



## Wexford County

### FINANCE & APPROPRIATIONS COMMITTEE

*Mike Musta, Chair*

#### **NOTICE OF MEETING**

The Finance and Appropriations Committee of the Wexford County Board of Commissioners will hold a regular meeting on Wednesday, August 28, 2024, beginning at 4:00 p.m. in the Commissioners' Room, third floor of the Historic Courthouse, 437 E. Division St., Cadillac, Michigan.

#### **TENTATIVE AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL
- C. ADDITIONS / DELETIONS TO THE AGENDA
- D. APPROVAL OF THE AGENDA
- E. APPROVAL OF AUGUST 8, 2024, REGULAR MEETING MINUTES..... 1
- F. PUBLIC COMMENTS  
*Designated for topics on the agenda only.*
- G. AGENDA ITEMS
  - 1. Approval of the Claims *(Clerk's Office)*
  - 2. Revenue & Expense Reports..... 4
  - 3. Material Management Plan - Designated Planning Agency Agreement ..... 12
  - 4. September Meeting Date Change Discussion
- H. CORRESPONDENCE
- I. ADMINISTRATOR'S COMMENTS
- J. PUBLIC COMMENTS
- K. COMMITTEE COMMENTS
- L. CHAIR COMMENTS
- M. ADJOURN

WEXFORD COUNTY  
**FINANCE & APPROPRIATIONS COMMITTEE MEETING**  
REGULAR MEETING MINUTES  
August 8, 2024

The regular meeting was called to order by Chair Michael Musta at 4:00 p.m., in the Commissioners’ Room, Third Floor, Historic Courthouse, 437 E. Division St. Cadillac, Michigan.

Members Present: Michael Musta, Brian Potter, Gary Taylor, Julie Theobald  
Members Absent: None  
Also Present: Amarah Birgy, Executive Assistant; Jami Bigger, Deputy Administrator & HR Director; Robert Champion, Chief Public Defender; Joe Porterfield, County Administrator & Equalization Director

**ADDITIONS OR DELETIONS TO THE AGENDA**

**Removed: G.3. Motorhome Listing**  
**Added: G.5. Equature Agreement**  
**Added: G.6. Budget Amendment**  
**Added: G.7. Community Corrections – Federal Probation Testing Proposal**

**APPROVAL OF THE AGENDA**

A motion was made by Comm. Taylor and supported by Comm. Theobald to approve the Agenda as amended. A vote was called, all in favor. Motion passed, 4-0.

**APPROVAL OF THE MINUTES**

A motion was made by Comm. Theobald and supported by Comm. Taylor to approve the July 24, 2024, regular meeting minutes. A vote was called, all in favor. Motion passed, 4-0.

**PUBLIC COMMENTS**

None.

**AGENDA ITEMS**

***G.1. Approval of Claims***

A motion was made by Comm. Potter and supported by Comm. Taylor to approve paying the bills in the amount of \$279,864.42. A vote was called, all in favor. Motion passed, 4-0.

***G.2. Victim’s Right Grant Agreement***

A motion was made by Comm. Theobald and supported by Comm. Potter to forward to the full board a recommendation to approve the Grant Agreement between the Department of Health and Human Services and the Prosecutor of Wexford County in the amount of \$53,967.00 for the period of October 1, 2024 through September 30, 2025. A vote was called, all in favor. Motion passed, 4-0.

***G.3. Motorhome Listing***

*Removed.*

**G.4. MIDC FY2025 Grant Agreement Application**

A motion was made by Comm. Taylor and supported by Comm. Theobald to forward the Compliance Plan and Cost Analysis Renewal Application for the period October 1, 2024 through September 30, 2025 with a recommendation to approve. A vote was called, all in favor. Motion passed, 4-0.

**G.5. Equature Agreement**

A motion was made by Comm. Potter and supported by Comm. Theobald to forward the Equature Agreement to the full board with a recommendation to approve. A vote was called, all in favor. Motion passed, 4-0.

**G.6. Budget Amendment**

A motion was made by Comm. Taylor and supported by Comm. Theobald to forward to the full board for approval the Budget Amendment dated August 21, 2024. A vote was called, all in favor. Motion passed, 4-0.

**G.7. Community Corrections – Federal Probation Testing Proposal**

A motion was made by Comm. Theobald and supported by Comm. Taylor to forward the proposal for Federal Probation Testing to the full board with a recommendation to approve. A vote was called, all in favor. Motion passed, 4-0.

**CORRESPONDENCE**

None.

**ADMINISTRATOR’S COMMENTS**

Mr. Porterfield informed the Committee that:

- The department heads are getting budgets entered.
- The new software for the Prosecutor’s Office is expensive.
- He also stated that ways to attract more staff are being considered.

Mr. Champion informed the Committee that:

- He is trying to get more attorneys to work in the area.
- He has extended offers to two of his interns.

**PUBLIC COMMENTS**

None

**COMMITTEE COMMENTS**

Commissioner Potter complimented Chair Taylor with how well of a job he has done. A discussion took place about revenue sharing, cyber security, and ARPA funds.

