



2013 County Board of Commissioners

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TABLE OF CONTENTS

Public Utilities Task Force Report

I.	Introduction.....	1
II.	Public Utilities in Ottawa County – Historic and Present.....	1
III.	Public Utilities Task Force	2
IV.	Study Process.....	2
V.	Study Findings	4
	A. Organizational Structure of Public Utilities.....	4
	B. Services – Statutorily Permitted	6
	C. Services – Additional/Enhanced.....	7
	D. Communication/Collaboration	9
	E. Long-Range Planning	12
	F. Customer Service	13
VI.	Conclusions and Recommendations	14

APPENDIX

Map - Water Service Areas.....	A1
Map - Wastewater Service Areas.....	A2
County Ordinance - Public Utilities.....	B
Statute - PA 342 of 1939.....	C
Statute - PA 185 of 1957.....	D
Organizational Chart - Road Commission/Public Utilities.....	E
Presentation - Overview of Public Utility Functions.....	F
Matrix - Public Utilities Management Responsibilities.....	G
Table - Organizational Options for Public Utilities.....	H
Task Force – Public Utilities	I
Survey Results - Multiple Choice	J
Survey Results - Open Ended	K
Handout - Terry Donnelly Presentation of Public Utilities	L
Tables - Cost-Analysis.....	M1-M16
Matrix - Financial Status of Public Utility Systems	N

I. INTRODUCTION

One of the essential public services provided by local governments is the delivery of drinking water and the disposal of wastewater. In Ottawa County, four water systems and six wastewater systems serve area residents and businesses (**Attachments A1-A2**). The County's Public Utility Agency, which operates within the Road Commission, assists local governments with financing, operating, maintaining, and planning these systems.

The Road Commission provides public utility services to local units of government on behalf of the County Board of Commissioners. However, the Board of Commissioners has the statutory authority to designate another entity to serve as its Public Utility Agency (e.g. Water Resources Commissioner). The Board may also choose to create a Public Works Department within the County's organizational structure or create an elected Public Works Commissioner position.

In light of current and projected population growth in Ottawa County, it is imperative that the delivery of public utility services occurs in the most effective, coordinated, and proactive manner possible. To that point, the primary purpose of this Study is to verify the optimal organizational structure for the County's Public Utility Agency.

As part of this Study, a thorough assessment of the legislative options for organizing Public Utilities was conducted, along with a detailed cost-analysis. A survey was also distributed to local units of government to gauge their level of satisfaction with the public utility services provided by the Road Commission and whether there is a need/desire for enhanced/expanded services. An assessment of existing countywide public utility efforts was also performed to determine if any opportunities exist to increase coordination and/or improve long-range planning.

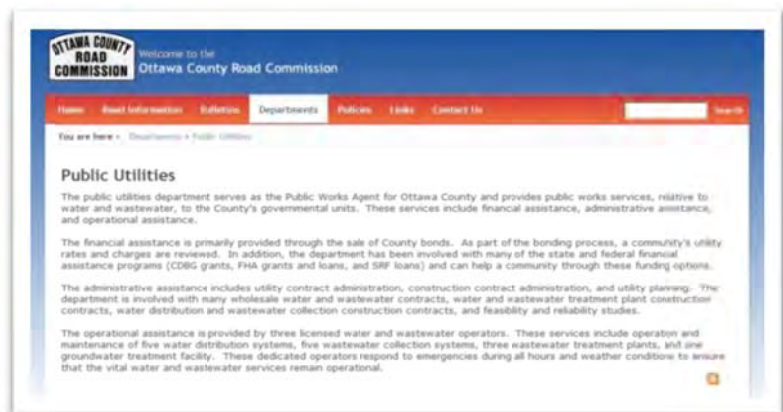
II. PUBLIC UTILITIES IN OTTAWA COUNTY – HISTORIC AND PRESENT

On January 10, 1961, the Ottawa County Board of Commissioners designated the Road Commission to serve as the County's Public Utility Agency (**Attachment B**). This designation bestows the Road Commission all rights, powers, and duties as statutorily permitted to establish and manage a water and wastewater system within or between local cities, villages, and townships. The designation is authorized pursuant to PA 342, the County Public Improvement Act of 1939 (**Attachment C**).

Of the 83 counties in Michigan, only two other counties (i.e. Bay County and Van Buren County) designate the Road Commission as their public utility agency. The majority of counties have Public Works Departments which operate within the county's organizational structure. These departments are established pursuant to PA 185, the County Department of Public Works Act of 1957 (**Attachment D**).

Ottawa County's Public Utility Agency is comprised of seven staff who report to the Road Commission (**Attachment E**). In this capacity, the Road Commissioners serve as a Public Utilities Commission. An overview of the Public Utilities function of the Road Commission is provided in **Attachment F**. It is important to clarify that the public utility services provided by the Road Commission are strictly advisory; the ultimate decision-making authority involving public utilities is with each local unit of government.

The primary services provided by Public Utilities staff include, but are not limited to, securing bonds for utility improvements and expansion, utility contract negotiations, system operations and maintenance, utility planning, wholesale billing, and participation on public utility advisory boards. A matrix of the public utility services currently provided by the Road Commission to local governments is provided in **Attachment G**.



III. PUBLIC UTILITIES TASK FORCE

An initial study of Public Utilities began in July 2008 with the formation of an internal County work group. That effort was spearheaded by the County Administrator’s Office. The objective of the group was to examine the various organizational options that exist for Public Utilities as permissible under PA 342 and PA 185.



Through the effort of the work group, four organizational options for Public Utilities were identified (**Attachment H**). These options are:

- 1) Maintain current organizational structure
- 2) Create a Public Works Department within the County
- 3) Designate the Drain Commissioner’s Office (i.e. Water Resources Commissioner) as the Public Utility Agency
- 4) Elect a Public Works Commissioner

After further examining the pros and cons of each option, the work group narrowed the list to two: 1) Maintain current organizational structure; and 2) Create a Public Works Department within the County. In 2010, however, the study was temporarily placed on hold by the Administrator’s Office due to a shift in County priorities.

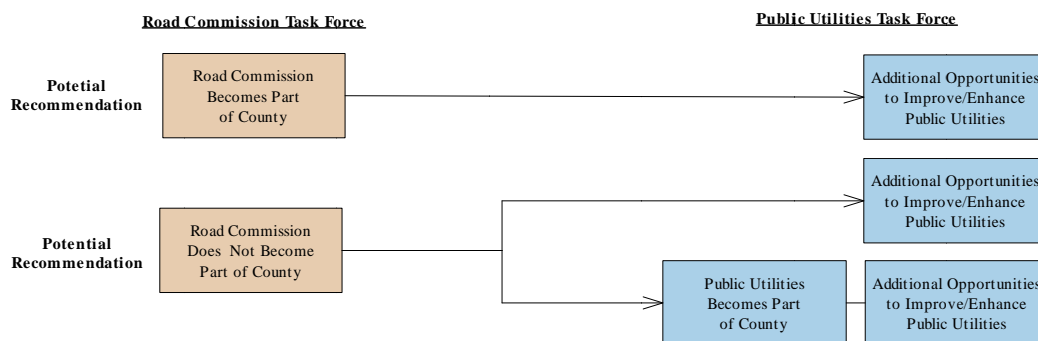
In 2012, the study was resurrected with the formation of a Public Utilities Task Force (**Attachment I**). The Task Force consists of officials from rural and urban areas, the Road Commission, County Board of Commissioners, and a local public utility agency. The goal of the Task Force is to provide a recommendation regarding the optimal organizational structure of Public Utilities and to identify any other opportunities that exist to improve/enhance the current and future delivery of public utility services in the County.

IV. STUDY PROCESS

The resurrected study became somewhat more complex after the State passed legislation in 2012 which enables counties to transfer all powers, duties, and functions of the Road Commission to the County Board of Commissioners. In order to determine whether Ottawa County should enact this right, the Board of Commissioners created a Road Commission (RC) Task Force at the same time it created the Public Utilities Task Force. One of the reasons for establishing two concurrent Task Forces was to ensure that the best possible decision was made regarding the future of Public Utilities in Ottawa County.

For instance, if the RC Task Force does not recommend that the Road Commission become part of the County’s organizational structure, the Public Utilities Task Force could still recommend that the public utilities function be merged with the County (**Graphic 1**). The final decision, however, is with the County Board of Commissioners.

Graphic 1
Concurrent Task Force Study Process



The Public Utilities Task Force held their first meeting in November 2012. A Staff Group was also established to provide administrative and research assistance to the Task Force during the study process. The Staff Group, which is comprised of representatives from the County Administrator's Office, Department of Planning and Performance Improvement, and Public Utilities met regularly to discuss and review research findings and to prepare study materials for the Task Force.

In March 2013, the Task Force hosted a meeting with local officials and representatives of regional water/wastewater systems. The purpose of the meeting was to provide an overview of the Public Utilities function of the Road Commission and to have attendees complete a 30 question multiple-choice survey regarding their opinions of current and future public utility services in the County. Attendees, and local officials who were unable to attend the meeting, were also provided an opportunity to complete a 5 question, open-ended survey regarding Public Utilities. The compiled survey results are provided in **Attachments J and K**.



The survey data, coupled with legislative and other collected research (e.g. budget and staffing information, current and future/proposed services, ordinances, contracts, and planning documents), were reviewed by the Task Force and organized into multiple Study Findings.

These findings, along with several recommendations provided at the end of this report, are organized as follows:

- A. **Organizational Structure of Public Utilities**
- B. **Services – Statutorily Permitted**
- C. **Services – Additional/Enhanced**
- D. **Communication/Coordination**
- E. **Long-Range Planning**
- F. **Customer Service**

V. STUDY FINDINGS

The Study findings are as follows:

A. Organizational Structure of Public Utilities

As described in Section III of this report, two viable organizational options for Public Utilities were identified by an internal work group in 2009. These options are:

- 1) Maintain the current organizational structure (pursuant to PA 342)
- 2) Create a Public Works Department within the County (pursuant to PA 185)

To better understand the differences between these two options, Terry Donnelly, who is the County's Bond Counsel, was asked to attend a meeting of the Task Force to discuss the statutes. A summary of the information presented by Mr. Donnelly is provided in **Table 1**. Detailed information is available in **Attachment L**.

Table 1
Comparison of PA 342 and PA 185 Requirements

= Current Structure/Services	PA 342 of 1939 County Public Improvement Act	PA 185 of 1957 County Department of Public Works Act
Controlling Agency	Road Commission	Department of Public Works (under general control of County Board and under immediate control of a Board of Public Works ¹)
	Drain Commissioner	-
	Board of Public Works	-
Statutorily Permitted Services	Water supply systems	Water supply systems
	Sewer/sewage disposal systems	Sewer/sewage disposal systems
	Refuse systems	Refuse systems
	-	Lake improvements
	-	Erosion control systems
Bond Issuance Process	Contract Bonds (local units contract with county to pay principal and interest on bonds when due)	Contract Bonds (local units contract with county to pay principal and interest on bonds when due)
	Revenue Bonds	Revenue Bonds
	Right of Referendum on Bond Contract	-
Pledge of Full Faith and Credit	Local units pledge full faith and credit to County	Local units pledge full faith and credit to County
	County can pledge full faith and credit as additional and secondary security for bonds	County can pledge full faith and credit as additional and secondary security for bonds
	County shall pay any debt service from its General Fund if local units fail to pay on bond	County shall pay any debt service from its General Fund if local units fail to pay on bond
	State Treasurer can deduct money from unrestricted funds of delinquent local units to pay County	25% of local unit funds in possession of the State Treasurer can be held to pay outstanding debt
Ownership/Operation of Facilities	County owns facilities it finances ²	County owns facilities it finances
	Operation of facilities is addressed in contract	Operation of facilities is addressed in contract

1. By vote of the County Board, a Board of Public Works could be formed through the Road Commission, Drain Commission, or Public Works Commissioner Office
 2. Upon full payment of bond, ownership shall be transferred to the local unit of government

The most prominent difference between the two statutes is the entity that has general control over Public Utilities. In Ottawa County (under PA 342), this entity is the Road Commission. If the County were to organize Public Utilities pursuant to PA 185, the general controlling entity would be the Board of Commissioners.

In order to determine the cost difference that exists between the two organizational options, a comprehensive Cost Analysis was conducted. The result of this analysis revealed that a change in the organizational structure of Public Utilities (i.e. from Road Commission control to County control) would be cost neutral (**Table 2**). While the Public Utilities budget would experience a net gain of \$20,343, the Road Commission would experience a net loss of \$49,334 due primarily to overhead expenses which it currently charges to Public Utilities. Ottawa County would experience a net gain of \$28,385 under a PA 185 organizational structure.

Detailed cost tables are provided in **Attachments M1-M16**.

Table 2
Financial Impact of
Organizing Public Utilities Pursuant to PA 185

	Net Financial Impact
Public Utilities	\$20,343
Ottawa County	\$28,385 ¹
Road Commission	(\$49,334) ²

1. This reflects revenue that the County would receive from Public Utilities for IT and Administrative Services charges. The cost of IT Equipment expenditures are excluded
2. If Public Utilities is part of the County, the Road Commission would lose \$69,334 in overhead revenue but also \$20,000 in direct expenses

Another difference between the organizational options is that under PA 185 there are additional statutorily permitted services (e.g. lake improvements and erosion control system) which are not available under PA 342. These are discussed in more detailed in the next set of Study findings; however, there is minimal, if any, desire/need expressed by local officials for these additional services. Moreover, under PA 185 there is no 45-day right of referendum whereas under PA 342 citizens are currently provided an opportunity to vote on the contracts before signing.

Conclusion: There is no overall cost-savings or benefit of enhanced services if Public Utilities becomes part of the County

B. Services – Statutorily Permitted

The Statutes involving public utilities identify several services that Public Utility Agencies are permitted to provide above and beyond water and wastewater. As part of the Study process, local officials were asked whether they have any interest in receiving these statutorily permitted services.

A description of these services, along with the associated survey results, is as follows:

1. Rubbish Collection and Disposal Facilities/Services

Under both PA 342 and PA 185, Public Utilities is permitted to provide rubbish collection and disposal facilities/services to local units of government. This would involve collecting and disposing of garbage, industrial wastes, and other refuse for individual users within a municipality. Local officials were asked whether Public Utilities should provide this service.

Based on the survey results, 73.9% (17) of respondents said Public Utilities should not provide these services, 17.4% (4) were ‘not sure’, and 8.7% (2) said ‘yes’.

Conclusion: **There is not sufficient desire/need for Public Utilities to pursue this statutorily permitted service.**

2. Lake Boards and Lake Improvements

Under PA 185, Public Utilities can be involved in developing and installing lake-level control systems to ensure water levels are maintained for inland county lakes. This work is currently performed by the County’s Water Resources Commissioner (WRC). Local officials were asked whether Public Utilities should assist in providing this service if the County were to organize under PA 185.

Based on the survey results, 71.4% (15) of respondents said Public Utilities should not assist with this service, 19.1% (4) were ‘not sure’, and 9.5% (2) said ‘yes’.

Conclusion: **There is not sufficient desire/need for Public Utilities to pursue this statutorily permitted service.**

3. Erosion Control System

Under PA 185, Public Utilities can be involved in developing and installing erosion control systems. These systems are designed to protect properties that are adjacent to Lake Michigan and which are affected by erosion from fluctuating water levels of the Great Lakes. The County’s WRC currently inspects these types of systems but is not involved in designing and/or installation. Local officials were asked whether Public Utilities should provide this service if the County were to organize under PA 185.

Based on the survey results, 57.1% (12) of respondents said Public Utilities should not provide this service, 23.8% (5) said ‘yes’, and 19.1% (4) were ‘not sure’.

Conclusion: **There is not sufficient desire/need for Public Utilities to pursue this statutorily permitted service.**

C. Services – Additional/Enhanced

Apart from the statutorily permitted services, there other additional/enhanced services which Public Utilities could provide to further assist local units of government. A description of these services, along with the survey results provided by local officials, is as follows:

1. Special Operations Team

Public Utilities could create a special team to assist local units with non-routine services (e.g. lift station repairs, storage tank maintenance, IT services, and cross-connection controls). The survey results indicate that 57.2% (12) of respondents were not interested in receiving this additional service, 33.3% (7) were interested, and 9.5% (2) were not sure.

Conclusion: **There is not sufficient interest/need for Public Utilities to implement a Special Operations Team.**

2. Capital Improvement Bond Program

Public Utilities could implement a Capital Improvement Bond Program which encourages two or more local units who are seeking bonds to go to market at the same time. This service has the potential to save money for local units by procuring better/lower interest rates. Public Utilities staff indicated that they've started to develop this program and expect to have it finalized/available by mid-summer 2013.

Based on the survey results, 60.0% (12) of respondents were supportive of the Bond Program concept, 35.0% (7) were not, and 5.0% (1) were 'not sure'.

Conclusion: **There is sufficient support/need for Public Utilities to move forward with implementing the Program.**

3. Drainage Planning and Water Quality

Public Utilities currently works with the County's WRC, along with the Road Commission, on an as-needed basis to address drainage planning and water quality issues. For example, staff are currently working jointly on the Park West Drain Project because it involves a drainage crossing in the active landfill plume treatment area of the Southwest Ottawa County Landfill. Local officials were asked whether Public Utilities should become more involved in working with the WRC on projects.

Based on the survey results, 36.4% (8) of respondents said 'yes', 36.4% (8) said 'no', and 27.4% (6) were 'not sure'. Although the survey results did not lean one way or the other, Public Utilities staff indicated that federal and/or state regulations may require integrated storm water and sanitary systems planning in the future.

Conclusion: **There is not sufficient support/need for Public Utilities to work more closely with the WRC at this time. Joint project work should continue on an as-needed basis.**

4. Private Water Wells and On-Site Waste Water Treatment Systems

Public Utilities currently works with the County's Environmental Health Department, on an as-needed basis, to help resolve problems associated with private wells and on-site waste water systems. Local officials were asked whether Public Utilities should work more closely with Environmental Health.

Based on the survey results, 47.6% (10) said 'yes', 38.1% (8) of respondents said 'no', and 14.3% (3) were 'not sure'.

Conclusion: **There is not sufficient support/need for Public Utilities to work more closely with Environmental Health. Consultation services should continue on an as-needed basis.**

5. Emergency Response

Public Utilities currently participates in table-top exercises with the Sheriff's Office to develop emergency response plans for local units of government. Local officials were asked whether Public Utilities should work more closely with the Sheriff's Office in providing emergency response planning services.

Based on the survey results, 45.5% (10) of respondents said 'no', 31.8% (7) were 'not sure', and 22.7% (5) said 'yes'.

Conclusion: **There is not sufficient support/need for Public Utilities to provide more emergency response planning services. However, participation in table-top planning efforts with the Sheriff's Office should continue.**

D. Communication/Coordination

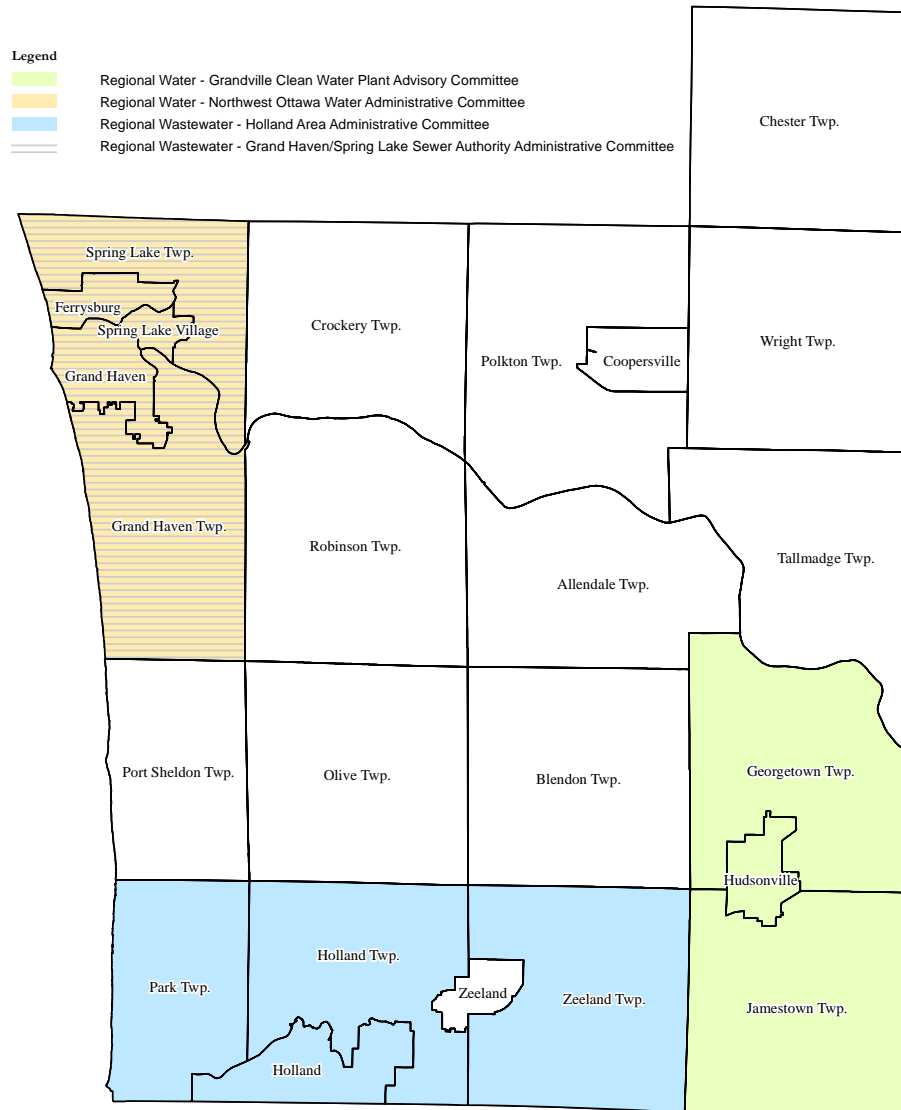
During the Study process, several opportunities were also identified to improve communication and coordination among local units of government, the County, and public utility operators. A description of these opportunities, along with survey data and self-reported feedback provided by local officials and utility operators, are as follows:

1. Public Utility Advisory Groups – Regional

A Public Utility Advisory Group serves as a forum for local officials and utility operators to discuss utility planning and policy issues. Participation in these groups is valuable for sharing/disseminating information, problem resolution, discussing customer issues/input, and identifying new opportunities for improved service levels.

