ben Evergreen.

Absent – Gary Klacking.

Motion by Hodges, second by Lawrence, the minutes of the June 20, 2018 meeting be approved as noted. Voice vote. Ayes – all. Motion carried. [7-1-#1]

Motion by Scott, second by Jackson, claims in the amount of \$7,711.55 be approved for payment. Voice vote. Ayes – all. Motion carried. [7-1-#2]

Ben Evergreen, Airport Manager, gave the financial report. The combined account balance is \$236,467.49. **Motion by Quackenbush, second by Hodges, the financial report be accepted as presented. Voice vote. Ayes – all. Motion carried. [7-1-#3]**

Ben presented an invoice for payment from the airport consultants, Mead and Hunt. Payment will be made from grant funds related to our Airport Layout (master plan) update. **Motion by Hodges, second by Jackson, the West Branch Community Airport Board approve an invoice in the amount of \$7,411.48 from the airport consultants Mead and Hunt. Voice vote. Ayes – all. Motion carried. [7-1-#4]**

Progress related to the Airport Layout (Master Plan) update was discussed. Our airport consultants, Mead and Hunt, will present results of studies and projects at the October 2018 airport board meeting.

The board discussed the Michigan Aeronautics Planning meeting to be held on September 27, 2018. It has been recommended we maintain our current proposed capital improvement project list while waiting for the results of our Master Plan update.

A letter from PNC Bank was provided to City of West Branch staff to determine if anything should be done related to new security procedures concerning a certificate of deposit with the bank.

Motion by Jackson, second by Hodges, the meeting be adjourned. Voice vote. Ayes – all. Motion carried. [7-1-#5]

Chairman Quackenbush adjourned the meeting at 12:25 p.m.

Minutes by Ben Evergreen
Airport Manager

**REGULAR MEETING OF THE OGEMAW COUNTY EMS AUTHORITY BOARD WAS HELD AT THE
OGEMAW COUNTY EMS AUTHORITY BUILDING ON July 19, 2018 at 4:30 P.M.**

Present: Denise Lawrence, City of West Branch, Danny Morrison, Cummings Township, Bruce Reetz, Ogemaw County, Dave Reasner, City of Rose City, Lisa Cotton, Mills Township (4:40 pm)

Others Present: Trista Spencer-Director, Gail Seder-Administrative Assistant, Lloyd Saunders (LTK Builders)

Chairman Reetz called the meeting to order at 4:30 p.m. with the pledge of allegiance.

Roll Call: Bruce – Yes, Danny-Yes, Dave – Yes, Denise – Yes

Motion by Denise, supported by Dan, all in favor to approve the June 21, 2018 minutes.

CORRESPONDENCE:

No Correspondence to review.

CLAIMS & ACCOUNTS:

**Motion by Dave to approve the Claims and Accounts in the amount of \$142,089.27.
Supported by Lisa, all in favor, motion carried. Roll Call: Danny-Yes, Dave – Yes, Lisa-Yes,
Denise – Yes, Bruce – Yes.**

OLD BUSINESS:

None

NEW BUSINESS:

Opened sealed bids for the proposed Rose City Station. 2 bids were received. LTK Builders at \$384,630.50 and Miller Construction at \$310,041.00. LTK Builders, Lloyd Saunders, explained his bid prices. After discussion, Commissioners decided to table this matter until the next meeting or a special meeting is called, since Miller Construction and Tom Benjamin (Engineer) can come and go over the bids.

PUBLIC COMMENT:

Director Trista Spencer advised the Board that she will be running for County Commissioner for the 1st District.

Motion made by Dave to adjourn at 5:20 p.m. Supported by Denise. All in favor, Motion carried.

Meeting Adjourned at 5:20 p.m.

The next meeting will be Thursday, August 16, 2018 at 4:30 p.m.

Mw/gs/board mtg/07-19-18 minutes

**SPECIAL MEETING OF THE OGE MAW COUNTY EMS AUTHORITY BOARD WAS HELD AT THE
OGE MAW COUNTY EMS AUTHORITY BUILDING ON July 26, 2018 at 4:30 P.M.**

Present: Danny Morrison, Cummings Township, Bruce Reetz, Ogemaw County, Dave Reasner,
City of Rose City, Lisa Cotton, Mills Township

Absent: Denise Lawrence, City of West Branch

Others Present: Trista Spencer-Director, Gail Seder-Administrative Assistant, Tom Benjamin
(Architect)

Chairman Reetz called the special meeting to order at 4:45 p.m. with the pledge of allegiance.

Roll Call: Bruce – Yes, Danny-Yes, Dave – Yes, Lisa – Yes

NEW BUSINESS:

Discussed the Rose City Station building plans and bids. Discussed crawl space vs cement slab. More excavating would need to be done for a crawl space, but less cement costs. Cement slab would be cold and uncomfortable for employees in the living quarters. Will deduct the asphalt cost from Miller Construction bid and bid that service out ourselves. Miller Construction total will now be \$287,885.00.

The proposed drawing of the property consists of a curved driveway from Houghton Creek Rd. Director Spencer stated that a straight driveway would be more beneficial for the ambulance drivers. Tom Benjamin will change the drawing to a straight driveway and he will get with the county to see what it would cost to move the culvert.

Motion made by Danny to accept Miller Construction's bid contingent upon the cost of changing the proposed cement slab to a crawl space in the living quarters. Supported by Dave. Roll call vote: Danny-yes, Dave-yes, Lisa-yes, Bruce-yes, Denise-absent. All in favor, motion carried.

Motion made by Dave to adjourn at 5:22 p.m. Supported by Dan. All in favor, Motion carried.

Meeting Adjourned at 5:22 p.m.

The next meeting will be Thursday, August 16, 2018 at 4:30 p.m.

Mw/gs/board mtg/07-26-18 minutes special mtg

Communications

Reminder

John Iacoangeli of PRT will be holding a joint DDA/City Council work session on Wednesday, August 22, 2018 at 6:00 at City Hall.

Reports

Mayor

Council

City Manager

**Public
Comment
-Any
Topic**

Adjournment