**CHAIR COMMENTS**

None

**ADJOURN**

A motion was made by Comm. Taylor and supported by Comm. Theobald to adjourn the meeting at 4:12 p.m. A vote was called, all in favor. Motion passed, 4-0.

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Michael Musta, Chair

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Jami Bigger, Recording Secretary

DRAFT

PERIOD ENDING 07/31/2024

% Fiscal Year Completed: 58.20

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	07/31/2024	MONTH 07/31/2024	BALANCE	
			NORMAL (ABNORMAL)	INCREASE (DECREASE)	NORMAL (ABNORMAL)	
Fund 101 - GENERAL FUND						
Revenues						
UNCLASSIFIED	Unclassified	18,092,198.00	6,932,770.87	1,491,164.83	11,159,427.13	38.32
<b>TOTAL REVENUES</b>		<b>18,092,198.00</b>	<b>6,932,770.87</b>	<b>1,491,164.83</b>	<b>11,159,427.13</b>	<b>38.32</b>
Expenditures						
101	COMMISSIONERS	118,669.00	64,912.97	10,019.97	53,756.03	54.70
172	COUNTY ADMINISTRATION	139,057.00	69,982.09	10,052.05	69,074.91	50.33
174	GEN SERVICES ADMINISTRATION	907,856.00	633,872.20	57,301.41	273,983.80	69.82
193	ARPA Direct Payment	0.00	57,159.04	0.00	(57,159.04)	100.00
194	DEPT OF AGRICULTURE	120,000.00	120,416.64	0.00	(416.64)	100.35
215	COUNTY CLERK	434,104.00	224,593.59	35,240.75	209,510.41	51.74
245	STATE SURVEY & REMONUMENTATION	49,898.00	14,875.00	0.00	35,023.00	29.81
253	COUNTY TREASURER	451,989.00	226,597.38	33,579.59	225,391.62	50.13
257	EQUALIZATION	586,791.00	320,872.59	43,620.87	265,918.41	54.68
262	ELECTIONS	110,150.00	74,233.00	2,837.01	35,917.00	67.39
265	BUILDING AND GROUNDS	485,267.00	227,253.28	33,268.67	258,013.72	46.83
268	DISTRICT HEALTH DEPARTMENT	102,100.00	52,896.58	5,654.21	49,203.42	51.81
270	HUMAN RESOURCES	90,485.00	75,328.04	(1,671.73)	15,156.96	83.25
271	JAIL - BLDG/GRDS CARMEL ST	5,500.00	11,870.59	2,004.55	(6,370.59)	215.83
272	MAINT/STORAGE - BLDG/GRDS	8,020.00	4,111.56	141.16	3,908.44	51.27
276	HUMAN SERVICES BLDG	135,100.00	60,632.27	7,664.92	74,467.73	44.88
278	JAIL - BLDG/GRDS	268,700.00	114,947.17	16,741.51	153,752.83	42.78
279	PUBLIC DEFENDER	253,610.00	157,519.72	20,423.38	96,090.28	62.11
283	CIRCUIT COURT	344,369.00	165,689.40	26,124.84	178,679.60	48.11
286	DISTRICT COURT	761,190.00	408,759.46	60,331.16	352,430.54	53.70
289	FRIEND OF THE COURT	1,082,709.00	523,141.84	77,189.46	559,567.16	48.32
293	RAISE THE AGE	285,000.00	52,288.87	223.99	232,711.13	18.35
294	PROBATE COURT	630,257.00	333,079.88	50,304.39	297,177.12	52.85
295	PROBATION AND PAROLE	2,700.00	693.25	71.88	2,006.75	25.68
296	PROSECUTING ATTORNEY	870,439.00	425,038.91	59,009.85	445,400.09	48.83
297	JURY COMMISSION	5,050.00	3,632.39	204.89	1,417.61	71.93
298	CIRCUIT COURT FAMILY COUNS.	62,119.00	37,262.86	5,582.97	24,856.14	59.99
299	PROS ATTN CO-OP REIMB	75,647.00	37,058.26	4,996.30	38,588.74	48.99
301	SHERIFF	3,156,845.00	1,576,863.71	259,169.19	1,579,981.29	49.95
316	SECONDARY ROAD PATROL	144,686.00	21,683.95	0.00	123,002.05	14.99
331	MARINE	34,931.00	2,868.35	1,224.92	32,062.65	8.21
332	SNOWMOBILE	35,381.00	14,824.51	215.41	20,556.49	41.90
333	FEDERAL FOREST	35,081.00	10,758.11	907.54	24,322.89	30.67
334	SNOWMOBILE	4,000.00	652.13	0.00	3,347.87	16.30
351	JAIL	3,595,419.00	1,601,791.43	270,799.24	1,993,627.57	44.55
362	STATE GRANT PA 511	128,543.00	62,995.71	12,223.33	65,547.29	49.01
363	ENHANCEMENT	136,773.00	70,988.81	10,500.27	65,784.19	51.90
426	EMERGENCY MANAGEMENT	116,203.00	53,524.19	7,455.48	62,678.81	46.06
442	DRAIN COMMISSION	81,177.00	27,510.52	7,196.89	53,666.48	33.89
526	SANITARY LANDFILL	57,000.00	18,869.22	1,595.00	38,130.78	33.10
605	CONTAGIOUS DISEASES	500.00	143.35	58.39	356.65	28.67
648	MEDICAL EXAMINER	107,400.00	56,741.59	1,085.31	50,658.41	52.83
681	VETERANS BURIAL	10,000.00	2,100.00	300.00	7,900.00	21.00
710	CO-OP EXTENSION	0.00	180.85	0.00	(180.85)	100.00
711	REGISTER OF DEEDS	332,755.00	182,243.20	26,662.90	150,511.80	54.77
959	APPROPRIATIONS	554,700.00	290,480.34	10,545.25	264,219.66	52.37
995	TRANSFERS	1,174,028.00	838,094.73	73,786.53	335,933.27	71.39
<b>TOTAL EXPENDITURES</b>		<b>18,092,198.00</b>	<b>9,332,033.53</b>	<b>1,244,643.70</b>	<b>8,760,164.4</b>	<b>51.58</b>