Regional Public Utility Advisory Groups are typically comprised of members who are part of the same water and/or wastewater service area. In Ottawa County, four regional advisory groups exist (See **Graphic 2**).

**Graphic 2
Regional Public Utility Advisory Groups (Current)
Water & Wastewater Systems**



As reflected in Graphic 2, only 12 (50%) of 24 local units of government in Ottawa County participate in a regional public utility advisory group. Several local officials reported that involving more stakeholders in the region into the advisory group discussions would be appreciated. Fittingly, representatives from the two largest municipal water system operators in the County (i.e. Grand Rapids Water System and Wyoming Water System) stated that they have an interest in creating and participating in advisory groups comprised of the communities that utilize their systems. If these two groups are created it would provide an opportunity for all communities in Ottawa County to participate in a Regional Public Utilities Advisory Group.

Conclusion: **There is sufficient support/need to move forward with establishing two new Regional Public Utility Advisory Groups (i.e. Grand Rapids Water Advisory Group and Wyoming Water Advisory Group).**

2. Public Utility Advisory Group – Countywide

A Countywide Public Utility Advisory Group does not currently exist. This type of group, which would involve every local unit regardless of which water/waste water service area they are in, would encourage more coordination and communication as it pertains to public utilities planning from a countywide perspective.

The countywide group concept was discussed with local officials and public utility operators and was received favorably (i.e. 52% in support of establishing such a group). Local officials reported that participation in this type of group, which could convene biannually, would help them to better understand the utility issues that other communities may be facing and the types of short and long-range planning efforts that are occurring.

Conclusion: **There is sufficient support/need to move forward with establishing a Countywide Utility Advisory Group.**

3. Public Utility Operators Group – Countywide

A Public Utility Operators Group serves as a forum for operators of water and wastewater systems to collect and share technical knowledge (e.g. design, construction, maintenance, federal standards/policies). Although an Ottawa County-specific operators group does not exist, there are several regional, state, and national groups of which local operators are members. These groups include, but are not limited to: American Water Works Association; West Michigan Water Works Association; Lakeshore Water Plant Superintendents; and Lakeshore Utility Supervisors.

The formation of an Ottawa County Operators Group was viewed favorably by nearly 67% of survey respondents, including the operators themselves.

Conclusion: **There is sufficient support/need to move forward with establishing a Countywide Public Utility Operators Group.**

4. County Planning and Performance Improvement Department & Public Utilities

Staff from the County’s Planning and Performance Improvement Department (PPID) and Public Utilities currently meet on an as-needed basis to discuss/review planning projects. The Task Force discussed whether it would be beneficial, from a public utilities planning perspective, for the two departments to meet more frequently and/or on a regular basis.

Although each department is involved in “planning”, the type of planning that is conducted is structurally different. For example, the PPID is typically involved in more long-range, macro-level

planning efforts (e.g. Countywide Non-Motorized Pathway Plan; West Michigan Transit Linkages Study; Comprehensive Water Resources Study) whereas Public Utilities staff are involved in micro-level planning efforts (e.g. Facilities Plans; System Reliability Studies; System Financial Plans).

Because of the overall differences in planning-focus between the departments, it is recognized that meeting for the sake of meeting will provide no real benefit. However, as each department works on their respective projects they should continue to reach out to the other for technical and/or advisory-level assistance as needed.

Conclusion: **There is not sufficient support/need for Public Utilities and the PPID to hold regularly scheduled meetings. Collaboration should continue on an as-needed basis.**

5. County Planning Commission and Public Utilities Commission (i.e. Road Commission)

The County Planning Commission (PC) and the Public Utilities Commission (i.e. Road Commission) currently meet on an as-needed basis to review and discuss projects. A few recent projects include the Tree Legacy Committee and the Road Salt Management Task Force.

During this Study process, the Public Utilities Task Force identified two additional opportunities that could enhance communication/collaboration between the Commissions. The first is to have the County PC appoint an Ex Officio (non-voting¹) member who would represent the Road Commission. At present, the Chair of the PC also serves on the Road Commission – but this is happenstance not policy. The second opportunity to improve/enhance communication is to ensure that each Commission receives meeting agendas and minutes from the other.

Conclusion: **There is not sufficient support/need for the Public Utilities Commission and the County PC to hold regularly scheduled meetings. Collaboration should continue on an as-needed basis. However, the County PC could appoint one Ex Officio member that would represent the Road Commission. This will ensure cross-representation in the future. Additionally, both Commissions could regularly share their respective meeting agendas and minutes with the other to further enhance communication.**

6. County Water Resources Study

Ottawa County is currently conducting a comprehensive study of its groundwater supply (i.e. quantity and quality). The Study is being managed by the County's PPID which has involved all pertinent stakeholders in the Study process when appropriate. The first phase of the Study, which was completed at the end of 2012, provided preliminary indications of immediate and future concerns associated with groundwater quantity and quality. The second phase of the Study will quantify the findings and provide practical solutions to address the issues. Public Utilities will be invited to participate in the second phase of the Study, when appropriate.

Conclusion: **Public Utilities will be invited to participate in the County's Water Resources Study when appropriate to provide technical and advisory-level assistance.**

1. According to its By-Laws, the County Planning Commission shall consist of 7 voting members, and Ex Officio members are to be non-voting.

E. Long-Range Planning

Another set of Study findings was the identification of new opportunities to improve/enhance the long-range planning efforts associated with public utilities. A description of these opportunities is as follows:

1. Countywide Public Utilities GIS Data Layer

Ottawa County's GIS Department maintains over 280 active datasets in its Geographic Information System (GIS). These 'data layers' are used by county departments, emergency responders, local units of government, and private-sector entities (e.g. surveyors and engineers) in their day to day operations. Many of these data layers are also used by the general public to reference property dimensions and other features. The ability to access accurate and up-to-date GIS data greatly assists users with decision-making and assessment of real-world problems.

The inclusion of a countywide public utilities data layer into the County's GIS would further strengthen the usefulness of the system. At present, only fragmented segments of water and wastewater transmission and distribution system data are available in the GIS. Although these data exist, they are not shared or incorporated into a single comprehensive data layer. The value of this new data layer could be further enhanced by including pertinent information such as date of bond issue for each system, total amount financed, principal balance remaining, and system ownership (**Attachment N**).

During the Study process, the need to create a countywide public utilities base layer was emphasized by both County and Public Utilities staff. As part of the survey, local units were also asked whether they would be willing to share their respective data with the County's GIS Department. The overwhelming response was yes (95%).

Conclusion: **There is sufficient support/need for Public Utilities to begin working with the County GIS Department to assemble a countywide public utilities data layer.**

2. Asset Management Plan

An Asset Management Plan is designed to assist local units and public utility agencies with managing infrastructure capital assets while cost-effectively achieving desired service levels. The Plans help local officials and utility managers with defining long-term funding strategies that can be utilized to make informed decisions regarding system maintenance and operations.

Public Utilities staff are in the process of developing an Asset Management Plan Guidebook for Ottawa County stakeholders. The Guidebook, which is expected to be complete in mid-summer 2013, will outline several best practices associated with asset management which can be implemented locally as appropriate. Based on the feedback received from local officials and utility operators, 38% support the development of such a guidebook, 20% need more information, and 42% do not think it would be beneficial.

Conclusion: **There is sufficient support/need for Public Utilities to continue with developing an Asset Management Guidebook; however, it may be prudent to educate all stakeholders on the benefits of such a Plan.**

3. Countywide Public Utilities Master Plan

The first Countywide Public Utilities Master Plan was completed in 1969. The Plan provided an analysis of regional and local conditions (geology, economy, population), an inventory of existing public utilities, and identified areas of the County where growth and, consequently, water and sewer needs would be the greatest. The Plan was last updated in

1990. Public Utilities staff indicated that grants and/or local contributions are needed to fund another update to the Plan.

The input received from local officials revealed that 67% of survey respondents are in favor of updating the Plan. It was also reported that smart growth techniques, economic development activities, and efforts to maintain and improve quality of life are all directly connected to infrastructure. Thus, it is imperative that such a Plan is in place, and is up-to-date, in order to define the future inter-connectedness of public utilities in the County.

Conclusion: **There is sufficient support/need for Public Utilities to move forward with securing the necessary financial resources (e.g. grants and/or local contributions) to prepare an update to the Countywide Public Utilities Master Plan.**

F. Customer Service

The last set of Study findings involves a few suggestions to improve/enhance customer service. The suggestions, which were provided by local officials as part of the open-ended survey, are as follows:

1. Invoices and Rate Projections

It was reported that Public Utilities could distribute wholesale invoices, rate projections, and cost adjustments to local units of government in a more timely manner.

2. Maintenance Service Calls

It was reported that Public Utilities should create and adhere to a maintenance/service schedule, as well as improve service request response times.

3. Contract Updates/Changes

It was reported that Public Utilities could provide additional communication with local units of government during contract updates/changes with water utility agencies.

Conclusion: **There is sufficient indication/need for Public Utilities to review their administrative functions in order to identify opportunities to achieve efficiencies and improve customer satisfaction.**

VI. CONCLUSIONS AND RECOMMENDATIONS

The Road Commission was designated as the County's Public Utility Agency in 1961 by the Board of Commissioners pursuant to PA 342 of 1939 (County Public Improvement Act). This designation bestows the Road Commission all rights, powers, and duties associated with providing water and wastewater services to local units of government. These services include, but are not limited to, securing bonds for utility improvements and expansion, contract negotiations, system operations and maintenance, and utility planning.

Because the County Board can designate another entity to provide these services on its behalf, a thorough assessment of the organizational options for Public Utilities was conducted. The principal goal of the Study was to ensure that the delivery of public utilities, both now and into the future, occurs in the most effective, coordinated, and proactive manner possible.

Based on the research that was conducted for this Study, which included legislative analysis, cost-analysis, surveys and meetings, there is no practical gain by re-organizing Public Utilities at this time. If the County were to create a Department of Public Works within its organizational structure, it is not expected to result in any overall cost-savings or any direct increase in service levels. At present, there is also no consensus among local officials that Public Utilities should become part of the County.

Overall, the Public Utilities function of the Road Commission is currently meeting the expectations of local units of government. Local officials reported genuine satisfaction with the bonding assistance that is provided as well as the system-specific planning work that is conducted. The professionalism and technical knowledge of Public Utilities staff was also recognized.

Apart from these organizational findings, several opportunities were identified to enhance existing services and to promote coordinated, long-range countywide public utilities planning. A few opportunities were also identified to improve customer service (e.g. timeliness and communication). Each of these opportunities can be implemented within the current organizational structure of Public Utilities.

The specific recommendations (22 in total) of the Public Utilities Task Force are as follows:

Recommendations:

Organizational Structure

- 1) Maintain existing organizational structure of Public Utilities

Services – Statutorily Permitted

- 2) Do not pursue Rubbish Collection and Disposal services
- 3) Do not pursue Lake Board and Lake Improvement services
- 4) Do not pursue Erosion Control System services

Services – Additional/Enhanced

- 5) Do not pursue the implementation of a Special Operations Team
- 6) Pursue the implementation of a Capital Improvement Bond Program
- 7) Continue working with the Water Resources Commissioner on an as-needed basis to prepare drainage plans and address water quality issues
- 8) Continue working with the Environmental Health Department on an as-needed basis to resolve problems associated with private wells and on-site wastewater systems
- 9) Continue working with the Sheriff's Office on an as-needed basis to develop emergency response plans for local units of government

Communication/Collaboration

- 10) Pursue the implementation of two new *Regional* Public Utility Advisory Groups (i.e. Grand Rapids Water Advisory Group and Wyoming Water Advisory Group)
- 11) Pursue the implementation of a *Countywide* Public Utility *Advisory* Group
- 12) Pursue the implementation of a *Countywide* Public Utility *Operators* Group
- 13) Continue joint meetings between Public Utilities and the County's Planning and Performance Improvement Department on an as-needed basis
- 14) Continue joint meetings between the County Planning Commission and the Public Utilities Commission (i.e. Road Commission) on an as-needed basis
- 15) The County Planning Commission and the Public Utilities Commission should routinely share their respective meeting agendas and minutes with each other
- 16) The County Planning Commission should consider appointing one Ex Officio member that would represent the Road Commission
- 17) Public Utilities should be invited to participate in the County's Water Resources Study as needed to provide advisory and technical-level assistance

Long-Range Planning

- 18) Pursue the development of a Countywide Public Utilities GIS Data Layer
- 19) Pursue the development of an Asset Management Guidebook
- 20) Pursue an update to the Countywide Public Utilities Master Plan (if the necessary funds can be secured via grants and/or local contributions)

Customer Service

- 21) Review the administrative functions of Public Utilities in order to identify opportunities for efficiencies and to increase customer satisfaction with respect to timeliness of services and communication






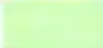

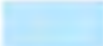
Future Evaluation

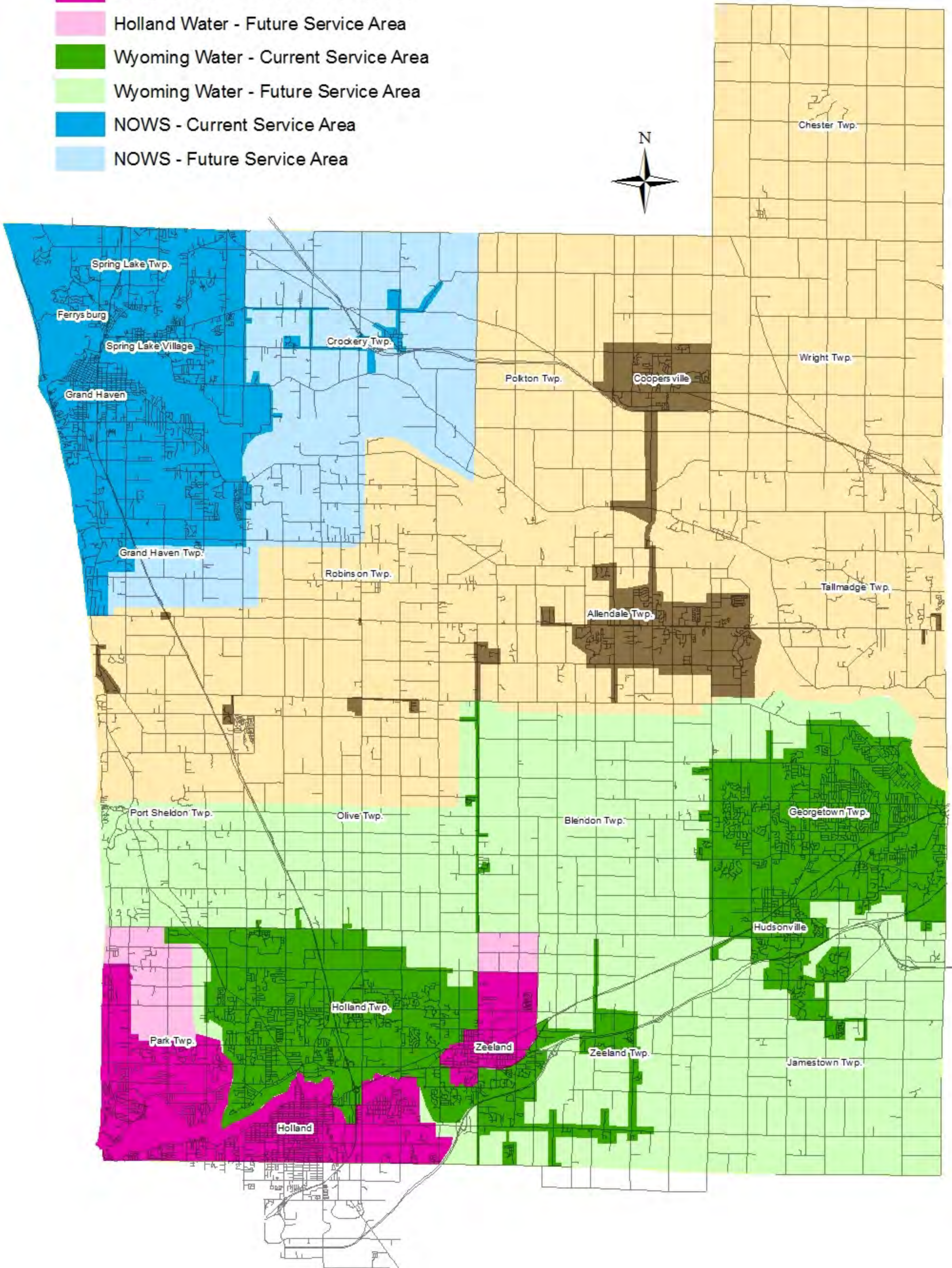
- 22) This report will be revisited every 5 years to determine if the circumstances and conclusions of the report remain valid

Attachments

Attachment A1
Water Service Areas

Legend

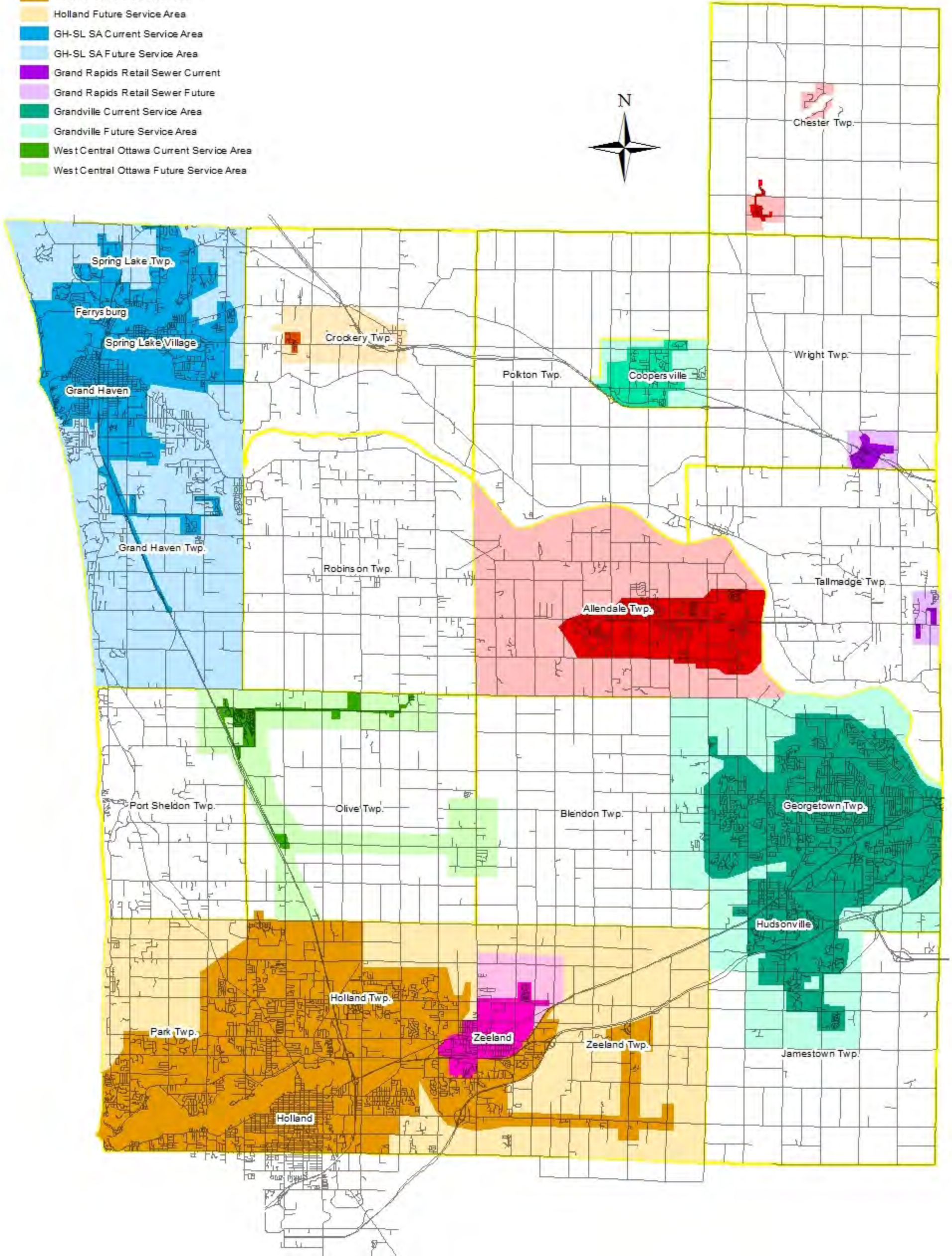
-  GR Water - Current Service Area
-  GR Water - Future Service Area
-  Holland Water - Current Service Area
-  Holland Water - Future Service Area
-  Wyoming Water - Current Service Area
-  Wyoming Water - Future Service Area
-  NOWS - Current Service Area
-  NOWS - Future Service Area



Attachment A2 Wastewater Service Areas

Legend

- Allendale Current Service Area
- Allendale Future Service Area
- Chester Twp Current Service Area
- Chester Twp Future Service Area
- Coopersville Current Service Area
- Coopersville Future Service Area
- Crockery Twp Current Service Area
- Crockery Twp Future Service Area
- Zeeland Current Service Area
- Zeeland Future Service Area
- Holland Current Service Area
- Holland Future Service Area
- GH-SL SA Current Service Area
- GH-SL SA Future Service Area
- Grand Rapids Retail Sewer Current
- Grand Rapids Retail Sewer Future
- Grandville Current Service Area
- Grandville Future Service Areas
- West Central Ottawa Current Service Area
- West Central Ottawa Future Service Area



Attachment B

ORDINANCE NO. 1

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE OTTAWA COUNTY WATER SUPPLY AND SEWERAGE AND SEWAGE DISPOSAL SYSTEM ON A PUBLIC UTILITY BASIS; FOR THE MAINTENANCE AND OPERATION OF SUCH SYSTEM BY THE BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OTTAWA AS THE AGENCY OF THE COUNTY; PROVIDING FOR THE FIXING AND COLLECTING OF RATES, CHARGES AND/OR ASSESSMENTS FOR SERVICES FURNISHED BY THE SYSTEM; PROVIDING FOR THE DISPOSITION AND ALLOCATION OF REVENUES RESULTING FROM THE COLLECTION OF SUCH RATES, CHARGES AND/OR ASSESSMENTS; AUTHORIZING THE BOARD OF COUNTY ROAD COMMISSIONERS AS THE AGENCY OF THE COUNTY TO CONTRACT WITH MUNICIPALITIES AND OTHER USERS IN THE MANNER AUTHORIZED BY ACT 342, PUBLIC ACTS OF MICHIGAN 1939, AS AMENDED; AND AUTHORIZING SAID BOARD OF COUNTY ROAD COMMISSIONERS AS THE AGENCY OF THE COUNTY TO EXERCISE ON BEHALF OF THE COUNTY IN RELATION TO SAID SYSTEM ALL THE RIGHTS, POWERS AND DUTIES AUTHORIZED AND PROVIDED IN SAID ACT 342, PUBLIC ACTS OF MICHIGAN, 1939, AS AMENDED.