REVENUE AND EXPENDITURE REPORT FOR WEXFORD COUNTY  
 PERIOD ENDING 07/31/2024  
 % Fiscal Year Completed: 58.20

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	07/31/2024 NORMAL (ABNORMAL)	MONTH 07/31/2024 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 101 - GENERAL FUND						
Fund 101 - GENERAL FUND:						
	TOTAL REVENUES	18,092,198.00	6,932,770.87	1,491,164.83	11,159,427.13	38.32
	TOTAL EXPENDITURES	18,092,198.00	9,332,033.53	1,244,643.70	8,760,164.47	51.58
	NET OF REVENUES & EXPENDITURES	0.00	(2,399,262.66)	246,521.13	2,399,262.66	100.00
	BEG. FUND BALANCE	10,809,026.23	10,809,026.23			
	FUND BALANCE ADJUSTMENTS		(1,000.00)			
	END FUND BALANCE	10,809,026.23	8,408,763.57			

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			07/31/2024 NORMAL (ABNORMAL)	MONTH 07/31/2024 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 225 - ANIMAL CONTROL						
Revenues						
UNCLASSIFIED	Unclassified	279,221.00	245,857.62	1,239.36	33,363.38	88.05
TOTAL REVENUES		279,221.00	245,857.62	1,239.36	33,363.38	88.05
Expenditures						
000		279,221.00	142,399.16	28,881.45	136,821.84	51.00
TOTAL EXPENDITURES		279,221.00	142,399.16	28,881.45	136,821.84	51.00
Fund 225 - ANIMAL CONTROL:						
TOTAL REVENUES		279,221.00	245,857.62	1,239.36	33,363.38	88.05
TOTAL EXPENDITURES		279,221.00	142,399.16	28,881.45	136,821.84	51.00
NET OF REVENUES & EXPENDITURES		0.00	103,458.46	(27,642.09)	(103,458.46)	100.00
BEG. FUND BALANCE		228,588.68	228,588.68			
FUND BALANCE ADJUSTMENTS			750.00			
END FUND BALANCE		228,588.68	332,797.14			

REVENUE AND EXPENDITURE REPORT FOR WEXFORD COUNTY  
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		AMENDED BUDGET	07/31/2024 NORMAL (ABNORMAL)	MONTH 07/31/2024 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 239 - COURT SECURITY FUND						
Revenues						
UNCLASSIFIED	Unclassified	164,219.00	97,047.97	14,448.25	67,171.03	59.10
TOTAL REVENUES		164,219.00	97,047.97	14,448.25	67,171.03	59.10
Expenditures						
000		164,219.00	40,035.09	5,728.74	124,183.91	24.38
TOTAL EXPENDITURES		164,219.00	40,035.09	5,728.74	124,183.91	24.38
Fund 239 - COURT SECURITY FUND:						
TOTAL REVENUES		164,219.00	97,047.97	14,448.25	67,171.03	59.10
TOTAL EXPENDITURES		164,219.00	40,035.09	5,728.74	124,183.91	24.38
NET OF REVENUES & EXPENDITURES		0.00	57,012.88	8,719.51	(57,012.88)	100.00
BEG. FUND BALANCE		36,827.23	36,827.23			
END FUND BALANCE		36,827.23	93,840.11			



REVENUE AND EXPENDITURE REPORT FOR WEXFORD COUNTY  
 PERIOD ENDING 07/31/2024  
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GL NUMBER	DESCRIPTION	2024 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
			07/31/2024 NORMAL (ABNORMAL)	MONTH 07/31/2024 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 249 - BUILDING INSPECTIONS DEPT.						
Revenues						
UNCLASSIFIED	Unclassified	274,200.00	186,104.27	26,548.00	88,095.73	67.87
TOTAL REVENUES		<u>274,200.00</u>	<u>186,104.27</u>	<u>26,548.00</u>	<u>88,095.73</u>	<u>67.87</u>
Expenditures						
000		235,713.00	118,566.19	17,989.86	117,146.81	50.30
TOTAL EXPENDITURES		<u>235,713.00</u>	<u>118,566.19</u>	<u>17,989.86</u>	<u>117,146.81</u>	<u>50.30</u>
Fund 249 - BUILDING INSPECTIONS DEPT.:						
TOTAL REVENUES		274,200.00	186,104.27	26,548.00	88,095.73	67.87
TOTAL EXPENDITURES		<u>235,713.00</u>	<u>118,566.19</u>	<u>17,989.86</u>	<u>117,146.81</u>	<u>50.30</u>
NET OF REVENUES & EXPENDITURES		38,487.00	67,538.08	8,558.14	(29,051.08)	175.48
BEG. FUND BALANCE		281,768.82	281,768.82			
END FUND BALANCE		320,255.82	349,306.90			

REVENUE AND EXPENDITURE REPORT FOR WEXFORD COUNTY  
 PERIOD ENDING 07/31/2024  
 % Fiscal Year Completed: 58.20

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	07/31/2024 NORMAL (ABNORMAL)	MONTH 07/31/2024 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 260 - PUBLIC DEFENDER						
Revenues						
UNCLASSIFIED	Unclassified	1,744,957.00	769,938.02	37,013.05	975,018.98	44.12
TOTAL REVENUES		<u>1,744,957.00</u>	<u>769,938.02</u>	<u>37,013.05</u>	<u>975,018.98</u>	<u>44.12</u>
Expenditures						
000		1,744,957.00	798,915.17	153,111.68	946,041.83	45.78
TOTAL EXPENDITURES		<u>1,744,957.00</u>	<u>798,915.17</u>	<u>153,111.68</u>	<u>946,041.83</u>	<u>45.78</u>
Fund 260 - PUBLIC DEFENDER:						
TOTAL REVENUES		1,744,957.00	769,938.02	37,013.05	975,018.98	44.12
TOTAL EXPENDITURES		<u>1,744,957.00</u>	<u>798,915.17</u>	<u>153,111.68</u>	<u>946,041.83</u>	<u>45.78</u>
NET OF REVENUES & EXPENDITURES		0.00	(28,977.15)	(116,098.63)	28,977.15	100.00
BEG. FUND BALANCE		0.17	0.17			
END FUND BALANCE		0.17	(28,976.98)			

REVENUE AND EXPENDITURE REPORT FOR WEXFORD COUNTY  
 PERIOD ENDING 07/31/2024  
 % Fiscal Year Completed: 58.20

GL NUMBER	DESCRIPTION	2024	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		AMENDED BUDGET	07/31/2024 NORMAL (ABNORMAL)	MONTH 07/31/2024 INCREASE (DECREASE)	BALANCE NORMAL (ABNORMAL)	
Fund 261 - 911-WIRELESS						
Revenues						
UNCLASSIFIED	Unclassified	1,400,000.00	462,003.04	135,046.76	937,996.96	33.00
TOTAL REVENUES		<u>1,400,000.00</u>	<u>462,003.04</u>	<u>135,046.76</u>	<u>937,996.96</u>	<u>33.00</u>
Expenditures						
000		155,000.00	51,881.64	7,836.84	103,118.36	33.47
325	COMMUNICATIONS/DISPATCH	1,052,558.00	627,701.12	96,967.75	424,856.88	59.64
TOTAL EXPENDITURES		<u>1,207,558.00</u>	<u>679,582.76</u>	<u>104,804.59</u>	<u>527,975.24</u>	<u>56.28</u>
<hr/>						
Fund 261 - 911-WIRELESS:						
TOTAL REVENUES		1,400,000.00	462,003.04	135,046.76	937,996.96	33.00
TOTAL EXPENDITURES		<u>1,207,558.00</u>	<u>679,582.76</u>	<u>104,804.59</u>	<u>527,975.24</u>	<u>56.28</u>
NET OF REVENUES & EXPENDITURES		192,442.00	(217,579.72)	30,242.17	410,021.72	113.06
BEG. FUND BALANCE		356,274.03	356,274.03			
END FUND BALANCE		548,716.03	138,694.31			

REVENUE AND EXPENDITURE REPORT FOR WEXFORD COUNTY  
 PERIOD ENDING 07/31/2024  
 % Fiscal Year Completed: 58.20