WHEREAS, by resolution duly adopted by a majority vote of its members elect on January 10, 1961, the Board of Supervisors of the County of Ottawa, State of Michigan, established a county-wide water supply and sewerage and sewage disposal system and designated the Board of County Road Commissioners of the County of Ottawa as the agency of the County to have jurisdiction and control of said system; and

WHEREAS, to take full advantage of the rights, powers and duties conferred by the provisions of Act 342, Public Acts of Michigan, 1939, as amended, it is deemed advisable and necessary to establish the county system on a public utility basis, by Ordinance, under the direction and control of the Board of County Road Commissioners of the County of Ottawa,

as the agency of the County, with such powers, rights and duties in relation to said system as are authorized by the provisions of Act 342, Public Acts of Michigan, as amended, and Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, authority is given to counties to establish, by ordinance, water supply and sewage disposal systems on a public utility basis, which powers expressed in said Act may be exercised notwithstanding the fact that no bonds are issued thereunder.

THE COUNTY OF OTTAWA ORDAINS:

Section 1. The establishment, construction, acquisition, control and management of the county-wide water supply and sewerage and sewage disposal system by the Board of County Road Commissioners of the County of Ottawa as the agency of the County pursuant to the resolution of the Board of Supervisors enacted January 9, 1961, referred to in the preamble of this Ordinance, is hereby approved and confirmed.

Section 2. Said county-wide water supply and sewerage and sewage disposal system so established shall hereafter be known and designated as the OTTAWA COUNTY WATER SUPPLY AND SEWERAGE AND SEWAGE DISPOSAL SYSTEM, and shall include, but without limitation:

- (a) The complete and entire county water supply and sewerage and sewage disposal system established, constructed and acquired by any other agency, department or institution of the County and operated by the Board of County Road Commissioners of the County of Ottawa pursuant to the resolution heretofore referred to and Act 342, Public Acts of Michigan, 1939, as amended, and any other sewerage or sewage disposal facilities.

Attachment B

(b) All extensions and improvements to said water supply and sewerage and sewage disposal system which may hereafter be made pursuant to law.

(c) All real and personal property of any character and description owned by the County and used or useful in the operation of said water supply and sewerage and sewage disposal system including real estate, water mains, water pumping and purification plants, sewers, interceptor sewers, sanitary sewers, combined storm and sanitary sewers, treatment plants, machinery, apparatus, equipment, contracts, rights, privileges, leaseholds and easements pertinent thereto.

Said OTTAWA COUNTY WATER SUPPLY AND SEWERAGE AND SEWAGE DISPOSAL SYSTEM as defined shall hereinafter in this Ordinance be referred to as "the System".

Section 3. The System shall hereafter remain and be under the exclusive management, operation and control of the Board of County Road Commissioners of the County of Ottawa as the agency of the County pursuant to the authorization contained in Act 342, Public Acts of Michigan, 1939, as amended, subject, however, to the rights, powers and duties in respect thereto which are reserved to the Board of Supervisors by the provisions of said law. Wherever the word "Board" is hereafter used in this Ordinance, it shall be understood to mean the Board of County Road Commissioners of the County of Ottawa as the duly designated agency of the County in accordance with the provisions of Act 342, Public Acts of Michigan, 1939, as amended.

Section 4. The System, from and after the effective date of this Ordinance, shall be managed, operated and maintained by the Board on a public utility basis in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and this Ordinance

Attachment B

adopted pursuant to the authorization contained in said Act.

Section 5. The Board shall have the power to locate, acquire, purchase, construct, alter, repair, maintain and operate the System, to make changes and extensions thereto and to enter into and execute contracts therefor; to obtain or prepare data for and to determine and establish rates charges and/or assessments to be imposed and collected by the Board for use of the facilities of the System; to review and make adjustment of rates, charges and assessments where the same are deemed excessive or inadequate; to engage consultants, assistants, attorneys and employees; to act as the applicant, agents or sponsors for the County in the borrowing of money, issuing of notes or bonds and receiving of any gift or grant of funds for the purpose of the System; to enter into and execute agreements with municipalities and other users in relation to the System and its use or any extensions or improvements thereto, and the collection of rates, charges and/or assessments; to make all necessary rules and regulations governing the use and operation of the System; to generally have all the rights, powers and duties in relation to the System and its use and operation as is authorized by the provisions of law, and particularly Act 342, Public Acts of Michigan, 1939, as amended, and Act 94, Public Acts of Michigan, 1933, as amended.

All rates, charges and/or assessments as established by the Board shall be subject to adjustment and correction by the Board of Review appointed by the Board of Supervisors in accordance with the provisions of Act 342, Public Acts of Michigan, 1939, as amended.

Section 6. The System shall have an operating or fiscal year commencing on January 1 and ending on December 31 of each year.

Section 7. The revenues of the System, being all income derived from the rates, charges and/or assessments collected by the

Attachment B

Board for the services and facilities furnished by the System, are hereby ordered to be set aside by the Board, as collected, in a bank or trust company located in the City of Grand Haven, Michigan, in a separate depository fund to be designated OTTAWA COUNTY WATER SUPPLY AND SEWERAGE AND SEWAGE DISPOSAL SYSTEM RECEIVING FUND, hereinafter referred to as the "Receiving Fund" and the revenues in said fund are pledged for the purpose of the following funds, and shall be transferred by the Board from the Receiving Fund periodically in the manner and at the times hereinafter specified.

(A) OPERATION AND MAINTENANCE FUND:

Out of the revenues in the Receiving Fund, there shall be first set aside, quarterly, or oftener, into a separate depository account designated Operation and Maintenance Fund, a sum sufficient to provide for the payment of the next quarter's current expenses of administration and operation of the System, and such current expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order.

(B) REPLACEMENT FUND:

Out of the remaining revenues in the Receiving Fund, there shall next be set aside in any quarter, after meeting the requirements of the Operation and Maintenance Fund, in a separate depository account designated Replacement Fund, such sums as the Board may deem advisable, to build up a reserve for any replacements to the System which may become necessary from time to time.

(C) IMPROVEMENT FUND:

All the remaining revenues in the Receiving Fund, after meeting the requirements of the Operation and Maintenance Fund, and after setting aside such funds in the Replacement Fund as the Board determines to be necessary, shall be set aside in a separate depository account to be designated Improvement Fund, to be used for improvements, enlargements, extensions and repairs to the System.

Attachment B

Section 8. Moneys on hand from time to time in any fund of the System except the Receiving Fund and Operation and Maintenance Fund, may be invested by the Board in United States Government obligations. In the event of any such investment, the securities representing the same shall be kept on deposit with the bank or trust company having the deposit of the fund or funds from which such purchase was made. The income from any such investment shall accrue to the benefit of the fund from which the investment was made.

Section 9. The Board shall cause to be maintained and kept proper books of record and account, separate from all other records and accounts of the County or the Board, in which shall be made full and correct entries of all transactions relating to the System. Not later than four (4) months after the close of each fiscal year, the Board shall cause to be prepared a statement in reasonable detail, showing the cash income and disbursements of the System at the beginning and close of the previous operating year and such other information as may be necessary to enable any taxpayer of the County or user of the service furnished by the System to be fully informed as to all matters pertaining to the financial operation of the System during each year. Such annual statement shall be filed with the Board of Supervisors and shall be audited annually by a certified public accountant, to be designated by the Board of Supervisors and a ^{certified} copy of such audit shall be filed with the Board of Supervisors of the County of Ottawa.

Section 10. To provide for the acquisition and construction of any of the improvements or facilities of the System and for additions and extensions thereto, and to provide for the financing thereof, the Board is authorized to prepare plans, details and specifications therefor, to prepare and submit necessary ordinances, resolutions or other documents necessary to the issuance of any of the type of bonds or notes

Attachment B

authorized by the provisions of Act 342, Public Acts of Michigan, 1939, as amended, and to that end is authorized to make and execute contracts, agreements or other documents relating thereto as authorized by the provisions of said Act; Provided, however, that before any bonds or notes are issued or sold, the proceedings authorizing the issuance or sale shall be formally approved by resolution or ordinance of the Board of Supervisors of the County of Ottawa in the manner provided by said Act.

Section 11. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provisions shall not affect any of the other provisions of this Ordinance.

Section 12. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 13. This Ordinance shall be published in full in the Daily Tribune, Holland Sentinel, Coopersville Observer, Zeeland Record, newspapers of general circulation in the County of Ottawa qualified under State law to publish legal notices, within one (1) week of its passage.

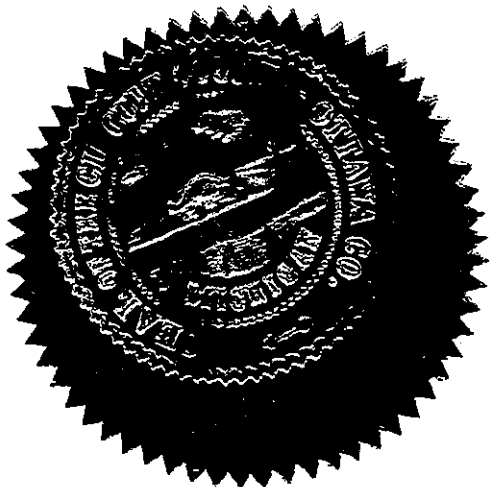
Section 14. This Ordinance shall become effective at the expiration of ten (10) days after publication thereof.

Attachment B

STATE OF MICHIGAN)
) ss.
COUNTY OF OTTAWA)

I, HARRIS NIEUSMA, Clerk of the Board of Supervisors for the County of Ottawa do hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Board of Supervisors of Ottawa County at a regular session held on Tuesday, January 10, 1961. That I have compared the same with the original, and it is a true transcript therefrom, and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal at Grand Haven, Michigan this ^{1st} 17th Day of October, A. D. 1961.



Harris Nieusma
HARRIS NIEUSMA, County Clerk

Yeas - 19

Nays - 12

Attachment C

COUNTY PUBLIC IMPROVEMENT ACT OF 1939 Act 342 of 1939

AN ACT to authorize counties to establish and provide water, sewer, or sewage disposal improvements and services within or between cities, villages, townships, charter townships, or any duly authorized and established combinations thereof, within or without the county, and to establish and provide garbage or rubbish collection and disposal facilities and services for such units of government or combinations thereof, and for such purposes to acquire, purchase, construct, own, maintain, or operate water mains and trunk and connecting lines, water pumping and purification plants, sewers, sewage interceptors, sewage disposal plants, settling basins, screens and meters, and incinerators and disposal grounds; to authorize counties to establish, administer, coordinate, and regulate a system or systems of water, sewer, or sewage disposal improvements and services, and garbage and rubbish collection and disposal facilities and services, within or between such units of government; to provide methods for obtaining money for the aforesaid purposes; to authorize counties to extend by laterals and connections, and to construct, improve, repair, manage, or operate water, sewer, or sewage disposal improvements and garbage and rubbish collection and disposal facilities and services of and situated within such cities, villages, townships, charter townships, or any duly authorized and established combination thereof, and provide for the loan of money to such units of government for the purposes and the repayment thereof by agreements therefor; to provide methods for collection of rates, charges, or assessments; to authorize counties to enter into contracts with any unit of government providing for the acquisition, construction, and financing of improvements or facilities and for the pledge of the full faith and credit of each unit of government for the payment of their respective shares of the cost thereof; to authorize each unit of government having power to tax to impose taxes without limitation as to rate or amount for the payment of contract obligations in anticipation of which bonds are issued; to authorize counties to issue bonds secured by the full faith and credit pledges of each unit of government; to authorize counties to pledge their full faith and credit as additional security on such bonds and to impose taxes without limitation as to rate or amount to the extent necessary for the payment of such bonds; to authorize counties to issue revenue bonds and to pledge their full faith and credit as additional security for the payment of such revenue bonds; to validate action taken and bonds issued; and to prescribe penalties and provide remedies.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974;—Am. 1998, Act 202, Eff. Mar. 23, 1999.

The People of the State of Michigan enact:

46.171 Establishment of water, sewer, and sewage disposal improvements and services; establishment of garbage and rubbish collection and disposal facilities and services; definitions.

Sec. 1. (1) The county board of commissioners of a county may, by resolution adopted by a majority vote of its members-elect at any regular or special session of the board, authorize and direct that there be established a system or systems of water, sewer, or sewage disposal improvements and services and garbage or rubbish collection and disposal facilities and services within or between cities, villages, townships, charter townships, or any duly authorized and established combinations thereof, within or without the county, and mains, trunks, connecting lines, and disposal facilities therefor. For such purposes the agency of the county hereinafter designated shall locate, acquire, purchase, construct, own, maintain, or operate water mains, trunks, and connecting lines, water pumping and purification plants, sewers, sewage interceptors, sewage disposal plants, settling basins, screens and meters, and incinerators and disposal grounds and facilities, as shall be described in maps, plans, and specifications therefor and be approved by the county board of commissioners or contract with any unit of government, or any duly authorized and established combination thereof for the purchase of water and for the use of their sewers and sewage disposal plants and garbage or rubbish collection and disposal facilities and services. A county may establish, construct, administer, coordinate, and regulate systems for water, sewer, and sewage disposal improvements and services within or between, and garbage and rubbish collection and disposal facilities and services for, such units of government.

(2) As used in this act:

(a) "Sewers" means interceptor sewers for the transportation of sewage or storm water or both, storm sewers, sanitary sewers, combined sanitary and storm sewers and all instrumentalities, facilities, and properties used or useful in connection with the collection of sewage or storm water.

(b) "Garbage" and "rubbish collection and disposal facilities" mean incinerators, disposal grounds, and all

Attachment C

instrumentalities, facilities, and properties used or useful in connection with the collection and disposal of garbage and rubbish.

(c) “Unit of government” means a city, village, township, charter township, and any duly authorized and established combinations thereof, within or without the county establishing any of the improvements, facilities, or services authorized under this act.

(d) “Improvements”, “facilities”, and “services” mean any of the improvements, facilities, and services authorized under the provisions of subsection (1).

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.171;—Am. 1952, Act 74, Eff. Sept. 18, 1952;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.171a County public improvements; short title.

Sec. 1a. This act shall be known and may be cited as the “County Public Improvement Act of 1939”.

History: Add. 1963, Act 1, Imd. Eff. Feb. 26, 1963.

46.172 County public improvements; contracts with governmental units, loans.

Sec. 2. Any county having determined to establish and provide any of the improvements, facilities and services authorized under the provisions of section 1 hereof, is further authorized to extend by laterals and connections, and to improve, repair, manage and/or operate any such improvements, facilities and service of and situated within any units of government by terms of agreements therefor to be entered into between such county and said units of government, and subject to the conditions hereinafter provided.

Such county may loan money to such units of government for said purposes and obtain repayment thereof by agreement therefor and subject to the conditions hereinafter provided.

History: 1939, Act 342, Eff. Sept. 29, 1939;—CL 1948, 46.172;—Am. 1953, Act 186, Imd. Eff. June 9, 1953.

46.173 County agency; designation; powers and duties.

Sec. 3. Whenever the county board of commissioners of a county determines to establish and provide any of the improvements, facilities, or services hereinbefore authorized, it shall designate the “county agency” therefor which shall be the board of county road commissioners, the drain commissioner, or the board of public works of the county as may be determined by resolution of the county board of commissioners. Before commencing the improvements, facilities, or services, or entering into a contract with any other unit of government for supply or use of the improvements, facilities, and services, the county agency shall prepare or obtain from competent sources and file with the county board of commissioners, maps, plans, designs, specifications, and estimates of the proposed improvements or facilities. The county agency shall have supervision and control of the management and operation of all improvements, facilities, and services established pursuant to this act and further shall have the following duties and powers: To make and execute proposed alterations, changes, and extensions of the improvements, facilities, or services authorized herein; to locate, acquire, purchase, construct, alter, repair, maintain, and operate the improvements, facilities, and services authorized herein and enter into and execute contracts therefor; to obtain or prepare data for and determine rates, charges, and assessments to be imposed and collected for any improvements, facilities, and services authorized herein; to review and make adjustments of rates, charges, and assessments where the same are deemed excessive or inadequate; to engage consultants, assistants, attorneys, and employees; to act as the applicant, agents, or sponsor for the county in the borrowing or loaning of money, issuing of notes or bonds and receiving of any gift or grant of funds or property for the purposes authorized herein; to enter into and execute agreements with units of government, for the use of any such improvements, facilities, or services and the collection of rates, charges, and assessments; and to make all necessary rules governing the use and operation of such improvements, facilities, or services.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.173;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1961, Act 213, Eff. Sept. 8, 1961;—Am. 1973, Act 152, Imd. Eff. Nov. 28, 1973.

46.174 Establishment of rates, charges, or assessments.

Sec. 4. When the county board of commissioners of a county has authorized and directed the establishment of any of the improvements, facilities, or services authorized by this act, the county agency shall establish just, equitable, and uniform rates, charges, or assessments to be paid to the county for the services rendered thereby. The complete and actual cost of improvements and financing thereof may be included in the amounts fixed for rates, charges, or assessments for services rendered by the county. Where the improvements or facilities are to be acquired, constructed, and financed pursuant to the provisions of sections 5a, 5b, and 5c, the rates, charges, or assessments for services rendered by the improvements or facilities shall be set and thereafter changed in the amount and manner provided by contract between the county and the unit or units of

Attachment C

government.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.174;—Am. 1952, Act 74, Eff. Sept. 18, 1952;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.174a Violation of MCL 168.1 to 168.992 applicable to petitions; penalties.

Sec. 4a. A petition under section 5b or 16, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

History: Add. 1998, Act 202, Eff. Mar. 23, 1999.

46.175 Agreements; rates, charges, or assessments as lien.

Sec. 5. The county agency and a unit of government may enter into agreements for a term up to but not exceeding 40 years whereby the unit of government shall pay the county for the services provided by any improvements and facilities authorized by this act, including the cost of construction and maintenance of the same, from funds collected as rates, charges, or assessments from the users and beneficiaries of the improvements, facilities, and services, or from any other fund available which may be validly used for such purposes. Any contracting unit of government may raise the amounts required to be paid under such agreements by collecting connection charges, and rates, charges, or assessments from the users and beneficiaries of the improvements, facilities, and services within that unit of government, or by levy upon the taxable property of any contracting unit of government having the power to tax in accordance with the same procedure as provided under the general tax laws of the state. The county agency may also enter into agreements with units of government providing that the county agency shall collect the connection charges, and rates, charges, or assessments for the services furnished, directly from the users and beneficiaries thereof. The county agency may enter into similar agreements with the county drain commissioner on behalf of any drain district, or with the drainage board on behalf of any inter-county drainage district, for the connection of any drain with any county sewer or sewage disposal system and for the collection by the county of connection charges, rates, and charges for the services of such county system from the users or beneficiaries thereof through connection with such drain. The county agency or such units of government in accordance with the agreements shall have the right to shut off the services and deny the use of the improvements or facilities to any user or beneficiary thereof failing to pay any of the rates, charges, or assessments as fixed. The rates, charges, or assessments for water, sewage, and sewage disposal services may be fixed in accordance with the amount of water used as measured by water meter readings or by such other methods as may be deemed equitable. Any rates, charges, or assessments shall constitute a lien on the premises served, effective immediately upon the rendering of services thereto and the official records of the agency charged with the collection thereof constitute notice of the pendency of the lien. Any rates, charges, or assessments remaining unpaid and delinquent for a period of 6 months or more may be certified by the agency charged with the collection thereof to the tax assessing officer or agency of the taxing district wherein the lands served are located and shall then be entered upon the county tax rolls against the premises to which such services shall have been rendered. The same shall be collected and the lien shall be enforced in accordance with the provisions of the general tax laws of the state.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.175;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1961, Act 213, Eff. Sept. 8, 1961;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.175a Contracts authorized; methods of raising funds.

Sec. 5a. As an additional or alternative method of acquiring and constructing any of the improvements or facilities authorized by this act, the county, acting through its county agency, and any unit of government may enter into contracts providing for the acquisition, construction, and financing of improvements or facilities in the manner authorized in this act. The contracts shall provide for the allocation and payment of the share of the total cost to be borne by each unit of government in annual installments for a period of not exceeding 40 years, and each contracting unit of government is authorized to pledge its full faith and credit for the payment of the obligation in the manner and times specified in the contracts. A contract described in this section is not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. For the purpose of making payment of its pledged share of the cost of the improvements or facilities, any contracting unit of government may use any, or all, or any combination of the following methods of raising funds:

(a) The levy of a tax on taxable property by a unit of government having the power to tax, which tax may be imposed without limitation as to rate or amount and in addition to any taxes that the unit of government

Attachment C

may be authorized to levy but not more than the rate or amount sufficient for those purposes.

(b) The levy of special assessments on property benefited by the improvements, the procedures relative to the making and collection of the special assessments to conform as near as may be to applicable charter or statutory provisions.

(c) The levy and collection of rates or charges to users and beneficiaries of the service furnished by the improvement.

(d) From money received or to be received derived from the imposition of taxes by this state, except as the use of the money for that purpose is expressly prohibited by the state constitution of 1963.

(e) From any other funds that may be validly used for that purpose. The contracts may provide for any and all matters relating to the acquisition, construction, and financing of the improvements or facilities as are considered necessary, including the authority to the county agency to issue bonds secured by the full faith and credit contractual pledges of the contracting unit of government, as authorized by section 5c. The contracts may provide for appropriate remedies in case of default, including, but not limited to, the right of the contracting unit of government to authorize the state treasurer or other official charged with the disbursement of unrestricted state funds returnable to the governmental units under the state constitution of 1963, to withhold sufficient funds to make up any default or deficiency in funds.

History: Add. 1952, Act 74, Eff. Sept. 18, 1952;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1961, Act 213, Eff. Sept. 8, 1961;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974;—Am. 2002, Act 199, Imd. Eff. Apr. 29, 2002.

46.175b Resolution authorizing execution of contract; notice; approval of contract; petition for referendum; special election; verification of signatures; refunding of outstanding bonds.

Sec. 5b. (1) A unit of government desiring to enter into a contract under the provisions of section 5a shall authorize, by resolution of its governing body, the execution of the contract. Subsequent to the adoption of the resolution a notice thereof shall be published in a newspaper of general publication in the unit of government which notice shall state:

- (a) That the governing body has adopted a resolution authorizing execution of the contract.
- (b) The purpose thereof.
- (c) The source of payment of unit of government is contractual obligation.
- (d) The right of referendum thereon.

(e) Such other information as the governing body shall determine to be necessary to adequately inform all interested persons of the nature of the obligation.

The contract may be executed and delivered by the unit of government upon approval by its governing body without a vote of the electors thereon, but the contract shall not become effective until the expiration of 45 days after the date of publication of such notice. If within the 45-day period a petition signed by at least 10% or 15,000, whichever is the lesser, of the registered electors residing within the limits of the unit of government is filed with the clerk thereof requesting a referendum upon the contract, the same shall not become effective until approved by the vote of a majority of the electors of the unit of government qualified to vote and voting thereon at a general or special election. Where a unit of government has, prior to the effective date of this 1974 amendment, published a resolution authorizing the execution of a contract hereunder in substantial compliance with this section, as amended, and the referendum period formerly provided by this section has expired, but the bonds have not been issued, the resolution and the publication thereof are hereby validated and, if no petition for a referendum on execution of the contract has been or is signed and filed within the time period formerly provided by this section, the contract may be executed and shall thereupon become effective without submitting the proposition for approval thereof to the electors, or if a petition has been or is so signed and filed, the contract may be executed and thereupon become effective if approved at an election as above provided. When any such contract is to be entered into by any township only on behalf of the unincorporated area of the township, only the registered electors residing within the unincorporated area of the township shall be qualified to sign the petition and vote at the election.

(2) Any special election called for such purpose shall not be included in any statutory or charter limitation as to the number of special elections to be called within any period of time. Signatures on any such petition shall be verified by some person under oath, as the actual signatures of the persons whose names are signed thereto, and the clerk of the unit of government shall have the same power to reject signatures as city clerks under the provisions of section 25 of Act No. 279 of the Public Acts of 1909, as amended, being section 117.25 of the Michigan Compiled Laws. The number of registered electors in any unit of government shall be determined by the unit of government registration books.

(3) Where a contracting unit of government has outstanding any revenue bonds issued under the provisions of Act. No. 94 of the Public Acts of 1933, as amended, being sections 141.101 to 141.139 of the Michigan

Attachment C

Compiled Laws, for the type of improvements or facilities to be constructed pursuant to this act and the contract, such contract may provide for the refunding of the outstanding bonds and the inclusion, in the total financing required for the construction of the improvements or facilities contemplated by this act of an amount sufficient to provide for the refunding, including such call premiums as may be required in the ordinance authorizing their issuance. Nothing herein contained shall be construed as authorizing the refunding of noncallable unmatured bonds without the consent of the holder or holders thereof. Where the refunding is provided for by the contract, any bonds issued pursuant to section 5c may be issued and sold in a sufficient amount to provide additional funds over and above acquisition and construction costs of the new improvements or facilities to enable the contracting unit of government to retire the outstanding revenue bonds.

History: Add. 1952, Act 74, Eff. Sept. 18, 1952;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.175c Bonds generally.

Sec. 5c. (1) For the purpose of obtaining funds for the acquisition and construction of the improvements or facilities authorized by this act, the county after the execution of the contract or contracts authorized by sections 5a and 5b, upon resolution adopted by its county board of commissioners, may issue its negotiable bonds secured by the full faith and credit pledges made by each contracting unit of government pursuant to authorization contained in this act and the contract or contracts entered into pursuant to sections 5a and 5b. The bonds shall not be delivered until the contract or contracts become effective as provided in section 5b. The bonds shall be issued in the name of the county and shall be executed in such manner as provided in the resolution authorizing the bonds. Bonds issued under this act shall mature in a period not to exceed 40 years. The bonds and coupons shall taxation by be exempt from all this state or by any taxing authority within this state. The bonds shall not pledge the full faith and credit of the issuing county except as otherwise provided in this section. As additional security for the payment of the principal of and interest on any bonds issued under this section, any issuing county may, upon proper resolution adopted by a majority vote of the members-elect of its county board of commissioners, pledge the full faith and credit of the county for the prompt payment of the principal of and interest on the bonds. In the event the county is required to advance any money by reason of a pledge on account of the delinquency of any contracting unit of government and if provided in the contract, the county treasurer shall notify the state treasurer to deduct the amount of money advanced by the county from any unrestricted money in the state treasurer's possession belonging to the unit of government and to pay the amount to the county. The money shall be paid into the general fund of the county. The right of deduction to receive payment from the state treasurer given to the county by this statute shall not operate to limit the county's right to pursue any other legal remedies for the reimbursement of money advanced under this section. The board of commissioners of any county that has advanced any money and that has not been reimbursed may order a unit of government having taxing power and its officers to levy upon its next tax roll an amount sufficient to make the reimbursement on or before the date when its taxes become delinquent and the unit of government and its tax levying and collecting officials shall levy and collect the taxes and reimburse the county. The resolution authorizing the issuance of the bonds shall contain the terms of the contract or contracts authorized by sections 5a and 5b. Sections 5a, 5b, and 5c shall be construed as an additional and alternative method for the acquisition, construction, and financing of the improvements or facilities contemplated by this act, and shall not affect the other provisions of this act relating to the acquisition, construction, or financing of improvements or facilities. Any improvements and facilities contemplated by this act may be acquired, constructed, and financed in part under the provisions of sections 5a, 5b, and 5c and in part under other sections of this act. This act shall not validate any drain orders or bonds issued prior to April 30, 1954.

(2) Bonds issued under this act are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

History: Add. 1952, Act 74, Eff. Sept. 18, 1952;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1954, Act 161, Imd. Eff. Apr. 30, 1954;—Am. 1957, Act 138, Imd. Eff. May 28, 1957;—Am. 1963, Act 1, Imd. Eff. Feb. 26, 1963;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974;—Am. 1983, Act 183, Imd. Eff. Oct. 25, 1983;—Am. 2002, Act 199, Imd. Eff. Apr. 29, 2002.

46.176 Board of review; designation by board of supervisors; hearing, review, and adjustment of rates, charges and assessments; meetings, time and place, notice.

Sec. 6. The board of supervisors shall designate either a committee selected from its membership or the board of auditors, in counties having boards of auditors, to be constituted a board of review for the purpose of hearing and reviewing rates, charges and/or assessments. At the request of any unit of government, person, firm or corporation, charged for services rendered by any county acting under the provisions hereof, and on

Attachment C

sufficient cause being shown, or upon information presented to or obtained by said board of review of the respective county, the action of the county agency in fixing or adjusting charges and/or assessments shall be reviewed and finally determined by said board of review: Provided, That such charges and/or assessments shall in all cases be sufficient to pay operating expenses of the system and to meet sinking fund and interest requirements on bonds and to meet principal and interest payments on notes if any, and any other requirements under which such bonds or notes may be issued. The board of review shall adjust and correct rates, charges and/or assessments in order that the same shall be just and equitable. The board of review shall meet at the room of the board of supervisors in the county building on the second Monday in May and September of each year, at 3:00 o'clock in the afternoon and continue in session during the day until 5:00 o'clock in the afternoon thereof and during the same hours of the 2 days following. Additional time for hearings may be granted by the board of review. Notice of hearings to be held by the board of review shall be prepared by such board and posted at 2 public places in each municipality where rates, charges and/or assessments are charged or assessed in pursuance hereof, at least 7 days prior to the second Monday in May and September.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.176;—Am. 1953, Act 186, Imd. Eff. June 9, 1953.

46.177 Self-liquidating revenue bonds.

Sec. 7. For the purpose of obtaining money for locating, acquiring, purchasing, establishing, constructing, extending, improving, or repairing any of the improvements, facilities, or services authorized by this act, the county may issue self-liquidating revenue bonds, and may issue refunding bonds for the payment or retirement of any such bonds previously issued by it for any such purposes, under the provisions of Act No. 94 of the Public Acts of 1933, as amended. As additional security for the payment of the bonds, any issuing county, by a majority vote of the members-elect of its county board of commissioners, may include as part of the ordinance authorizing the issuance of the bonds a pledge of its full faith and credit for payment of the principal of and interest on the bonds, and if such a pledge is made, then in event of the insufficiency of the revenues therefor, the county may pay the amount of the insufficiency from its general fund or levy taxes therefor without limitation as to rate or amount and in addition to any other taxes it may be authorized to levy but not in an amount a rate in excess of that necessary to make up the insufficiency.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.177;—Am. 1949, Act 221, Eff. Sept. 23, 1949;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1961, Act 213, Eff. Sept. 8, 1961;—Am. 1963, Act 1, Imd. Eff. Feb. 26, 1963;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.178 Administrative expenses; revolving fund.

Sec. 8. The county board of commissioners of any county operating under the provisions of this act, may by a 2/3 vote of its members-elect appropriate and there shall be paid from its general funds such sums as are determined by the board to be necessary for administrative expenses incurred by the county agency in the performance of its duties and powers authorized by this act and for purposes of obtaining maps, plans, designs, specifications, and cost estimates of proposed improvements or facilities. The county board of commissioners of a county operating under this act may by a 2/3 vote of its members-elect make appropriations from the general fund of such county to be segregated as a revolving fund which may be used to finance and pay for such improvements or facilities as are authorized herein to be disbursed and expended by the county agency.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.178;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.179 Advancements and loans to governmental units; conditions, provision for payment; maximum.

Sec. 9. In the event that the board of supervisors of any county having established any of the improvements or facilities authorized by this act determines that any city, village, township or township improvement district is in need of extensions, improvements or repairs to such improvements and facilities of and within such units of government, such board of supervisors by a two-thirds majority vote of its members elect is authorized to appropriate, advance and loan to and by agreement with such unit of government from the general funds of the county, such sums as are necessary to provide such extensions, improvements or repairs. The board of supervisors may, by resolution adopted by a two-thirds majority vote of its members elect, make such advance and loan on condition that the legislative body of the unit of government borrowing and receiving said sum shall enter into an agreement therefor and approve such advance and loan by a two-thirds vote of its members elect. Any sum to be borrowed for the benefit of a township improvement district shall be

Attachment C

authorized by action of the township board in the township where said district is situated. No such loan shall be made by the board of supervisors without there first being irrevocably pledged to the payment thereof current or delinquent taxes evidenced by promissory notes paying interest at not to exceed 5 per cent per annum and maturing within a period of 10 years: Provided, The total sum advanced and loaned to any such unit of government for 1 or more of the improvements or facilities authorized herein shall not, in total amount, exceed 10 per cent of its current taxes and 80 per cent of all its delinquent taxes, and current and/or delinquent taxes pledged shall not exceed said amount. Such advances and loans are authorized irrespective of the amount of tax delinquency of the unit of government borrowing money for the purpose herein provided, and shall not require the approval of the state loan board, the public debt commission or any other state authority.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.179;—Am. 1953, Act 186, Imd. Eff. June 9, 1953.

46.180 Audit of financial records and accounts; disbursement of funds.

Sec. 10. The board of auditors shall audit the financial records and accounts for the construction or acquisition of any improvements or facilities by the county authorized herein. All funds for the purchase of land, construction, acquisition, maintenance, and operation of improvements or facilities authorized by the county board of commissioners shall be disbursed by direction of the county agency and paid by the county treasurer. In counties not having a board of auditors, the county board of commissioners shall perform the duties designated herein for the board of auditors.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.180;—Am. 1953, Act 186, Imd. Eff. June 9, 1953;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.181 Collection service charge; enforcement.

Sec. 11. The collection service charge authorized herein in terms of rates, charges or assessments to be fixed and collected by the county, and notes for money advanced and loaned by the county may be enforced by such county in case of default in payment thereof as herein provided, and/or by action in mandamus, assumpsit or any other remedy prescribed by law.

History: 1939, Act 342, Eff. Sept. 29, 1939;—CL 1948, 46.181.

46.182 Public improvements; permit from city or village legislative body not required.

Sec. 12. The construction or acquisition of any improvements or facilities in accordance with the provisions of this act, shall not be subject to the requirements and provisions of Act No. 261, Public Acts of Michigan, 1927.

History: 1939, Act 342, Eff. Sept. 29, 1939;—CL 1948, 46.182;—Am. 1953, Act 186, Imd. Eff. June 9, 1953.

46.183 Construction of act.

Sec. 13. This act being necessary for and to secure the public health, safety, and welfare of the counties, cities, villages, townships, and charter townships shall be liberally construed to effect the provisions hereof.

History: 1939, Act 342, Eff. Sept. 29, 1939;—CL 1948, 46.183;—Am. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

46.184 County agency; purchase, acceptance or condemnation of property; provisions applicable.

Sec. 14. The county agency of any county, for purposes of exercising the authority herein granted to such county, may purchase, accept as a gift, or condemn private property determined by said county agency to be necessary therefor and for the public use. If by condemnation the provisions of Act No. 149 of the Public Acts of Michigan of the year 1911, entitled "An act to provide for the condemnation by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms 'public corporations,' 'state agencies' and 'private property' as used herein," or such other appropriate provisions therefor as exists or shall be made by law may be adopted and used for the purpose of instituting and prosecuting such condemnation proceedings.

History: 1939, Act 342, Eff. Sept. 29, 1939;—Am. 1941, Act 353, Eff. Jan. 10, 1942;—CL 1948, 46.184;—Am. 1953, Act 186, Imd. Eff. June 9, 1953.

46.185 Authority of act additional.

Sec. 15. The authority hereby given shall be in addition to and not in derogation of any power existing in any of the counties, cities, villages and townships under any statutory or charter provisions which they may now have or may hereafter adopt.

Attachment C

History: 1939, Act 342, Eff. Sept. 29, 1939;—CL 1948, 46.185.

46.186 Township board; action on behalf of partially incorporated city, effect.

Sec. 16. Whenever all or any part of a township has been incorporated as a city and the incorporation of such city has not been completed by the adoption of a charter therefor, then the township board may act hereunder on behalf of both the city and the remainder of the township, either jointly or severally, and for the purposes of this act shall be deemed to be the governing body of such city as well as that of the township. Pending the adoption of such charter, any duty imposed by the provisions of this act upon an officer or governing body of the city, shall be performed by the corresponding officer or governing body of the township, and all papers, documents and notices may be served upon the township clerk. In event of a referendum upon a contract entered into by the township board solely on behalf of such a city, then only the registered electors residing within the city incorporated territory shall be qualified to sign the petition therefor and to vote at the election. The township registration records shall be used unless there shall have been a previous registration of electors in the city. In the event that the city incorporated territory should revert to the township status by reason of the failure to adopt a charter for said city, then any action taken by the township board on behalf of such city shall be binding upon the township.

History: Add. 1956, Act 49, Imd. Eff. Apr. 2, 1956.

Former law: See section 16 of Act 342 of 1939, which was repealed by Act 267 of 1945.

46.187 Joint action by adjoining counties; administrative agency, establishment, powers and duties; issuance of bonds.

Sec. 17. Any 2 or more adjoining counties which have, by resolution of their respective boards of supervisors, authorized and directed the establishment of any of the improvements, facilities or services authorized by this act, may contract for the joint establishment, operation or maintenance of any such improvements, facilities or services, or any portion thereof. Such contract shall provide for the establishment of an administrative agency to be composed from the membership of the respective county agencies, and such administrative agency shall have and exercise all the powers and duties conferred upon a county agency under the provisions of this act, except as the same may be specifically limited by the provisions of said contract.

Any bonds issued to finance the construction of improvements under such contract shall be the joint obligation of all participating counties.

History: Add. 1956, Act 49, Imd. Eff. Apr. 2, 1956.

46.188 Validation of prior actions and bonds.

Sec. 18. Actions heretofore taken by the county or any unit of government and all bonds heretofore issued under this act as originally adopted or subsequently amended are hereby validated. A county acting under this act as originally adopted or subsequently amended, or any unit of government, shall not contest the validity of any such bonds or any contract which provides the security therefor or any action taken by the county or unit of government after the bonds have been sold and delivered and the county has received the consideration therefor.

History: Add. 1974, Act 46, Imd. Eff. Mar. 19, 1974.

Attachment D

COUNTY DEPARTMENT AND BOARD OF PUBLIC WORKS Act 185 of 1957

AN ACT to authorize the establishing of a department and board of public works in counties; to prescribe the powers and duties of any municipality subject to the provisions of this act; to authorize the incurring of contract obligations and the issuance and payment of bonds or notes; to provide for a pledge by a municipality of its full faith and credit and the levy of taxes without limitation as to rate or amount to the extent necessary; to validate obligations issued; and to prescribe a procedure for special assessments and condemnation.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973.

The People of the State of Michigan enact:

CHAPTER 1 GENERAL PROVISIONS

123.731 Definitions.

Sec. 1. As used in this act:

(a) “Members elect” means when applied to the county board of commissioners, both members elected and appointed.

(b) “Acquire” means acquisition by purchase, construction, or any other method.

(c) “Water supply system” means all plants, works, instrumentalities, and properties, used or useful in connection with obtaining a water supply, the treatment of water, or the distribution of water, or any portion or any combination thereof.

(d) “Sewage disposal system” means all sanitary sewers, storm sewers, combined sanitary and storm sewers, plants, works, instrumentalities, and properties, used or useful in connection with the collection, treatment, or disposal of sewage including storm water, sanitary sewage, or industrial wastes, or any portion or any combination thereof.

(e) “Refuse system” means disposal, including all equipment and facilities for storing, handling, processing, and disposing of refuse, including plants, works, instrumentalities, and properties, used or useful in connection with the salvage or disposal of refuse and used or useful in the creation, sale, or disposal of by-products, including rock, sand, clay, gravel, or timber, or any portion or any combination thereof.