GL NUMBER	DESCRIPTION	2024		ACTIVITY FOR MONTH 07/31/2024	AVAILABLE		% BGD USED
		AMENDED BUDGET	YTD BALANCE 07/31/2024 NORMAL (ABNORMAL)		NORMAL	(ABNORMAL)	
Fund 292 - CHILD CARE FUND							
Revenues							
UNCLASSIFIED	Unclassified	736,286.00	258,440.06	67,250.62		477,845.94	35.10
TOTAL REVENUES		<u>736,286.00</u>	<u>258,440.06</u>	<u>67,250.62</u>		<u>477,845.94</u>	<u>35.10</u>
Expenditures							
000		736,286.00	324,432.11	70,501.89		411,853.89	44.06
TOTAL EXPENDITURES		<u>736,286.00</u>	<u>324,432.11</u>	<u>70,501.89</u>		<u>411,853.89</u>	<u>44.06</u>
Fund 292 - CHILD CARE FUND:							
TOTAL REVENUES		736,286.00	258,440.06	67,250.62		477,845.94	35.10
TOTAL EXPENDITURES		<u>736,286.00</u>	<u>324,432.11</u>	<u>70,501.89</u>		<u>411,853.89</u>	<u>44.06</u>
NET OF REVENUES & EXPENDITURES		0.00	(65,992.05)	(3,251.27)		65,992.05	100.00
BEG. FUND BALANCE		21,340.92	21,340.92				
END FUND BALANCE		21,340.92	(44,651.13)				
TOTAL REVENUES - ALL FUNDS		4,598,883.00	2,019,390.98	281,546.04		2,579,492.02	43.91
TOTAL EXPENDITURES - ALL FUNDS		<u>4,367,954.00</u>	<u>2,103,930.48</u>	<u>381,018.21</u>		<u>2,264,023.52</u>	<u>48.17</u>
NET OF REVENUES & EXPENDITURES		230,929.00	(84,539.50)	(99,472.17)		315,468.50	36.61
BEG. FUND BALANCE - ALL FUNDS		924,799.85	924,799.85				
FUND BALANCE ADJ - ALL FUNDS			750.00				
END FUND BALANCE - ALL FUNDS		1,155,728.85	841,010.35				

Contract Number: 5188

Contractual Agreement  
Between

Manistee County  
415 Third Street  
Manistee, MI 49660

Missaukee County  
111 South Canal Street  
Lake City, MI 49651

Wexford County  
437 East Division Street  
Cadillac, MI 49601

And

Networks Northwest  
P.O. Box 506  
Traverse City, MI 49685-0506

This Contract, designated Number 5188 is made and entered into by and between Manistee County, 415 Third Street Manistee, MI 49660, Missaukee County, 111 South Canal Street Lake City, MI 49651, and Wexford County, 437 East Division Street Cadillac, MI 49601 hereinafter referred to as THE COUNTIES and Networks Northwest, P.O. Box 506 Traverse City, MI 49685-0506, hereinafter referred to as NN.

In consideration of the mutual promises, covenants, and representations herein contained, the parties hereto agree as follows:

I. STATEMENT OF PURPOSE

The purpose of this agreement is to develop terms and conditions to support the arrangement for NN to provide services as the Designated Planning Agency for THE COUNTIES Multi-County Materials Management Plan development and the administration and facilitation of the Manistee-Missaukee-Wexford Materials Management Planning Committee.

II. SCOPE OF WORK

NN agrees to perform the functions set forth in this contract (pages 1-3) and in Attachment A (pages 5-12) and comply fully with mutually agreed upon subsequent revisions and/or modifications. The Scope of Work is to include all required deliverables found on page 5-12 of attachment A of this contract.

III. PERIOD OF PERFORMANCE

NN shall commence performance of this Contract on September 1, 2024, and shall complete said performance by July 1st, 2027.

#### IV. STIPULATIONS

1. All powers not explicitly vested in THE COUNTIES shall remain with NN.
2. A request for Contract modification can be made by either party and will be subject to negotiation and mutual consensus.
3. The agreed upon compensation shall not include data acquisition fees.
  - THE COUNTIES will provide necessary County GIS data files.
4. NN staff facilitating the process shall attend all Materials Management Planning Committee meetings with a written email update sent every other month during the process.
5. THE COUNTIES will provide meeting space at County facilities for meetings and engagement events.

#### V. COMPENSATION

1. THE COUNTIES agrees to pay NN as compensation for all work performed and services provided under this Agreement as outlined in Attachment A. Payment shall be due upon receipt of invoice from NN. Compensation for the services outlined in Appendix A of this contract is set at five hundred forty thousand dollars (\$540,000, \$180,000 per County). Payment shall occur in multiple installments with invoices provided for  $\frac{1}{4}$  (one-quarter) of the total contract amount according to the provided schedule.,
  - a. Invoices shall be individually sent to each of the participating COUNTIES according to the following schedule
    - i.  $\frac{1}{4}$  shall be invoiced upon execution of the contract
    - ii.  $\frac{1}{4}$  shall be invoiced upon the start of the 2025 calendar year
    - iii.  $\frac{1}{4}$  shall be invoiced upon the start of the 2026 calendar year
    - iv.  $\frac{1}{4}$  shall be invoiced upon completion of the project as outlined in this contract to be July 1st, 2027.

#### VI. TERMINATION

1. Either party may terminate this Agreement at any time by giving written notice to the other party of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination.
2. If either party terminates this Contract, NN will be reimbursed for all costs incurred up to receipt date of said effective termination date. NN will be reimbursed a proportionate share of the fixed fee based on the portion of the project that is complete as determined by THE COUNTIES; and THE COUNTIES will receive the work product produced by NN under this Contract up to the effective date of termination, prior to NN being reimbursed. In no case will the compensation paid to NN for partial completion of services exceed the amount NN would have received had the services been completed in full.