(f) “Refuse” means putrescible and nonputrescible solid wastes, except body wastes, and includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, and industrial wastes.

(g) “Lake improvements” means any improvements now or hereafter authorized by law to be made to any waters of the state by a municipality or any board or body which may be established by a municipality for that purpose, or any portion or any combination thereof.

(h) “Erosion control” means installation of structures designed to control erosion or protect property adjacent to the great lakes or property affected by levels of the great lakes from erosion.

(i) “Municipality” means a county, city, village, township, charter township, district, or authority existing under the laws of this state.

(j) “Resolution” means a resolution or an ordinance, if the governing body of a municipality chooses to act by ordinance rather than by resolution.

(k) “Governing body” means, in the case of a county, the county board of commissioners; in the case of a city, the council, common council, commission, or other body having legislative powers; in the case of a village, the council, common council, commission, board of trustees, or other body having legislative powers; in the case of a township, the township board; in the case of a charter township, the township board; in the case of a drainage district, the drain commissioner or the drainage board; and in the case of another district or of an authority, the body in which is lodged general governing powers.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

123.732 Establishment and control of department of public works; exception; board of public works; appointment, qualifications, terms, and removal of members; designation or removal as board; authority, powers, and duties of designee; board as agency of county; rules; compensation; status of department of public works in county organized under MCL 45.501 to 45.521; authority, powers, and duties of county executive or chief county

Attachment D

administrative officer; authority and powers of county board of commissioners.

Sec. 2. (1) Except as provided by subsection (5), the county board of commissioners, by resolution adopted by a 2/3 vote of its elected members, may establish a department of public works for the administration of the powers conferred upon the county by this act. The department of public works shall be under the general control of the county board of commissioners and under the immediate control of a board of public works. Except as provided in this subsection and subsection (3), the board of public works shall consist of 5, 7, or 9 members. In a county with a population of more than 85,000 and less than 90,000 according to the latest federal decennial census, the board of public works may consist of 11, 13, or 15 members. The members shall be appointed or removed in the manner prescribed in this section.

(2) The initial terms of the appointed members shall be staggered for terms of not more than 3 years as prescribed by the county board of commissioners. Membership on the board of public works shall include the following:

(a) The county drain commissioner of the county in which the department of public works is established, if any.

(b) Except as otherwise provided in subdivision (c), 4, 6, or 8 other members appointed by the county board of commissioners, with the exception of a person named in subdivision (a). Members of the county board of commissioners may be appointed as members of the board of public works. Appointments of members of the county board of commissioners to the board of public works made before April 12, 1984, are valid.

(c) If the board of public works consists of 11, 13, or 15 members, 10, 12, or 14 other members appointed by the county board of commissioners, with the exception of a person named in subdivision (a). Members of the county board of commissioners may be appointed as members of the board of public works. In addition, the township supervisor of a township within the county or the township supervisor of a township that receives service by the department of public works may be appointed as a member of the board of public works. A township supervisor appointed as a member of the board of public works shall not be deemed to hold 2 or more incompatible offices at the same time.

(d) If a county does not have a drain commissioner, then the county board of commissioners shall appoint an additional member subject to the same appointment procedures provided in subdivisions (b), (c), and (e).

(e) If a county department of public works serves another county, or a portion of another county, each of the 4, 6, or 8 members, or 10, 12, or 14 members as provided in subdivision (c), shall be a resident of the geographic area served by the department of public works. If an area within a county does not utilize or is not otherwise serviced by the department of public works, a member of the board of public works shall not be a resident of the area not served. If a city, village, or township or a portion of a city, village, or township is located in another county, the chief elected official of the city, village, or township shall serve as an advisory board to the board of public works and shall consult with and advise the board of public works as to rate schedules, proposed expansion of services, and capital improvements.

(3) Except as provided by subsection (5), the county board of commissioners, by resolution adopted by a 2/3 vote of all its members, may designate as the board of public works or remove as the board of public works 1 of the following, and after the adoption of the resolution the person or body designated shall be the board of public works for that county with all the authority, powers, and duties conferred by law upon the board of public works:

(a) The board of county road commissioners.

(b) The drain commissioner.

(c) The public works commissioner designated or elected and holding office pursuant to section 21 of the drain code of 1956, 1956 PA 40, MCL 280.21.

(4) The board of public works shall be considered an agency of the county. The county board of commissioners shall make rules in respect to the department of public works which it considers advisable and as permitted by law. The members of the board of public works shall not be full-time officers of the county. The duties of the county drain commissioner, any county road commissioner, or any member of the county board of commissioners who serves on the board of public works are declared to be additional and separate duties not compensated for by the established salary or per diem of the commissioner. The compensation of members shall be fixed by the county board of commissioners.

(5) In any county organized under 1966 PA 293, MCL 45.501 to 45.521, a department of public works that is or was formed under this act and existing on the date the county charter is or was adopted and that has not been discontinued or terminated, or had its duties transferred by charter, and a department of public works established by charter shall be considered established pursuant to this act with all authority, powers, and duties conferred by this act upon a department of public works and be under the control of and administered

Attachment D

by the county executive or chief county administrative officer who shall have all the authority, powers, and duties conferred by this act upon the board of public works. The provisions of this act granting to a county board of commissioners authority over such a department of public works shall be subject to any county charter. All provisions of this act concerning actions by a board of public works shall require appropriate action only by the county executive or chief county administrative officer when this subsection applies. An action of the county executive or chief county administrative officer in regard to rate schedule changes, expansion or reduction of services, or proposed capital expenditures is not effective unless and until approved by a majority vote of the members of the county board of commissioners elected and serving. After submission by the county executive or chief county administrative officer, if the county board of commissioners fails to approve or reject within 45 days after the next regularly scheduled meeting of the county board of commissioners, the proposals are effective.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1959, Act 18, Eff. Mar. 19, 1960;—Am. 1961, Act 214, Eff. Sept. 8, 1961;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1972, Act 92, Imd. Eff. Mar. 20, 1972;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974;—Am. 1978, Act 580, Imd. Eff. Jan. 2, 1979;—Am. 1983, Act 33, Imd. Eff. May 9, 1983;—Am. 1984, Act 61, Imd. Eff. Apr. 12, 1984;—Am. 1987, Act 214, Imd. Eff. Dec. 22, 1987;—Am. 2011, Act 110, Imd. Eff. July 20, 2011.

123.733 Board of public works; officers.

Sec. 3. The board of public works shall elect each year during the month of January from its own membership, a chairman, a vice-chairman and a secretary, and also at such time shall elect a deputy secretary who may or may not be a member of the board.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.734 Board of public works; action by motion or resolution; record of proceedings; signature; availability of record or other writings to public; quorum; regular meetings; notice of special meeting; waiver of notice; conducting business at public meeting; public notice of meeting or hearing.

Sec. 4. (1) An action taken by the board of public works shall be by motion or resolution adopted by the affirmative vote of a majority of the board's full membership. The board of public works shall keep a record of the proceedings taken at each meeting, which record shall be signed by the secretary or in case of the secretary's absence at a meeting by the deputy secretary or other person acting as secretary for the meeting. The record and any other writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws. A majority of the board's full membership shall be necessary for a quorum. Regular meetings may be held on a regularly scheduled basis as determined by the board, but shall be held at least 4 times a year. A special meeting may be called by the chairperson or any 2 members upon written notice served on each member or left at the member's place of residence, at least 24 hours before the meeting. A member may waive notice of a special meeting either before or after the holding of a meeting.

(2) The business which the board may perform shall be conducted at a public meeting of the board held in compliance with Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting or hearing shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1977, Act 176, Imd. Eff. Nov. 17, 1977;—Am. 1978, Act 580, Imd. Eff. Jan. 2, 1979.

123.735 Expenses and expenditures of board of public works.

Sec. 5. The county board of commissioners shall provide each year in its annual budget for the expenses of the department of public works. The board of public works shall be limited in its expenditures to the amount appropriated unless a further appropriation shall be made by the county board of commissioners.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

123.736 Board of public works; director; project costs; civil service.

Sec. 6. The board of public works shall have authority to hire a director of public works, whose salary shall be fixed by the board of public works within the budget appropriation. The board of public works shall have power to employ such professional and lay personnel as it shall deem advisable, subject however to budget appropriations but no budget appropriation shall be necessary where services are employed in connection with acquiring any project and are to be included in the project cost and payable from the proceeds of bonds or

Attachment D

special assessments. The cost of any project and of operating and maintaining the same, shall include amounts sufficient to cover the general administrative costs pertaining thereto. The provisions of this section shall be subject to any applicable statutory provisions relating to civil service.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.737 Powers of county; administration by board of public works.

Sec. 7. A county establishing a department of public works shall have the following powers to be administered by the board of public works subject to any limitations thereon:

(a) To acquire a water supply system within 1 or more areas in the county and to improve, enlarge, extend, operate, and maintain the system.

(b) To acquire a sewage disposal system within 1 or more areas in the county and to improve, enlarge, extend, operate, and maintain the system.

(c) To acquire a refuse system within 1 or more areas in the county and to improve, enlarge, extend, operate, and maintain the system.

(d) To make lake improvements within 1 or more areas in the county and to improve, enlarge, extend, operate, and maintain the improvements.

(e) To acquire an erosion control system within 1 or more areas in the county and to improve, enlarge, extend, operate, and maintain the improvements.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

123.738 Acquiring systems or making lake improvements outside corporate limits.

Sec. 8. A county operating under this act may acquire outside its corporate limits any part of a water supply system which is necessary for the purpose of securing a source of supply and may acquire outside its corporate limits any part of a sewage disposal system or refuse system which is necessary for the purpose of disposing, including treatment or incineration, of its sewage or refuse. A county operating under this act may also acquire any part of a water supply system, a sewage disposal system, a refuse system or make lake improvements, or acquire erosion control systems in an adjoining county or counties upon the consent expressed by contract with or resolution of the governing body of the municipality or municipalities in such adjoining county or counties in which such part of the system or lake improvements is to be located or which is to be served by such part of the system. The exercise by any county of such powers outside its corporate limits shall be subject to all constitutional provisions relating thereto.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

123.739 Water supply and sewage disposal or refuse systems; service to municipalities and individual users.

Sec. 9. No county shall have the power to furnish water service, sewage disposal service or refuse service to the individual users within any municipality without its consent. The foregoing shall not prevent the county from extending any sewage disposal system or refuse system into any municipality where in the opinion of a majority of the members elect of the board of supervisors the same is necessary to protect health or property in any adjacent municipality and from furnishing sewage disposal or refuse services to individual users therein. Any such extensions may be constructed along with the construction of the original system or thereafter.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1967, Act 63, Imd. Eff. June 20, 1967.

123.740 County water supply, sewage disposal or refuse system, lake improvements, or erosion control system; approval; plans and specifications; merger or combination of systems; resolution; contract.

Sec. 10. The establishment of a county water supply, sewage disposal or refuse system or the making of county lake improvements or erosion control systems shall be approved by a majority of the members elect of the county board of commissioners. Prior to approval of lake improvements the county board of commissioners shall submit to the department of natural resources preliminary plans which provide for making the lake improvements for the department of natural resources' review and approval. Before approval of erosion control systems the county board of commissioners shall submit to the department of natural resources preliminary plans for the department's review and approval. Before construction of erosion control systems final plans and specifications shall be approved by the department. After the county board of commissioners' approval, the board of public works shall have power to acquire the system or make

Attachment D

improvements and to improve, enlarge, extend, operate, and maintain the same, subject to any restrictions placed thereon by the county board of commissioners in the resolution establishing the same or by this act. Any 2 or more systems established by a county and the areas served thereby may be merged or combined by resolution adopted by a majority of the members elect of its county board of commissioners after which the merged or combined systems may be improved, enlarged, extended, operated, and maintained under this act as a single system serving the total areas of the systems but a merger or combination shall not affect either the rights and obligations acquired by a municipality by any contract with respect to an established system or the security of any bonds or the prompt payment of principal or interest thereon. A resolution adopted by the governing body of any city, village, township, or charter township authorizing and approving a contract with a county acting through its board of public works with respect to the financing or location of or service from any sewage disposal or refuse system constitutes, notwithstanding any statutory or charter limitation to the contrary, a permit to acquire, improve, enlarge, extend, operate, and maintain the sewage disposal or refuse system within the corporate limits of the city, village, township, or charter township, but no treatment or disposal plants, incinerators, works, grounds, filter beds, or other similar sewage or refuse disposal facilities, sanitary landfills, or dumps shall actually be located in any municipality without a resolution and contract.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

Compiler's note: For transfer of powers and duties of department of natural resources to department of natural resources and environment, and abolishment of department of natural resources, see E.R.O. No. 2009-31, compiled at MCL 324.99919.

123.741 Methods of financing systems or improvements.

Sec. 11. (1) The acquirement of a water supply, sewage disposal or refuse system, or the making of lake improvements or erosion control systems, or the improvement, enlargement, or extension of any of these may be financed by 1 or more of the following methods:

(a) By the issuance of revenue bonds under the revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140, or any other applicable act.

(b) By the issuance of bonds in anticipation of payments to become due under contracts where 1 or more municipalities agree to pay to the county operating under this act certain sums toward the cost of the acquisition, improvement, enlargement, or extension of a project that may be made under this act.

(c) By the issuance of bonds in anticipation of the payment of special assessments made by the board of public works.

(d) By money advanced by a county operating under this act under agreements with a municipality or municipalities for the repayment of the money.

(e) By money advanced, from time to time, before or during construction of a project by a public corporation, in which event the county operating under this act shall reimburse the corporation, with interest not to exceed 8% per annum or without interest as may be agreed, when funds are available for that purpose. The obligation of the county to make the reimbursement may be evidenced by a contract or note, the contract or note may be made payable out of the payments to be made by municipalities, under contracts as described in section 12 or 15, or out of the proceeds of bonds issued under this act by the county or out of any other available funds. The contract or note is not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(2) Bonds issued under this act shall be authorized by an ordinance or a resolution approved by the board of public works and adopted by the county board of commissioners of the county operating under this act. The county board of commissioners is authorized by a 3/5 vote of its members elect, to pledge the full faith and credit of the county for the prompt payment of the principal of and interest on any bonds issued pursuant to this act. The county's full faith and credit may be pledged to the payment of principal and interest on revenue bonds issued under subsection (1)(a). If it becomes necessary for the county operating under this act to advance any money, other than its share of the cost of the project, for the payment of principal and interest, then it shall be entitled to reimbursement from any surplus from time to time existing in the fund from which the principal and interest are primarily payable. If the faith and credit of the county is pledged for the payment of principal of and interest on any bonds issued under this act, the county may, in the case of insufficiency of funds primarily pledged for the payment, pay the funds from its general fund or levy taxes without limitation as to rate or amount in addition to any other taxes that the county is authorized to levy but not in excess of the rate or amount necessary to make up the deficiency. The bonds shall be issued in the name of the county and shall be executed by the chairperson of the county board of commissioners and its county clerk, who shall also cause their facsimile signatures to be affixed to the interest coupons to be attached to the bonds. The county clerk shall also affix to the bonds the seal of the county. Bonds issued under this act are negotiable

Attachment D

instruments and shall be serial bonds payable annually, with the first maturity due not more than 5 years and the last maturity not more than 40 years from the date of issue. This subsection shall apply to special assessment bonds as well as other bonds. Annual maturity payable after 5 years from the date of the bonds shall not be less than 1/4 of the amount of any subsequent maturity on the same series of bonds. The bonds shall bear interest at not more than the maximum rate permitted by the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, payable semiannually except that the first coupon may be for any number of months not exceeding 10. The bonds and coupons shall be made payable in lawful money of the United States of America and shall be exempt from all taxation by this state or by any taxing authority within this state. The county board of commissioners may authorize the board of public works to sell the bonds in accordance with the laws of this state.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974;—Am. 1976, Act 64, Imd. Eff. Mar. 30, 1976;—Am. 2002, Act 407, Imd. Eff. June 3, 2002.

123.742 Contracts authorized; methods of paying contractual obligations; special assessments; exercise of powers; validation of contracts.

Sec. 12. (1) A county operating under this act and any 1 or more municipalities including the county itself may enter into a contract or contracts for the acquisition, improvement, enlargement, or extension of a water supply, a sewage disposal, or a refuse system, or the making of lake improvements or erosion control systems and for the payment of the costs by the contracting municipalities, with interest, over a period not exceeding 40 years.

(2) In the contract, each contracting municipality may pledge its full faith and credit for the payment of its obligations under the contract. If the municipality has taxing power, it may each year levy a tax in an amount that will be sufficient for the prompt payment of all or part of the contract obligations due before the following year's tax collection. If the contract or an unlimited tax pledge in support of the contract has been approved by the electors, the tax may be in addition to any tax that the municipality may otherwise be authorized to levy and may be imposed without limitation as to rate or amount but shall not be in excess of the rate or amount necessary to pay the contract obligation. The contract is not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. For the payment of contractual obligations incurred under this act, a township shall levy a tax only on the taxable property in the unincorporated areas of the township unless the township and a village have agreed that a part of the capacity in the county system allocated to the township by contract pursuant to this act will be used to serve areas in a village located wholly or partly within the township and the village has not itself agreed to purchase the capacity in the county system. If a contracting municipality at the time of its annual tax levy has on hand in cash any amount pledged to the payment of the current obligations for which the tax levy is to be made, then the annual tax levy may be reduced by that amount. For the purpose of obtaining the credit, funds may be raised by a municipality by using 1 or more of the following methods:

- (a) By service charges to users of the system or lake improvements.
- (b) By special assessment upon lands benefited.
- (c) By the exaction of charges for the connection of properties, directly or indirectly, to the system or for the availability of the system to serve properties, directly or indirectly, or at a present or future time.
- (d) By setting aside any state collected funds disbursed to the municipality and usable therefor.
- (e) By setting aside any other available money.

(3) For the purpose of obtaining the credit, municipalities contracting for the acquisition, improvement, enlargement, or extension of an erosion control system shall levy special assessments upon all lands benefited to cover not less than 3/4 of the total project cost contracted for by the local unit. A municipality may agree to raise all or any part of its contract obligation by any of the methods provided in this section that are available. The powers in this act granted to any municipality shall be exercised by its governing body. A contract entered into before May 12, 1959, which complies with this act, is validated.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1959, Act 34, Imd. Eff. May 12, 1959;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974;—Am. 1979, Act 83, Imd. Eff. Aug. 1, 1979;—Am. 2002, Act 407, Imd. Eff. June 3, 2002.

123.743 Project special assessment district; municipal special assessments.

Sec. 13. (1) If the board of public works determines to spread all or part of the cost of a project to a special assessment district, it shall proceed as provided under chapter 2.

(2) If a municipality other than a county operating under this act elects to raise moneys to pay all or any

Attachment D

portion of its share of the cost of a project by assessing the cost upon benefited lands, its governing body shall do so by resolution and fix the district for assessment.

(3) The governing body shall cause a special assessment roll to be prepared and the proceedings of the special assessment roll and the making and collection of the special assessments shall be in accordance with the provisions of the statute or charter governing special assessments in the municipality, except that the total assessment may be divided into any number of installments not exceeding 40.

(4) Any person assessed shall have the right at the hearing upon the special assessment roll to object to the special assessment district established under this section.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 2006, Act 245, Imd. Eff. June 30, 2006.

123.744 Methods of acquiring property; disposition of real property; condemnation procedure; use continued without resolution or contract.

Sec. 14. A county operating under this act, by action of its board of public works, may acquire property for a water supply, an erosion control system, a sewage disposal or a refuse system or for lake improvements by purchase, construction, lease, gift, devise, or condemnation, either within or without its corporate limits and may hold, manage, control, sell, exchange, or lease the property. Real estate shall not be disposed of without the approval of the county board of commissioners. For the purpose of condemnation it may proceed as provided in chapter 3. If the property acquired by a county is already being used for water supply, sewage or refuse disposal or lake improvement purposes, such use may be continued by the county without a resolution of or contract with the municipality in which the property is located.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1967, Act 63, Imd. Eff. June 20, 1967;—Am. 1970, Act 234, Imd. Eff. Dec. 3, 1970;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

123.744a Validation of certain bonds or notes; contest prohibited.

Sec. 14a. All bonds or notes heretofore issued under this act, as amended, are validated. A county acting under this act, as amended, or any municipality, including the county, shall not contest the validity of any such bonds or notes or any contract which provides the security therefore, after they are sold and delivered and the county has received the consideration therefor.

History: Add. 1973, Act 89, Imd. Eff. Aug. 5, 1973.

123.745 Water supply or sewage disposal or refuse systems; municipality service contract with county; county contracts.

Sec. 15. Any 1 or more municipalities or other public corporations, either within or without the county, shall have authority to contract for the purchase of water or sewage or refuse services or transportation from a county operating under this act. Any charges specified in any such contract shall be subject to increase by such county at any time, if necessary, in order to provide funds to meet the obligations of the project involved. The county operating under this act may enter into contract with any public or private corporation, for the purchase by such county from or for the sale by the county to the corporation of water or sewage or refuse services, and for the right to transport sewage through the sewers of the county or of the corporation or to use the facilities of the other. Any contract authorized herein shall be for a period of not exceeding 50 years.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1967, Act 63, Imd. Eff. June 20, 1967.

123.746 Water supply or sewage disposal or refuse systems; project costs.

Sec. 16. There may be included as a part of the cost of any project, engineering and legal fees, administration expenses during the period of construction, financing costs, a reasonable amount for contingencies, interest on any bonds to be issued therefor for a period not exceeding the estimated construction period and 6 months thereafter, and any other costs incident to the acquisition and financing of the project.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.747 Failure to pay amounts required under contract or assessment; notice; deduction; other remedies for reimbursement; tax levy.

Sec. 17. A contract or assessment made under this act may provide that if a municipality shall fail to pay to a county operating under this act any amount required to be paid under any contract or assessment when due, then the county treasurer shall notify the state treasurer, or other appropriate disbursing official, who is hereby directed to deduct the amount from any moneys in his possession belonging to the municipality which are not pledged to the payment of debts, but the state treasurer or other official shall not withhold in any 1 year a sum

Attachment D

greater than 25% of the total amount owed the county by the delinquent municipality as stated in the notice from the county treasurer. Nothing in this section shall permit the deduction of moneys in contravention of the constitution, but a municipality itself may authorize, in any contract with a county operating under this act, the deduction and transfer from moneys derived from unrestricted state funds returnable to the municipality. The right of deduction given by this act shall not operate to limit the county's right to pursue other legal remedies for the reimbursement of moneys paid by the county hereunder on behalf of a municipality other than the county and the county board of commissioners of a county which has paid any money on behalf of any other municipality and which was not reimbursed therefor, may order the municipality and its officers to levy upon its next tax roll an amount sufficient to make the reimbursement on or before the date when its taxes become delinquent; and the municipality and its tax levying and collecting officials shall levy and collect the taxes and reimburse the county.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1964, Act 42, Eff. Aug. 28, 1964;—Am. 1973, Act 89, Imd. Eff. Aug. 5, 1973;—Am. 1974, Act 200, Imd. Eff. July 9, 1974.

CHAPTER 2 SPECIAL ASSESSMENT PROCEDURE

123.751 Special assessments for project.

Sec. 21. The board of public works shall have power to determine that the whole or any part of the cost of any project shall be defrayed by special assessments against the properties especially benefited thereby.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.752 Special assessments; plans, estimate of costs, designation of district, hearing on objections, notice, additions.

Sec. 22. The board of public works shall cause to be prepared by a registered engineer, plans showing the project and an estimate of the cost thereof. Upon receipt of such plans and estimate the board of public works shall order the same to be filed with the director of public works and if it shall desire to proceed with the said project, it shall by resolution tentatively so declare and also tentatively designate the special assessment district against which the cost of the project is to be assessed. The board of public works shall then fix a time and place when and where it will meet and hear any objections to the improvement and to the special assessment district therefor, and shall cause notice of the hearing to be given by the publication thereof twice prior to the hearing in a newspaper circulating in the special assessment district, the first publication to be at least 10 days prior to the time of the hearing. The notice shall state that the plans and estimate are on file with the director of public works for public examination and shall contain a description of the proposed special assessment district. At the time of the hearing, or at any adjournment thereof which may be without further notice, the board of public works shall hear any objections to the improvement and to the special assessment district. The board of public works may revise, correct, amend or change the plans, the estimate of cost or the special assessment district. No final action shall be taken in respect to the addition of any property to the district or to increasing the estimated cost in excess of 10% of the original estimate, until after a new hearing upon notice given as above provided.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.753 Special assessments; final determination of district; special assessment roll.

Sec. 23. After the completion of the hearing provided for in section 22, the board of public works, if it desires to proceed with the project, shall by resolution so determine and shall approve the plans and estimate of cost as originally presented or as revised, corrected, amended or changed, and shall finally determine the special assessment district. The board of public works shall then cause a special assessment roll to be prepared by the director of public works in which shall be entered and described all parcels of land to be assessed, with the names of the respective owners thereof, if known, and the amount to be assessed against each parcel of land, which amount shall be the relative portion of the whole sum to be levied against the special assessment district as the benefit to the parcel of land bears to the total benefits to all parcels of land in the special assessment district. When the director of public works shall have completed the assessment roll, he shall affix thereto his certificate stating that it was made pursuant to the resolution of the board of public works ordering its preparation and that in making such assessment roll he has according to his best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the state.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.754 Special assessments; confirmation of roll.

Attachment D

Sec. 24. When any special assessment roll shall have been made the same shall be filed in the office of the director of public works. Before confirming the assessment roll the board of public works shall fix a time and place when it will meet and review the same and hear any objections thereto, and shall cause notice of the hearing and of the filing of the assessment roll, to be published twice prior to the hearing in a newspaper circulating in the special assessment district, the first publication to be at least 10 days before the hearing. The hearing may be adjourned from time to time without further notice. Any person objecting to the assessment roll shall file his objection thereto in writing with the director of public works before the close of the hearing or within such further time as the board may grant. After the hearing the board of public works may confirm the special assessment roll as reported to it or corrected by it, or may refer it back for revision, or may annul it and direct a new roll to be made. When a special assessment roll shall have been confirmed the secretary of the board shall indorse thereon the date of confirmation. After the confirmation the special assessment roll and all assessments thereon shall be final and conclusive unless attacked in a court of competent jurisdiction within 30 days after the date of confirmation.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

Constitutionality: This section fails to provide a proper method of notice in violation of Const 1963, art 1, § 17, and US Const, amend. XIV, § 1. *Ridenour v County of Bay*, 366 Mich 225; 114 NW2d 172 (1962).

123.755 Special assessments; annual installments; interest on unpaid installments; spreading installments on tax rolls; advance payment; issuance of bonds subject to revised municipal finance act.

Sec. 25. (1) The board of public works may provide that the assessments made on any roll shall be payable in 1 or more annual installments, not exceeding 40. The board may vary the principal amount of each installment but an installment shall not be less than 1/4 of the amount of a subsequent installment. Annual installments need not be extended upon the special assessment roll until after confirmation.

(2) All unpaid installments shall bear interest from the date fixed by the board of public works, payable annually, at a rate to be set by the board at the time the special assessment is established, which shall not exceed any of the following:

(a) If bonds are not issued, 8% per annum.

(b) If bonds are issued, the maximum rate permitted to be charged under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(3) Installments of special assessments shall be spread as provided in this act, 1 each year, upon the tax rolls upon which county taxes are spread. The board of public works shall specify the first year of this spread, which shall not be later than the year following that in which the roll was confirmed. The board may provide the times and conditions upon which installments of special assessments may be paid in advance of their due dates.

(4) Bonds issued under this section are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1978, Act 68, Imd. Eff. Mar. 21, 1978;—Am. 2002, Act 407, Imd. Eff. June 3, 2002;—Am. 2006, Act 245, Imd. Eff. June 30, 2006.

123.756 Special assessments; certification of amounts to be spread.

Sec. 26. The director of public works shall certify annually to the county clerk, on or before the first day of the annual meeting of the board of supervisors, the amount due on the special assessment installment against each parcel of land in the district, which is to be spread upon the tax rolls of that year, and the interest upon all unpaid installments computed to March 1 following. The certificate shall be divided as between the several townships and cities in which the assessed lands are located. The board of supervisors shall order the amounts so certified to be spread upon the tax rolls of the cities and townships in which the properties are located. The county clerk shall certify to each assessing officer the several amounts to be spread as ordered by the board of supervisors and it shall be his duty to spread upon the tax rolls of that year, separately and immediately following the proper land descriptions, in a column marked "County Assessment Roll Number", the amount so certified to him by the county clerk.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.757 Special assessments; collection.

Sec. 27. All assessments spread under the provisions of this act shall be subject to the same interest, collection and penalty charges and shall be collected in the same manner, as county taxes. All collecting officers are hereby vested with the same power and authority in the collection of such assessments as are or may be conferred upon them by law for collecting general county taxes. All collections of special assessments

Attachment D

made by city and township treasurers shall be turned over to the county treasurer. All provisions of law in respect to the return of uncollected county taxes by the treasurers of cities and townships shall apply to the return of uncollected special assessments spread upon the tax rolls under the provisions of this act, and all provisions of law in respect to the sale of lands for the nonpayment of taxes and the redemption thereof, shall likewise apply in case of the nonpayment of special assessments.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.758 Special assessments; lien.

Sec. 28. Special assessments, including all installments thereof, contained in any special assessment roll, shall from the date of confirmation of the roll, constitute a lien upon the respective parcels of land assessed. The lien shall be of the same character and effect as the lien created for county taxes and shall include accrued interest, collection charges and penalties. No judgment or decree or any act of the board of public works vacating a special assessment shall destroy or impair the lien upon the premises assessed for such amount of the assessment as may be equitably charged against the same, or as by a regular mode of proceeding might be lawfully assessed thereon.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.759 Special assessments; apportionment on division of parcels.

Sec. 29. Should any parcel of land be divided after a special assessment thereon has been confirmed, and before the collection thereof, the board of public works may require the director of public works to apportion the uncollected amounts between the several divisions thereof and the report of the apportionment when confirmed by the board shall be conclusive upon all parties. If the interested parties do not agree in writing to the apportionment, then, before the confirmation, notice of hearing shall be given to all the interested parties, either by personal service or by publication as above provided in case of an original assessment roll.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.760 Special assessments; prorated deficiency or surplus of collection.

Sec. 30. Should the assessments in any special assessment roll prove insufficient for any reason, including the noncollection thereof, to pay for the improvement for which they were made or to pay the principal and interest on the bonds issued in anticipation of the collection thereof, then the board of public works shall make additional pro rata assessments to supply the deficiency, but the total amount assessed against any parcel of land shall not exceed the value of the benefits received from the improvement. Should the total amount collected on the assessments prove larger than necessary by more than 5% of the original roll, then the surplus shall be prorated among the properties assessed in accordance with the amount assessed against each and applied toward the payment of the next installment of the special assessment, or if there are no unpaid installments then it shall be refunded to the persons who are the record owners of the properties on the date of the passage of the resolution ordering the refund. Any surplus of 5% or less shall be retained by the county for use by the board of public works.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.761 Special assessments; curative proceedings.

Sec. 31. Whenever any special assessment, in the opinion of the board, shall be invalid by reason of irregularities or informalities in the proceedings, or if any court of competent jurisdiction shall adjudge the assessment to be illegal, the board, whether the improvement has been made or not, or whether any part of the assessment has been paid or not, shall have power to proceed from the last step at which the proceedings were legal and cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on the reassessment and for the collection thereof shall be conducted in the same manner as provided for the original assessments and whenever an assessment or any part thereof levied upon any premises has been so set aside, if the same has been paid and not refunded, the payment so made shall be applied upon the reassessment.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.762 Special assessments; exempted lands; agreement to pay assessment.

Sec. 32. Any person, firm or corporation, public or private, whose lands are exempt by law from the payment of special assessments, may agree in writing to pay any special assessments against such lands, and in such case the assessment, including all the installments thereof, shall be a valid claim against such corporation.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

Attachment D

123.763 Delinquent special assessments; advancement by municipality; reimbursement; reassessment.

Sec. 33. Whenever lands in any municipality are assessed by the board of public works for all or any part of the cost of a project, the governing body of the municipality by resolution adopted by 3/5 of its members elect may agree that in the event of delinquency in the collection of assessments against lands within the municipality, it will advance the amount of the delinquency to the extent necessary to pay principal and interest on any bonds issued in anticipation of the assessments, as the same mature. If moneys are so advanced by any municipality, then it shall be reimbursed therefor from the collection of the delinquent assessments and if collections from special assessments are not sufficient to reimburse any municipality making such advancements, within a 5-year period from the date of advancement, then the board of public works shall reassess the district as in the first instance in order to provide for the payment of the sum so advanced.

History: Add. 1964, Act 42, Eff. Aug. 28, 1964.

CHAPTER 3 CONDEMNATION PROCEDURE

123.771 Condemnation; authority.

Sec. 41. A county operating under this act is hereby authorized to take private property necessary for any purpose within the scope of its powers under this act, for the use or benefit of the public and to institute and prosecute proceedings for that purpose.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.772 Condemnation; declaration of necessity.

Sec. 42. Proceedings may be commenced and prosecuted under this chapter whenever the board of public works, acting as the agency of the county, shall have declared by resolution that it deems it necessary to take certain private property for a designated public improvement, and that such improvement is for the use or benefit of the public. It shall by resolution direct its attorney to institute the necessary proceedings in its behalf in the circuit court of the county where the private property sought to be taken is located.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.773 Petition; contents.

Sec. 43. The board of public works shall make and deliver to its attorney a certified copy of the resolution and it shall be the duty of the attorney to prepare and file in the name of the county in the court having jurisdiction of the proceedings, a petition signed by him in his official capacity and duly verified by him, to which petition a certified copy of the resolution of the board of public works shall be annexed. The petition shall state among other things that it is made and filed pursuant to this chapter and the resolution as commencement of judicial proceedings by the county acting through its board of public works, to acquire the right to take the private property therein described for the use or benefit of the public, without the consent of the owners, for the designated public improvement, for a just compensation to be made. The petition shall set forth the names of all persons interested in said property insofar as they can be ascertained. The petition may state any other pertinent matter or matters and shall pray for the appointment of 3 special court commissioners to determine the necessity of taking for public use or benefit the property described in the petition and to appraise the damages to be paid as compensation for the taking of each piece or parcel of property.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.774 Petition; court order for hearing.

Sec. 44. Upon filing of the petition the court shall make an order fixing a day for hearing on such petition which shall be not less than 25 days thereafter. The order shall recite the purpose of the petition and the description of the property to be taken and the names of the persons mentioned in the petition as parties interested therein. It shall order the persons to appear before the court at the time fixed therein for the hearing and show cause, if any they have, why the prayer in the petition should not be granted. If any person named in such petition shall be a minor or an insane or incompetent person who has no general guardian, then the court shall appoint a guardian ad litem for him.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.775 Petition; publication of order; service on named defendants.

Sec. 45. A copy of the order shall be published once in each week for 3 weeks in some newspaper

Attachment D

circulated in the county, to be designated by the court, the first publication to be not less than 3 weeks before the hearing. A copy of the order shall also be served on each person named in the petition interested in the land described therein in the manner provided in section 54. The publication shall constitute service of the order upon all non-residents of the county and upon all persons who are absent from the county or are unknown or are evading service or who for any other reason cannot be found. Proof of publication and service may be made by affidavit of any person having knowledge of the facts. The proof shall be filed with the court on or before the day of hearing and thereupon the court shall have jurisdiction of the subject matter involved in the proceedings and of the parties interested therein. Service of the order in any mode herein prescribed shall be sufficient notice of the proceeding to bind the parties in interest named therein and the property represented by them as described in the petition.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.776 Court commissioners; appointment; discontinuance of proceedings.

Sec. 46. On the day fixed, the court shall enter the default of all persons interested in the property described who have not appeared; and unless sufficient cause to the contrary be shown, shall appoint 3 disinterested persons as court commissioners whose duty it shall be to determine whether it is necessary to take for public use or benefit the property described in the petition and, if so, to appraise the damages to be paid as compensation for such taking. The commissioners shall not be residents of the area to be served by the improvement for which the property is to be taken. The court shall fix the time and place for the first meeting of the court commissioners and require their attendance; it may also authorize the court commissioners to adjourn their meeting from time to time not later than a day to be named, and shall fix the time for filing their report. After the appointment of court commissioners, no discontinuance shall be filed and no order of discontinuance may be entered, except upon payment by the county of the expenses of the proceeding and reasonable attorney fees of all parties in interest who have appeared in the proceedings under the order of the court.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.777 Court commissioners; meetings; conducting business at public meeting; notice of meeting; adjournment; subpoenas; oaths; viewing premises; hearing proofs and allegations; availability of report and other writings to public.

Sec. 47. The court commissioners shall meet at the time and place ordered by the court and shall be sworn to faithfully discharge their duties. The business which the commissioners may perform shall be conducted at a public meeting of the commissioners held in compliance with Act No. 267 of the Public Acts of 1976. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976. If all commissioners do not then appear, a smaller number may adjourn to a time certain, but an adjournment shall not be made to a day later than the time allowed by the court. An adjournment shall be publicly announced. The court or the clerk of the court may issue subpoenas to compel the attendance of witnesses before the court or before the court commissioners. A court commissioner may administer oaths to witnesses. The court commissioners shall view the premises described in the petition and shall hear the proofs and allegations of the parties. The report and any other writing prepared, owned, used, in the possession of, or retained by the commissioners in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976.

History: 1957, Act 185, Imd. Eff. June 4, 1957;—Am. 1977, Act 176, Imd. Eff. Nov. 17, 1977.

123.778 Court commissioners; determination of necessity, damages, report.

Sec. 48. The court commissioners shall determine whether it is necessary to take for public use or benefit the property described in the petition, and if so, shall appraise the damages to be paid as compensation for each piece or parcel of property, and shall report such decision in writing, signed by them or a majority of them, at or before the time fixed for that purpose, but it shall not be necessary for the court commissioners to report on all of the property at one time.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.779 Multiple petitions; descriptions.

Sec. 49. It shall not be necessary for the board of public works to include in 1 determination the descriptions of all of the property necessary to be taken for any single project or to include in 1 petition the descriptions of all of the property described in the determination upon which such petition is based.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

Attachment D

123.780 Report of court commissioners; court orders.

Sec. 50. Upon the filing of the report of the court commissioners, the court shall set a time for the consideration thereof and shall cause notice thereof to be given in the manner required by court rule in respect to the hearing of motions. At such time or at such other time to which it may adjourn the proceedings, the court on cause shown may set aside the report and refer it back to the court commissioners or appoint other commissioners to re-try the questions involved, whereupon such proceedings shall be had as are hereinbefore provided for. The court may permit the amendment of any determination, petition, affidavit, order, report or proceeding filed or had in the premises in such manner as shall be just and proper; it may fill any vacancy that shall occur among the court commissioners, by reason of death, resignation, removal or inability to act; at any time, in its discretion, it may remove any or all of the commissioners for cause and fill the vacancy thereby created; it may permit a defective proceeding to be set aside and other proceedings in compliance with law to be had in place thereof; it may determine the division of any award among the several claimants thereto; it may adjourn the proceedings or any part thereof from time to time, and may make all such orders in the premises as may be just and proper to further accomplish the purpose thereof.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.781 Report of court commissioners; confirmation, orders for payment of witness fees, attorney fees, damages.

Sec. 51. After the court shall confirm the report of the court commissioners, it shall enter an order authorizing the county to pay the several sums awarded for damages and it shall pay the same accordingly. The court may determine and include in the order an allowance to the persons, partnership or corporation from whom property is taken, for attorney fees and witness fees in an amount to be fixed by the court; such attorney fees and witness fees shall be paid in the same manner and at the same time as sums awarded for damages in such proceeding. It shall not be lawful for the court to make such order allowing witness and attorney fees to more than 1 title interest and such lien interests as are adverse thereto and to each other in any single parcel of real estate as set up and described in the determination of necessity on file. The payment shall be made in money or by an order drawn on the county treasurer to the several persons entitled thereto, and if refused, or if there is no person properly authorized to receive the same, or if the person entitled thereto is a non-resident of the county or cannot be found, it shall be deposited as directed by the court.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.782 Compensation of court commissioners; expenses.

Sec. 52. The court shall fix the compensation of the court commissioners and determine the amount of their necessary expenses incurred in connection with such proceeding.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.783 Review by certiorari; procedure; time limitation.

Sec. 53. Any proceeding taken under the provisions of this act shall be subject to review upon certiorari. The procedure therefor shall be the same as is required in case of certiorari to review judgment rendered by judges of the circuit courts. The application for certiorari must be filed within 20 days after the report of the court commissioners shall have been confirmed.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.784 Court orders; service.

Sec. 54. All court orders heretofore mentioned in this act, unless otherwise provided, may be served as follows:

- (a) By delivery of a true copy thereof to the person to be served; or
- (b) By leaving a true copy thereof at the residence of the person to be served; or
- (c) By mailing a true copy thereof by certified or registered mail to the last known post office address of the person to be served, so far as is known; or
- (d) If service upon any person is impossible by any of the above methods, then by posting a true copy thereof on the property of such person, which is sought to be taken in the proceedings.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.785 Prima facie evidence of ownership.

Sec. 55. It shall be prima facie evidence as to who are owners of and persons interested in any property proposed to be taken under this act if the register or deputy register of deeds of the county shall testify in open court that he had examined the records in his office, and state who such records show are the owners of and

Attachment D

persons interested in such property, and the nature and extent of such ownership and interest. An abstract of the title of such property or any parcel thereof certified by the register or deputy shall also be prima facie evidence of ownership and persons having an interest in any such property and the extent and nature of such interest.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

123.786 Lis pendens; filing.

Sec. 56. It shall be the duty of any attorney filing a petition under this chapter to file a lis pendens in the office of the register of deeds.

History: 1957, Act 185, Imd. Eff. June 4, 1957.