## VII. INDEMNIFICATION

1. To the fullest extent permitted by law, THE COUNTIES shall indemnify, defend (at THE COUNTIES's sole expense) and hold harmless NN (including its officers, employees and agents) from and against any and all claims for bodily injury, death or damage to property, demands, damages, actions, causes of action, suits, losses, judgments, obligations and any liabilities, costs and expenses (including but not limited to investigative and repair costs, attorneys' fees and costs, and consultants' fees and costs) which arise or are in any way connected with the work performed, materials furnished, or services provided under this Agreement by NN or its agents, up to the full amount of any applicable insurance policy limits of THE COUNTIES.
2. THE COUNTIES shall not be obligated to indemnify and defend NN for any negligence or willful misconduct of NN, whether passive or active (including its officers, employees and agents); and NN shall indemnify, defend and hold harmless THE COUNTIES for said negligent or willful misconduct of NN.
3. The indemnification and defense obligations hereunder shall extend to claims occurring after this agreement is terminated as well as while it is in force, and shall continue until it is finally adjudicated that any and all action against NN (including its officers, employees and agents) for such matters which are indemnified hereunder are fully and finally barred by applicable laws.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

ACKNOWLEDGEMENT OF AGREEMENT

MANISTEE COUNTIES

\_\_\_\_\_  
Jeff Dontz  
Board of Commissioners Board Chair

\_\_\_\_\_  
Date

MISSAUKEE COUNTIES

\_\_\_\_\_  
Dean Smallegan  
Board of Commissioners Chairperson

\_\_\_\_\_  
Date

WEXFORD COUNTIES

\_\_\_\_\_  
Gary Taylor  
Board of Commissioners Chairman

\_\_\_\_\_  
Date

NETWORKS NORTHWEST

\_\_\_\_\_  
Janie McNabb  
Chief Executive Officer

\_\_\_\_\_  
Date



## Attachment A

### SCOPE OF WORK

#### **Manistee-Missaukee-Wexford County Multi-County Materials Management Plan Designated Planning Agency, Materials Management Plan Development, and Materials Management Planning Committee Administration and Facilitation :**

- Period of Service: September 1<sup>st</sup>, 2024 through July 1<sup>st</sup>, 2027
- Cost: Five Hundred Forty Thousand Dollars and Zero Cents (\$540,000)
  - Manistee, Missaukee, and Wexford Counties each are responsible for \$180,000.
  - With payment occurring:
    - in four installments of 1/4 (one-quarter) of the amount of the contract.
    - Invoices shall be sent according to the following schedule
      - 1/4 shall be invoiced upon execution of the contract
      - 1/4 shall be invoiced upon the start of the 2025 calendar year
      - 1/4 shall be invoiced upon the start of the 2026 calendar year
      - 1/4 shall be invoiced upon completion of the project as outlined in this contract to be July 1<sup>st</sup>, 2027.

#### Summary:

The State of Michigan called for an update to County Material Management Plans as the result of an update to solid waste laws known as Part 115 Solid Waste Management (Part 115 of the Natural Resources and Environmental Protection Act, Act 451 of 1994). Current Solid Waste Plans focus on disposal capacities, while the updated Materials Management Plans will focus on sustainable materials management, such as recycling and composting, instead of primarily disposal.

Manistee, Missaukee, and Wexford Counties will be working with Networks Northwest for the development of a Multi-County Materials Management Plan. The plan will be developed to meet the legislation contained in the Part 115 language, material management best practices, and the input received from community input and engagement. The development of the plan will utilize the EGLE developed format and be guided by the Materials Management Planning Committee, to be appointed by the Wexford County Board of Commissioners with input from Missaukee and Manistee Counties.

MMP Planning Grants Budget

The funding for the Materials Management Plan is established by the Income Tax Act of 1967, Act 281 of 1967, specifically section 206.51g Renew Michigan Fund, and is subject to appropriation.

Per County	Amount	Man-Miss-Wex Multicounty
"Base Amount	\$ 60,000 per County	<b>\$ 180,000.00</b>
Multi-County Planning Bonus	\$ 10,000 per County	<b>\$ 30,000.00</b>
Per Capita Multiplier (for first three years)	\$ .50 per resident	<b>\$ 36,878.50</b>
<i>2020 Census Populations Manistee – 22,032 Missaukee - 15,052 Wexford - 33,673 Total - 73,757</i>		
<b>Total per year for first three years</b>		<b>\$ 246,878.50</b>
<b>MMP Planning Process 3 Year Total</b>		<b>\$ 740,635.50</b>

Scope of Work:

*The development of the Materials Management Plan is guided by Part 115 Solid Waste Management, specifically subpart 11 Materials Management Plans, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.*

**Networks Northwest will act as the Designated Planning Agency for the development of the Manistee-Missaukee-Wexford County Multi-County Materials Management Plan, as outlined by 324.11574 Designated planning agency (DPA).**

1. In addition to its other responsibilities under part 115, a DPA shall do all of the following:
  - a. Serve as the primary government resource in the planning area for information about the MMP and the MMP development process.
  - b. Under the direction of the planning committee, prepare an MMP.
  - c. During the preparation of an MMP, solicit the advice of and consult with all of the following:
    - i. Periodically, the municipalities, appropriate organizations, and the private sector, including materials management facility operators, in the planning area.
    - ii. The appropriate county or regional planning agency.
    - iii. Counties adjacent to the planning area and municipalities in those counties.
  - d. Not less than 10 days before each public meeting at which the DPA will discuss the MMP, give notice of the meeting to the chief elected official of each municipality within the planning area and any other person within the planning area that requests notice. The notice shall indicate as precisely as possible the subject matter being discussed.