OTTAWA COUNTY ROAD COMMISSION
DEPARTMENT OF PUBLIC UTILITIES

TASK FORCE PRESENTATION

November 19, 2012



ORGANIZATION/HISTORY

- COUNTY RESOLUTION OF WATER SUPPLY & SEWAGE DISPOSAL NEED AND ESTABLISHMENT OF AGENCY – JANUARY 9, 1961
- COUNTY ORDINANCE ESTABLISHING PUBLIC UTILITY SYSTEM AND DESIGNATION OF ROAD COMMISSION AS AGENCY – JANUARY 10, 1961
- MI STATUTE – ACT 342, PUBLIC ACTS OF MICHIGAN, 1939
PROVIDES THE COUNTY AGENCY WITH THE AUTHORITY TO MANAGE, PLAN, CONSTRUCT, OPERATE, FINANCE, CONTRACT, ACQUIRE, SET & COLLECT RATES AND CHARGES, AND ESTABLISH RULES AND REGULATIONS
- ORGANIZED AS A DEPARTMENT OF THE ROAD COMMISSION
ROAD COMMISSIONERS ARE THE PUBLIC UTILITIES BOARD



DEPARTMENT STAFF

THE DEPARTMENT STAFF PROVIDES MANAGEMENT ASSISTANCE , ADMINISTRATION, BUDGETING, PLANNING, SUPERVISION, OPERATIONS, AND GUIDANCE TO THE LOCAL UNITS IN UTILITY MATTERS

POSITION

LICENSE/CERTIFICATION

DIRECTOR

PROF. ENGINEER, S-2 WATER DISTRIBUTION

PUBLIC UTILITIES
ENGINEER

PROF. ENGINEER, S-1 WATER DISTRIBUTION, D-2 WATER TREATMENT

PUBLIC UTILITIES
SUPERVISOR

S-2 WATER DISTRIBUTION, D-3 WATER TREATMENT, L-1 & L-2
WASTEWATER LAGOON, INDUSTRIAL FILTRATION, CLARIFICATION,
CARBON ABSORPTION

WASTEWATER TREATMENT
PLANT OPERATOR

B, C, D WASTEWATER TREATMENT, L-1 & L-2 WASTEWATER LAGOON
S-3 WATER DISTRIBUTION, INDUSTRIAL FILTRATION, CLARIFICATION,
CARBON ABSORPTION

SYSTEM OPERATOR II

S-3 WATER DISTRIBUTION

SYSTEM OPERATOR I

S-2 WATER DISTRIBUTION, D WASTEWATER TREATMENT, L-1 & L-2
WASTEWATER LAGOON

OUTSOURCING

THE DEPARTMENT REGULARLY UTILIZES THE SERVICES OF
ELECTRICIANS, PLUMBERS, EXCAVATORS, LABS, & CONSULTANTS

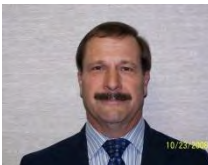


Department Structure / Staffing

5 Road Commissioners
Board of County Road
Commissioners

Brett Laughlin, P.E.
Managing Director

Ken Zarzecki, P.E.
Director of Utilities



Pat Staskiewicz, P.E.
Public Utilities Engineer



Mark Winchester
Public Utilities Supervisor



Clark Tibbe
System Operator II

Kevin Wierenga
System Operator I

Joe Hebert
Wastewater Treatment Plant
Operator



OCRC – Financial/Administrative Support

5 Road Commissioners
Board of County Road
Commissioners

Brett Laughlin, P.E.
Managing Director

Mike Mikita
Finance Director

Kris Wahr
Human Resources Administrator

Don Karle
Equipment Supervisor

Chris Brinker
Accountant

Pam Plamann
Public Utilities Clerk/Secretary



DEPARTMENT MANAGEMENT AND OPERATING PERSPECTIVES

- CONTRACT/SYSTEM DEVELOPMENT ON A REGIONAL BASIS
- PROMOTE PARTNERSHIPS, UNIFORMITY, SUSTAINABILITY
- ASSIST LOCAL UNITS IN ALL ASPECTS OF DEVELOPING AND SUSTAINING WATER AND SEWER SYSTEMS
- LOCAL UNIT ADMINISTRATIVE BOARDS
- COUNTY BONDS FOR IMPROVEMENTS AND EXTENTIONS
- LOCAL UNITS ARE CO-INVESTORS
- UNIFORM SYSTEM RATES/BUDGET FINANCIAL OVERVIEW
- DEPARTMENT OUTSOURCING INITIATIVES



SYSTEMS HIGHLIGHTS

- NEGOTIATION AND MANAGEMENT OF 7 REGIONAL WATER SUPPLY AND/OR WASTEWATER TREATMENT CONTRACTS
- DEVELOPMENT AND OVERSIGHT OF COMMUNITY WATER AND/OR WASTEWATER SYSTEMS
- ADMINISTRATION OF 10 COMMUNITY WATER AND/OR WASTEWATER OPERATION AND MAINTENANCE CONTRACTS
- OVERALL MANAGEMENT OF 5 RETAIL WATER AND/OR WASTEWATER SYSTEMS
- OPERATION OF 2 WASTEWATER TREATMENT PLANTS AND 1 LAGOON TREATMENT SYSTEM
- OPERATION OF THE COUNTY'S LANDFILL PURGE WELL AND LEACHATE TREATMENT SYSTEM

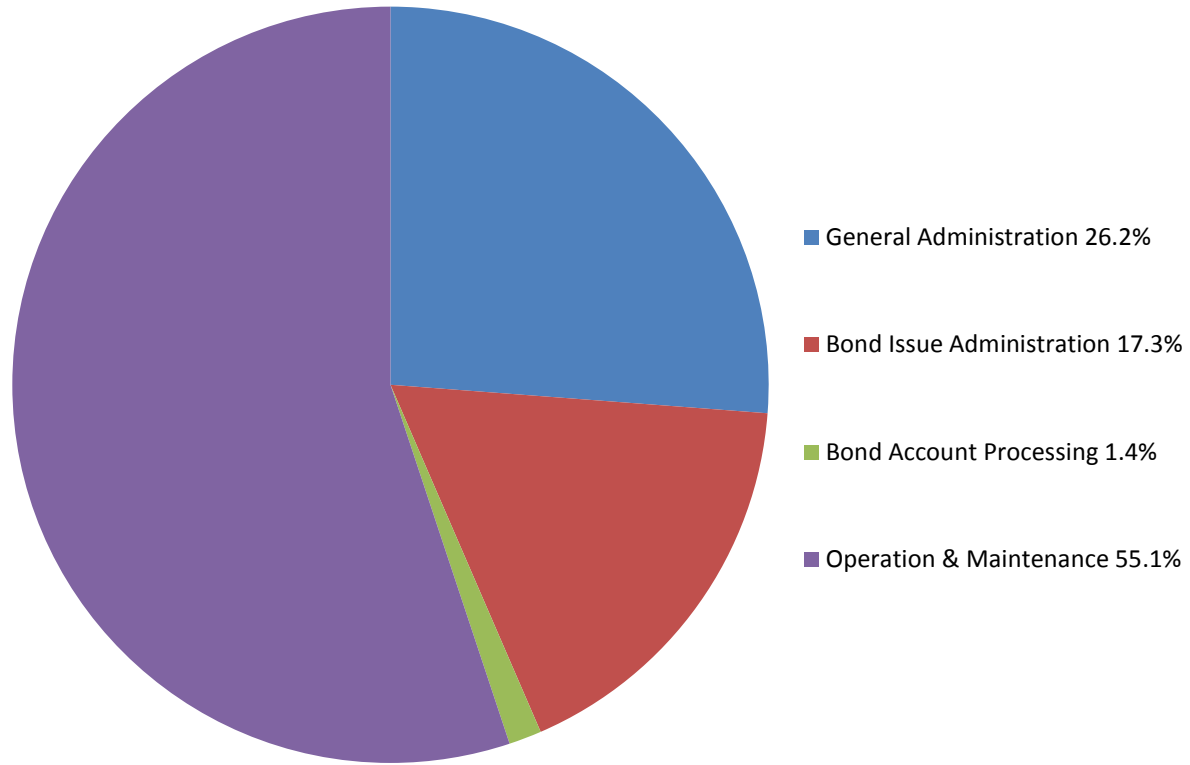


Areas of Focus

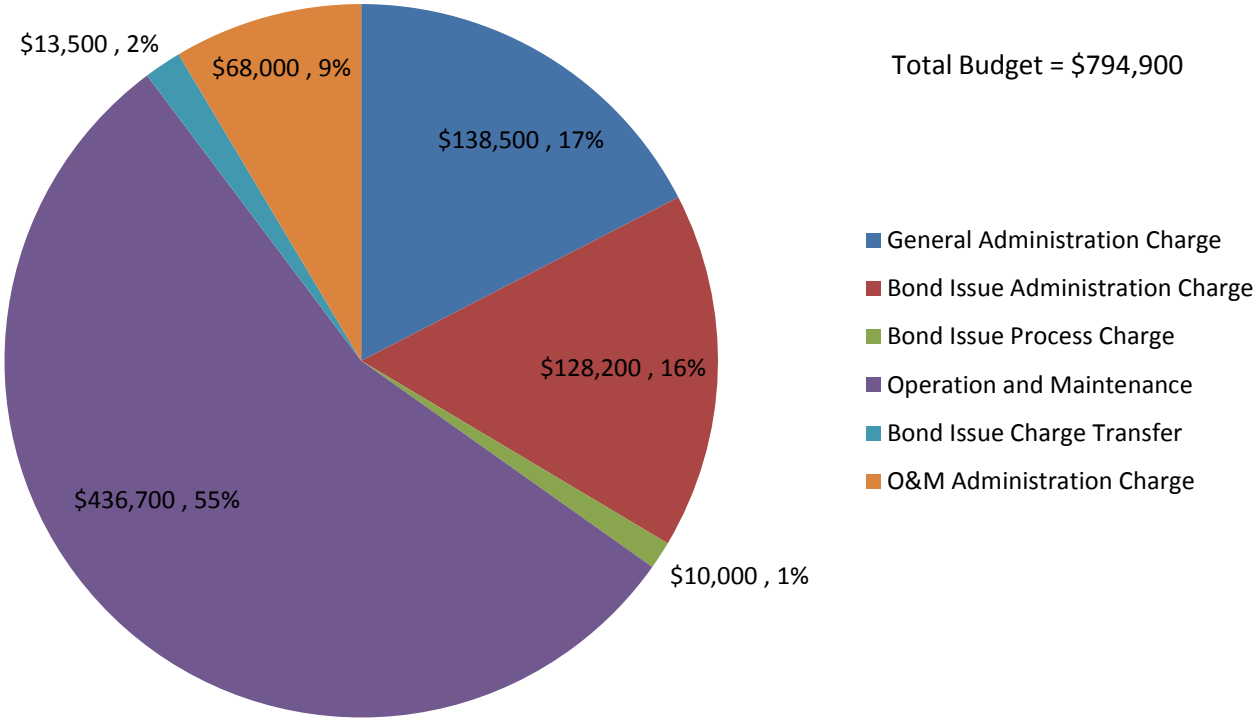
- Financial Assistance
- Administration and Contract Administration
- Maintenance and Operations



2011 DEPARTMENT LABOR ALLOCATION



2011 DEPARTMENT REVENUE



FINANCE

- **County Bond Issues**
Provide financing to local units through the sale of County bonds. Manage Project and supervise construction.
- **Grants and Loans**
Administer State/Federal loans and grants for local units.
- **Service Existing Debt**
Bill local units, pay debt. Help with rates, charges, budgets if needed. Investigate and implement refinancing.



COUNTY BONDS

COMMUNITY FINANCING STATISTICS

- OTTAWA COUNTY CREDIT RATING – Aaa MOODY’S
AAA FITCH
- MUNICIPAL BONDS – 105 ISSUES \$ 272,136,000
- REFUNDING BONDS – 44 ISSUES \$ 121,720,000
- INTEREST SAVINGS \$ 11,455,000
- FEDERAL & STATE GRANTS \$ 46,083,000
- COORDINATION WITH THE LOCAL UNITS FOR LOCAL
PROJECT FUNDING FROM SPECIAL ASSESSMENTS,
DEVELOPER FUNDS, AND OTHER SOURCES



Administration / Contract Relationship with Local Unit of Government

- Billing and Accounting Assistance
 - Wholesale and Retail billing
- Technical & Operational Assistance
 - Serves on local administrative boards and committees
- Planning, Contract, Engineering Assistance
 - Negotiate contracts for local units

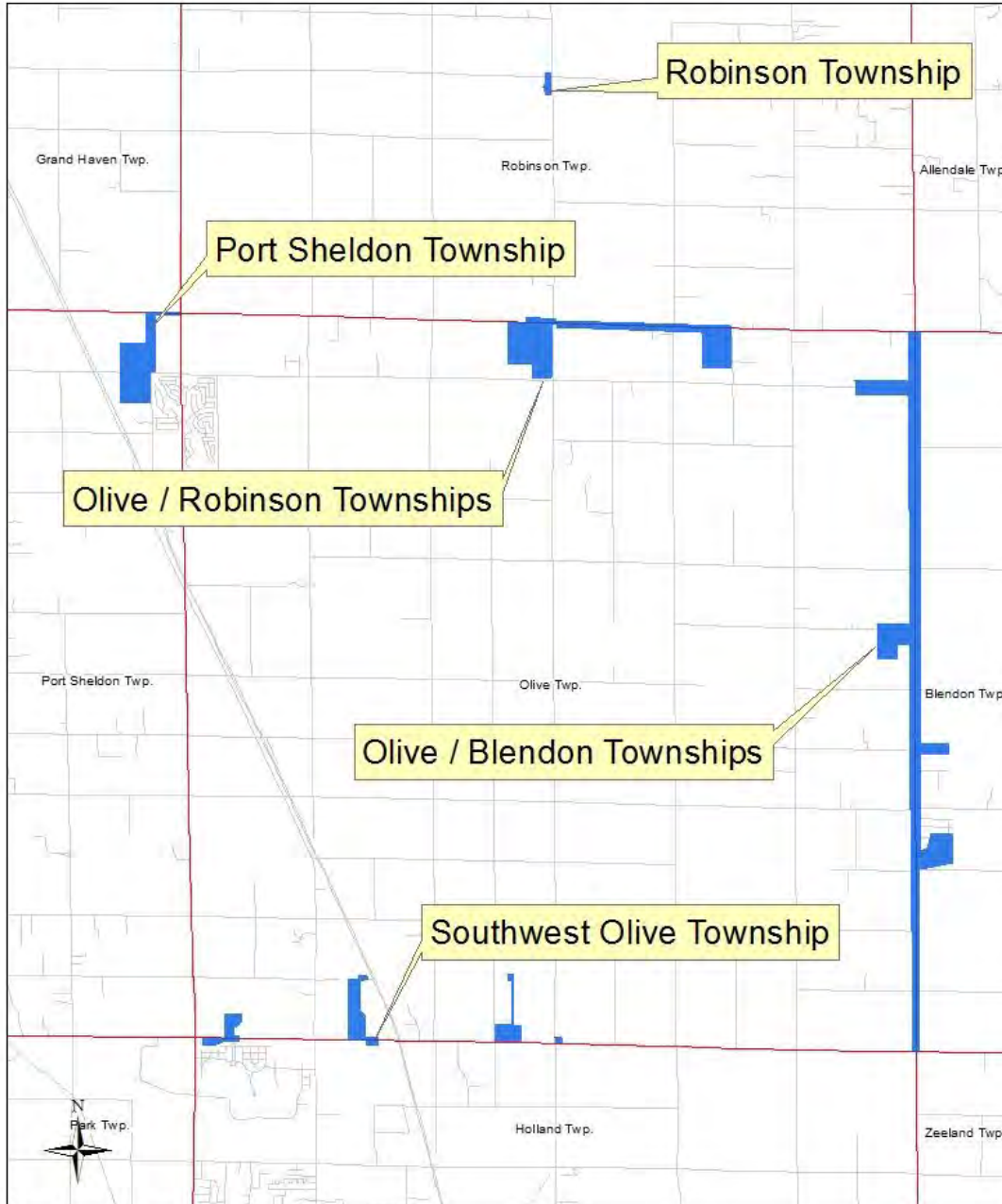


Operations and Maintenance

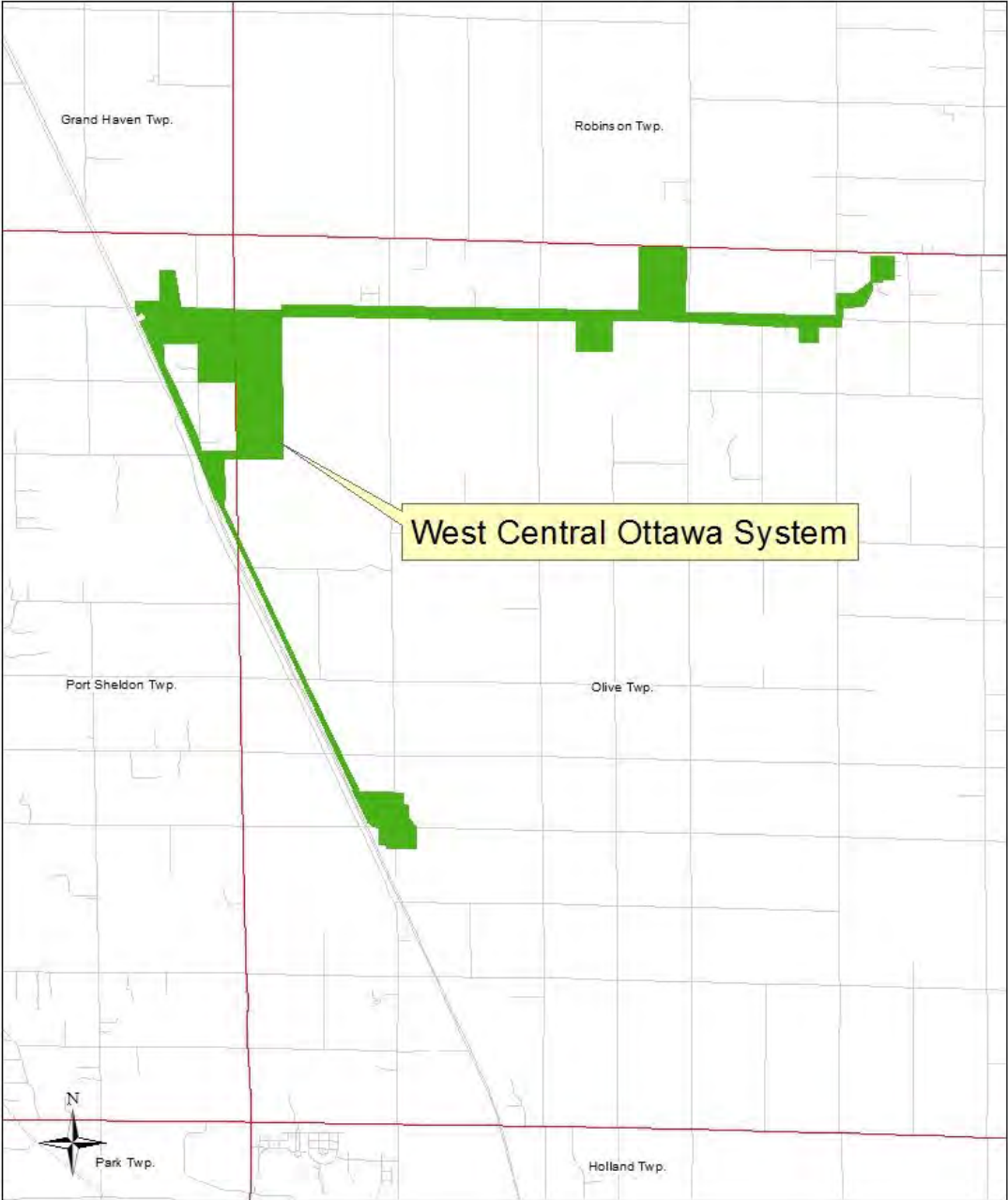
- **Retail Systems**
Operate and maintain water distribution and wastewater collection systems, pump stations, storage tanks, metering stations, air release valves, and wastewater treatment plants. Public Utilities provides billing, administration and financial services.
- **Contract Operations**
Operate and maintain water distribution, wastewater collection, and wastewater treatment plants. Local unit provides billing, administration and financial services.
- **Capital Improvement Project Assistance**
Administer larger construction projects for repair/replacement of System components. Varies year to year. Could be in retail or contract operations.