- e. Obtain written approval of the MMP from the planning committee.
  - f. Submit a copy of the MMP as approved by the planning committee to all of the following with a notice specifying the end of the public comment period under subdivision (h):
    - i. The department.
    - ii. The legislative body of each municipality within the planning area.
    - iii. The legislative body of each county or municipality adjacent to the planning area that has requested the opportunity to review the MMP.
    - iv. The regional planning agency for each county included in the planning area.
  - g. Publish a notice in a newspaper or by electronic media having major circulation or viewership in the planning area. The notice shall indicate a location where copies of the proposed MMP are available for public inspection or copying at cost, specify the end of the public comment period under subdivision (h), and solicit public comment. Notice posted in electronic media shall remain posted until the end of the public comment period.
  - h. Receive public comments on the MMP for not less than 60 days after the publication of the notice under subdivision (g).
  - i. During the public comment period under subdivision (h), conduct a public hearing on the MMP. Not less than 30 days before the hearing, the planning committee shall publish a notice of the hearing in a newspaper or by electronic media having major circulation or viewership in the planning area. Notice posted in electronic media shall remain posted until the end of the public hearing. The notice shall indicate a location where copies of the proposed MMP are available for public inspection or copying at cost and shall indicate the time and place of the public hearing. The same notice may be used to satisfy the requirements of this subdivision and subdivision (g). The planning committee shall submit to the department proof of publication of notice under this subdivision and subdivision (g).
  - j. Submit to the planning committee a summary of the comments received during the public comment period.
2. The DPA, or the department if the department prepares an MMP, shall use a standard format in preparing the MMP. The department shall prepare the standard format and provide a copy of the standard format to each DPA that the department knows will prepare an MMP. The department shall provide the standard format to any other person upon request.

3. The planning committee shall consider the comment summary received from the DPA under subsection (1)(j) and may direct the DPA to revise the MMP. The DPA shall revise the MMP as directed by the planning committee. Not more than 30 days after the end of the public comment period, the DPA shall submit the proposed MMP, as revised, if applicable, to the planning committee.
4. Not more than 30 days after the MMP is submitted to the planning committee under subsection (3), the planning committee shall take formal action on the MMP and, if the planning committee approves the MMP in compliance with section 11572(3), the DPA shall submit the MMP to the CAA.

**Networks Northwest will develop the Manistee-Missaukee-Wexford County Multi-County Materials Management Plan to meet community and MMPC input, the EGLE developed format, and the requirements of Part 115, specifically 324.11578 Materials management plan requirements.**

1. An MMP shall meet all of the following requirements:
  - a. Include measurable, objective, and specific goals for the planning area for solid waste diversion from disposal areas, including, but not limited to, the municipal solid waste recycling rate goal under section 11507, the benchmark recycling standards, and the material utilization and reduction activities identified by the MMP.
  - b. Include an implementation strategy for the county to demonstrate progress toward or meet the materials management goals by the time of the 5-year MMP review under section 11576(7). The implementation strategy shall include, but is not limited to, all of the following:
    - i. How progress will be made to reduce the amount of organic material being disposed of, through food waste reduction, composting, and anaerobic digestion.
    - ii. How progress will be made to reduce the amount of recyclable materials being disposed of, through increased recycling, including expanding convenient access and recycling at single and multifamily dwellings, businesses, and institutions.
    - iii. A process whereby each of a planning area's materials utilization facilities are evaluated based on information contained in reports submitted to the department on an annual basis.
    - iv. A description of the resources needed for meeting the materials management goals and how the development of necessary materials utilization facilities and activities will be promoted.

- v. A description of how the benchmark recycling standards will be met.
  - vi. A timetable for implementation.
- c. Identify by type and tonnage all managed material generated in the planning area, to determine the planning area's managed material capacity need and all managed material that is included in the planning area's materials management goals. Amounts of material may be estimated using a formula provided by the department.
- d. Require that a proposed materials management facility meet the requirements of part 115 and be consistent with the materials management goals.
- e. To the extent practicable, identify and evaluate current and planned materials management infrastructure and systems that contribute or will contribute to meeting the goal under section 11577(c) and other options to meet that goal.
- f. Include an inventory of the names and addresses of all of the following, subject to subdivision (g):
- i. Existing disposal areas.
  - ii. Materials utilization facilities that meet both of the following requirements:
    - A. Are in operation on the effective date of the amendatory act that added this section.
    - B. On the effective date of the amendatory act that added this section, comply with part 115 or, within 1 year after that date, are in the process of becoming compliant.
  - iii. Waste diversion centers for which notification has been given to the department under section 11521b.
- g. Include a materials management facility in the inventory under subdivision (f) only if the owner or operator of the facility has submitted to the county a written acknowledgment indicating that the owner or operator is aware of the proposed inclusion of the facility in the MMP relative to the materials capacity needs identified in subdivision (c) and that the facility has the indicated capacity to manage the materials identified under subdivision (h). The MMP shall include a statement that the owner or operator of each facility listed in the MMP has submitted such an acknowledgment to the county. If the submitted acknowledgments do not document sufficient capacity for disposal or utilization of the identified managed materials to reach the MMP's materials management capacity requirements, including the materials management goals, the MMP shall identify specific strategies, including a schedule and approach to develop and fund capacity.

- h. Describe the facilities inventoried pursuant to subdivision (f), including a summary of the deficiencies, if any, of the facilities in meeting current materials management needs. The description shall, at a minimum, include all of the following information:
  - i. The facility latitude and longitude.
  - ii. The estimated facility acreage.
  - iii. A description of the materials managed.
  - iv. The processes for handling materials at the facility.
  - v. The total authorized capacity of the facility.
- i. Ensure that the materials management facilities that are identified as necessary to be sited can be developed in compliance with state law pertaining to protection of the public health and the environment, considering the available land in the planning area and the technical feasibility of, and economic costs associated with, the facilities.
- j. Include an enforceable mechanism to meet the goal of section 11577(c) and otherwise implement the MMP, and identify the party responsible to ensure compliance with part 115. The MMP may contain a mechanism for the county and municipalities in the planning area to assist the department and the department of state police in conducting the inspection program established in section 11526(2) and (3). This subdivision does not preclude the private sector's participation in providing materials management services consistent with the MMP for the planning area.
- k. Calculate the municipal solid waste recycling rate for the planning area.
- l. Describe the materials management transportation infrastructure.
- m. Include current and projected population densities and identify population centers and centers of managed material generation in the planning area, using a formula provided by the department, to demonstrate that the capacity required for managed material is met.
- n. Describe the mechanisms by which municipalities in the planning area will ensure convenient recycling access, such as 1 or more of the following:
  - i. Assignment of the responsibility to the county or an authority.
  - ii. A franchise agreement.
  - iii. An intergovernmental agreement.
  - iv. Municipal service.
  - v. Licensing under an ordinance.
  - vi. A public-private partnership.

- o. Specify a recommended minimum level of recycling service that incorporates the access requirements of the benchmark recycling standards. The county or a municipality within the planning area may, through an appropriate enforceable mechanism, require haulers operating in its jurisdiction to provide the recommended level or a different minimum level of recycling service.
- p. Identify the DPA and the entity or entities responsible for each of the following and document the appropriateness of the DPA and other identified entities to carry out their respective responsibilities:
  - i. Implementing the access requirements of the benchmark recycling standards.
  - ii. Identifying the materials utilization framework and the achievement of the materials management goals.
  - iii. Otherwise monitoring, implementing, and enforcing the MMP and providing any required reports to the department.
  - iv. Administering the funding mechanisms identified in section 11581 that will be used to implement the MMP.
  - v. (v) Ensuring compliance with part 115.

This state may serve as a responsible party under this subdivision on behalf of a municipality if the municipality is under a financial consent order or in receivership.

- q. With respect to education and outreach for residents and businesses in the planning area, do both of the following:
  - i. Provide a strategic plan that identifies roles, responsibilities, funding sources, and methods for persons providing the education and outreach services.
  - ii. Describe the county or regional role in providing continuing recycling education. The recycling education shall include, but is not limited to, providing a recycling guide, in hard copy at select public locations and electronically on a cell phone-friendly website. The recycling guide shall do all of the following:
    - A. Identify recycling locations.
    - B. Identify recyclable materials.
    - C. Explain how to prepare recyclable materials for collection.
    - D. Describe other best practices.
    - E. Include a listed telephone number for additional information.
- r. Include a siting process under section 11579 and a copy of any ordinance, law, rule, or regulation of a municipality, county, or governmental authority within the planning area that applies to the siting process.

- s. Take into consideration the MMPs of counties adjacent to the planning area as they relate to the planning area's needs.
  - t. Document all opportunities for participation and involvement of the public, all affected agencies and parties, and the private sector in the preparation of the MMP.
2. An MMP may include management plans for debris from environmental damage, for debris from disasters, or for other materials, such as construction or demolition waste, not otherwise required to be covered by an MMP. A management plan for debris from disasters in an MMP may include recommendations for incorporation of disaster debris management plans into municipal, county, or regional emergency management plans
  3. If a solid waste landfill is proposed to be developed in the planning area within 2 miles of a municipality that is located adjacent to the planning area, or if a solid waste processing and transfer facility or materials utilization facility is proposed to be developed in the planning area within 1 mile of such a municipality, both of the following apply:
    - a. The CAA shall notify the legislative body of the adjacent municipality of the proposed development in writing. The notice shall include a copy of this subsection.
    - b. The planning committee shall provide the adjacent municipality an opportunity to comment on the proposed development.

**Networks Northwest will provide recruitment, administration, and facilitation of the Materials Management Planning Committee.**

1. Assist THE COUNTIES to solicit applications to meet the requirements for the Materials Management Planning Committee.
2. Provide public notices, agenda, agenda packets, and other materials necessary for MMPC meetings.
3. Track attendance for Wexford County committee per diem reimbursement.
4. Record minutes and send them to Manistee, Missaukee, and Wexford County Clerks to meet the Open Meetings Act.