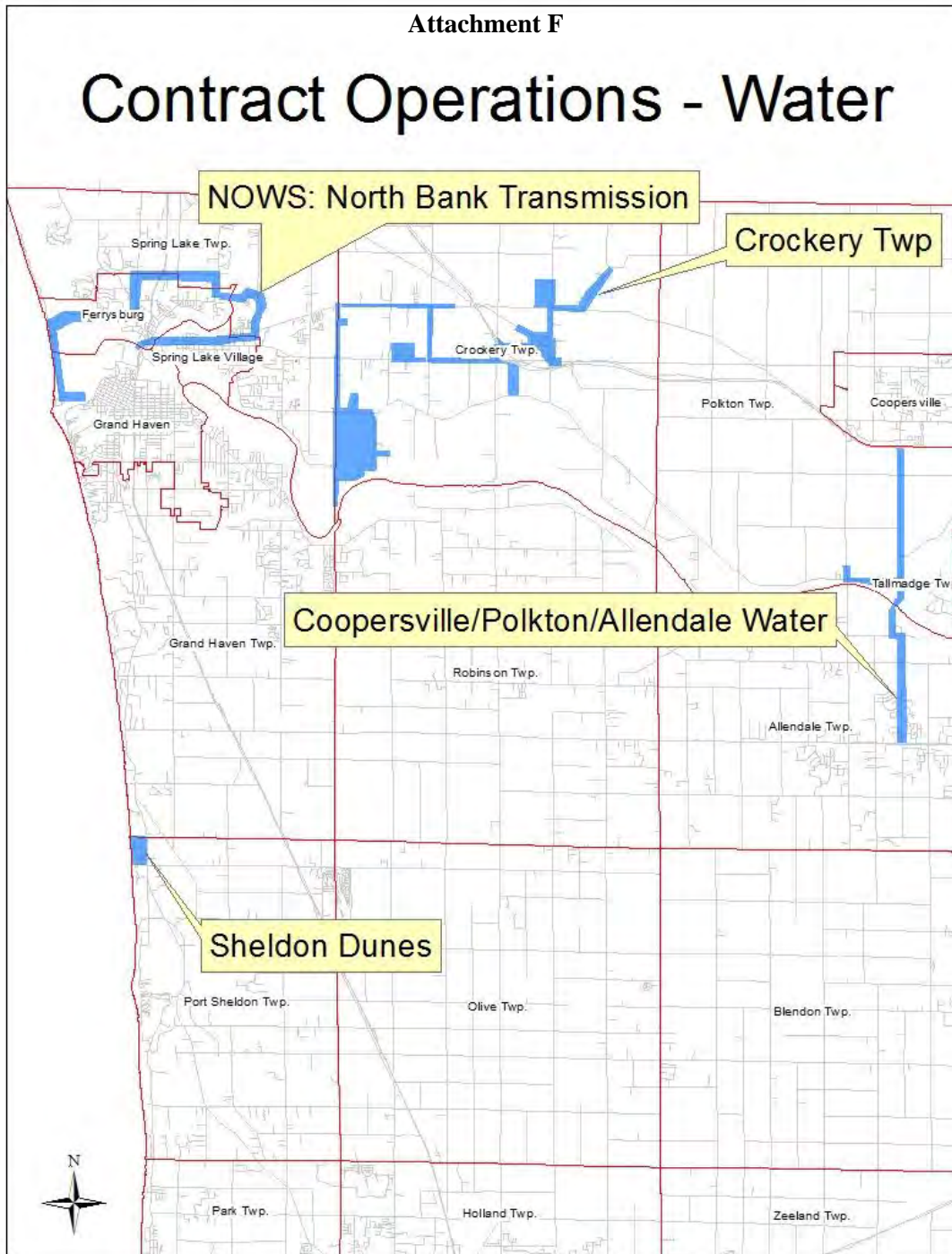
Attachment F Retail Water Systems



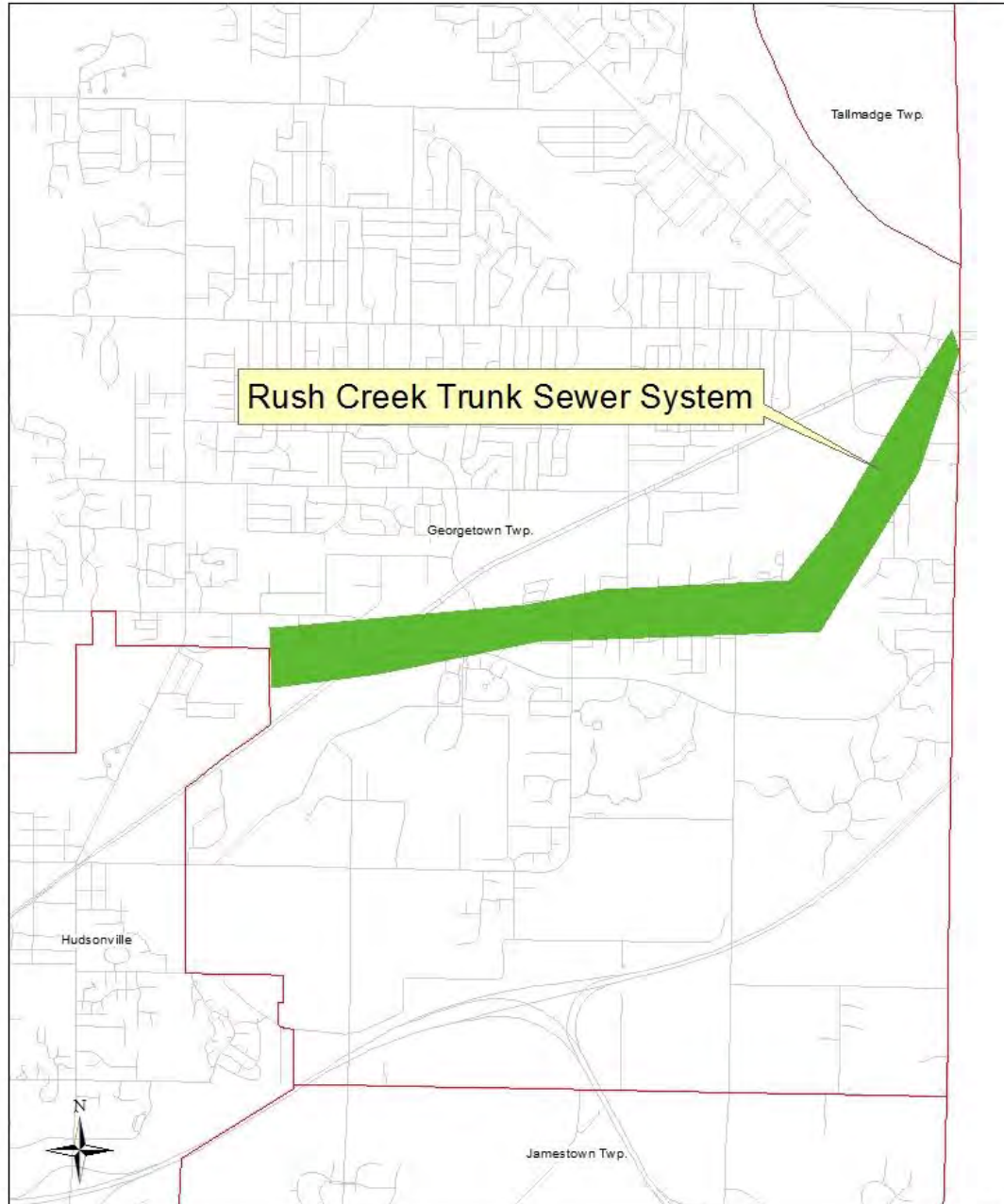
Attachment F
Retail Sewer Systems



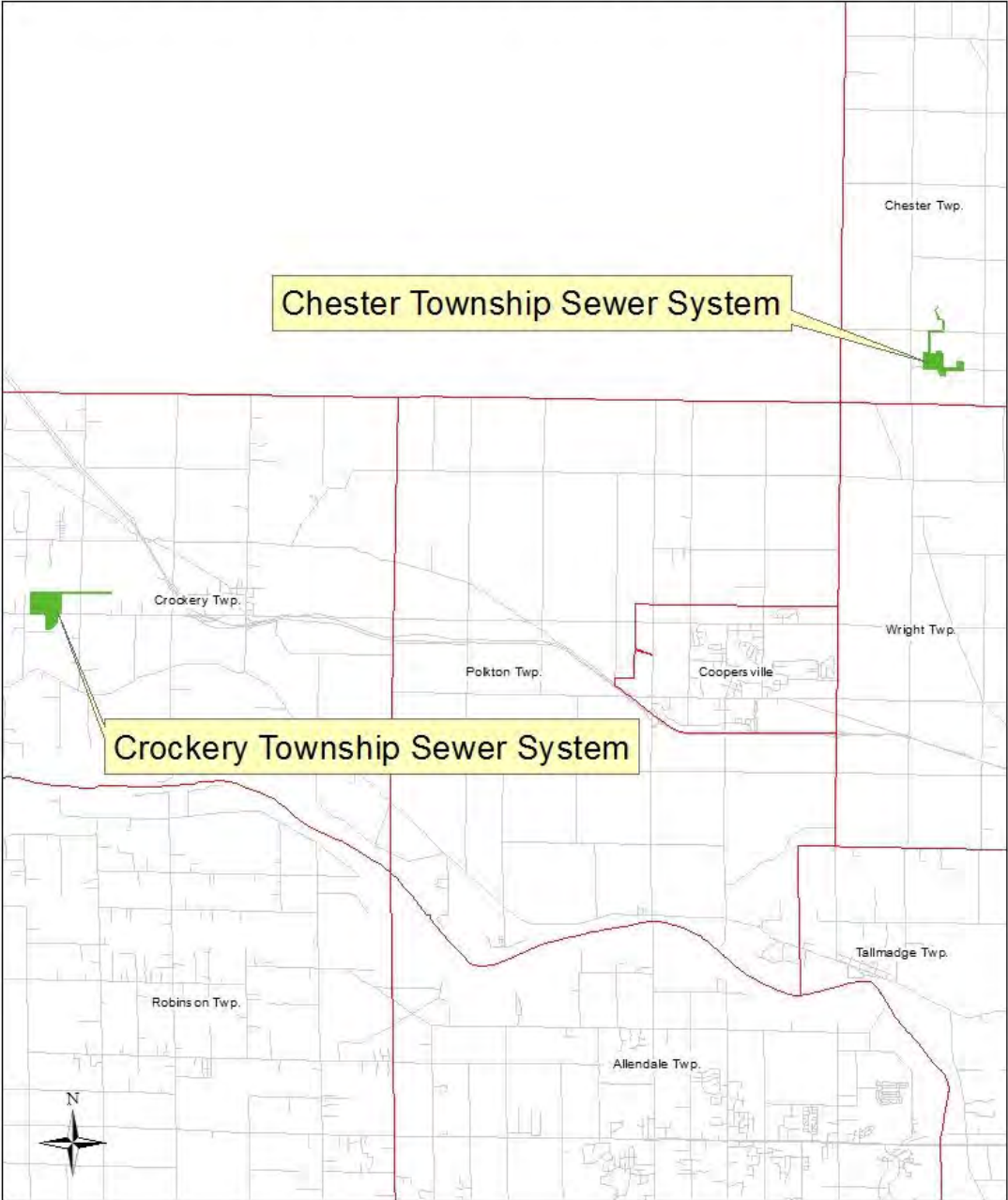
Contract Operations - Water



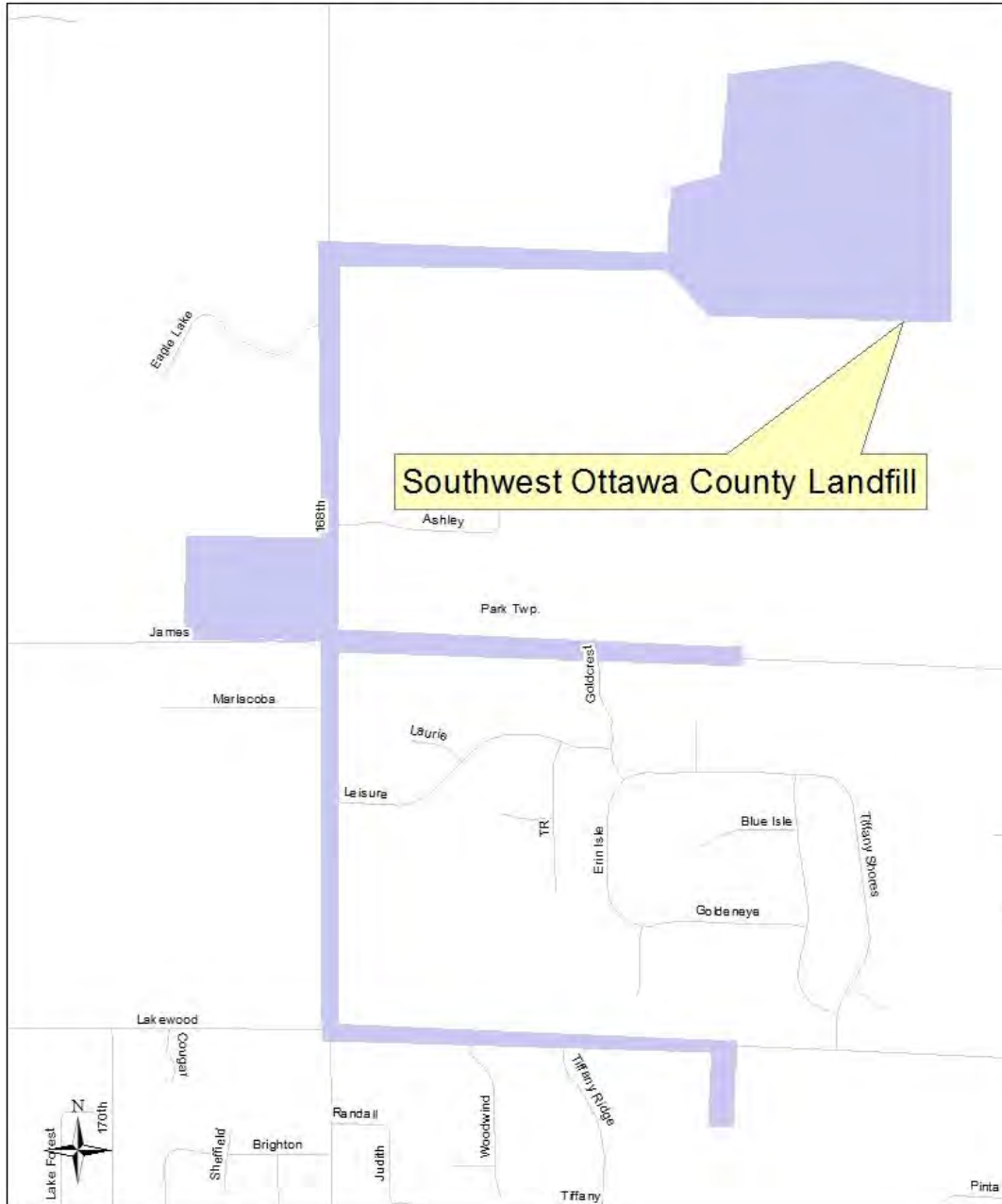
Attachment F Contract Sewer Systems - 1



Attachment F
Contract Sewer Systems - 2



Attachment F Southwest Ottawa County Landfill



PERSPECTIVES ON THE FUTURE

CHALLENGES OF AGING INFRASTRUCTURE, DECLINING SALES AND REVENUES, INCREASING OPERATING AND REGULATORY COSTS, DEFUNDING OF STATE & FEDERAL \$ PROGRAMS, UNWELCOME RATE INCREASES TO CUSTOMERS.

SUSTAINABLE SYSTEM PROCESS

- EFFICIENT AND EFFECTIVE MANAGEMENT PROGRAMS
- IMPROVE MANAGERIAL, FINANCIAL, & OPERATIONAL VIABILITY
- UTILIZE BEST MANAGEMENT PRACTICES

ASSET MANAGEMENT

ENERGY EFFICIENCY

CAPITAL IMPROVEMENTS

CONSERVATION

CUSTOMER RELATIONS

RATE MAKING

INNOVATIVE FINANCIAL PLANNING



Attachment G PUBLIC UTILITIES MANAGEMENT RESPONSIBILITIES

- | | | | | | | | |
|---|---|-----------|---|--|--|--|---|
| 1 Outstanding Bonds
A Bond Contract Provisions
B Debt Oversight
C Detailed Review | 2 System Budget
A Overview/Participation
B Preparation | OR | 3 Local Unit Budget
Preparation
Capacity Development * | 4 Capital Improvement & Replacement Program **
A Overview/Participation
B Preparation | 5 System Operation & Maintenance
A Operating Contract
B Special Projects
C By Local Unit | 6 Annual Financial Reports
Audit/Continuing
Disclosure Review | 7 System Extensions or Expansion
Project Review /
Permit Submittal |
|---|---|-----------|---|--|--|--|---|

WATER AND SEWER SYSTEMS

<u>Existing Systems</u>	<u>Service Area</u>	<u>Operating Agency</u>							
Allendale Sewer Syst	Allendale Twp N. Georgetown Twp	Allendale Twp	A, B	N/A	YES	A-	C	YES	YES
Rush Creek Sewage Disposal System (Trunk Sewer)	Georgetown Twp Hudsonville Jamestown Twp	Ottawa County	NO	B	N/A	B	A	YES	YES
Georgetown Twp Sewer System	Georgetown Twp	Georgetown Twp	NO	N/A	YES	A-	C	YES	YES
Hudsonville Sewer Syst	City of Hudsonville	Hudsonville	NO	N/A	YES	A-	C	YES	YES
Jamestown Twp Sewer System	Jamestown Twp	Ottawa County	A, C	A	YES	A+	A	YES	YES
Wyoming-Ottawa Water System (Transmission Main)	Georgetown Twp Hudsonville Jamestown Twp Zeeland Twp Holland Twp N. Park Twp Blendon Twp Olive Twp Port Sheldon Twp	Wyoming, Ottawa County	A, C	A	By Wyoming	A+	B	YES	YES
Georgetown Twp Water System	Georgetown Twp	Georgetown Twp	NO	N/A	YES	A-	C	YES	YES
Hudsonville Water Syst	City of Hudsonville	Hudsonville	NO	N/A	YES	A-	C	YES	YES
Zeeland Twp Water System	Zeeland Twp	Holland Twp	A, B	A	YES	A-	C	YES	YES
Holland Twp Water System	Holland Twp	Holland Twp	A	N/A	YES	A-	C	YES	YES
Park Twp Water System	N. Park Twp	Holland Twp	NO	N/A	YES	A-	C	YES	YES
Olive-Blendon Water System	E. Olive Twp W. Blendon Twp	Ottawa County	A, B	B	N/A	B	A	YES	YES
Jamestown Twp Water System	Jamestown Twp	Ottawa County	A, C	A	YES	A+	A	YES	YES

* Per Regulations, Proven Managerial, Technical, and Financial Capabilities to Operate Systems

** Includes Reliability Studies, Master Plans, Contract Requirements (+) significant oversight (-) minimal oversight

Attachment G PUBLIC UTILITIES MANAGEMENT RESPONSIBILITIES

- | | | | | | | | |
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|--|--|-----------|--|--|--|--|---|

WATER AND SEWER SYSTEMS

<u>Existing Systems</u>	<u>Service Area</u>	<u>Operating Agency</u>							
S.W. Olive Twp Water System	S.W. Olive Twp	Ottawa County	NO	B	N/A	B	A	YES	YES
Holland Area Sewage Disposal System (Treatment Plant)	Holland City Holland Twp Park Twp Zeeland Twp Parts of Allegan County	Holland BPW	A, B	A	By Holland	A+	C	YES	NO
Holland City Sewer System	Holland City Part of Allegan County	Holland BPW	NO	N/A	YES	N/A	C	YES	NO
Holland Twp Sewer System	Holland Twp	Holland Twp	A, B	N/A	YES	A-	C	YES	YES
Park Twp Sewer System	Park Twp	Holland Twp	A, B	N/A	YES	A-	C	YES	YES
Zeeland Twp Sewer System	Zeeland Twp	Holland Twp	A, C	N/A	YES	A-	C	YES	YES
Zeeland City Sewer System	Zeeland City	Zeeland City	NO	N/A	YES	N/A	C	NO	NO
Holland City Water System	Holland City Parts of Allegan County	Holland BPW	NO	N/A	YES	N/A	C	YES	NO
Zeeland City	Zeeland City Water System	Zeeland City	NO	N/A	YES	N/A	C	NO	NO
Park Twp Water System	Park Township (except N Part)	Wholesale District	NO	NO	YES	N/A	C	YES	YES
		- Holland Twp Retail District - Holland BPW	NO	A	YES	A-	C	YES	YES
Northwest Ottawa Water Supply System	Grand Haven City Ferrysburg City Spring Lake Village Grand Haven Twp Spring Lake Twp Crockery Twp N. Robinson Twp	Treatment Plant - Grand Haven City Transmission Main - Ottawa County	A, C	A	By Grand Haven	A+	B, C	YES	YES

* Per Regulations, Proven Managerial, Technical, and Financial Capabilities to Operate Systems

** Includes Reliability Studies, Master Plans, Contract Requirements (+) significant oversight (-) minimal oversight

Attachment G PUBLIC UTILITIES MANAGEMENT RESPONSIBILITIES

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B Preparation | 5 System Operation & Maintenance
A Operating Contract
B Special Projects
C By Local Unit | 6 Annual Financial Reports
Audit/Continuing
Disclosure Review | 7 System Extensions or Expansion
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Permit Submittal |
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WATER AND SEWER SYSTEMS

<u>Existing Systems</u>	<u>Service Area</u>	<u>Operating Agency</u>							
Grand Haven City Water System	Grand Haven City	Grand Haven City	NO	N/A	YES	A-	C	YES	NO
Ferrysburg Water Syst	Ferrysburg City	Ferrysburg City	A, C	N/A	YES	A+	B, C	YES	YES
Spring Lake Village Water System	Spring Lake Village	Spring Lake Village	A, C	N/A	YES	A+	B, C	YES	YES
Spring Lake Twp Water System	Spring Lake Twp	Spring Lake Twp	A, C	N/A	YES	A+	B, C	YES	YES
Grand Haven Twp Water System	Grand Haven Twp	Grand Haven Twp	A, C	N/A	YES	A+	C	YES	YES
Crockery Twp Water System	Crockery Twp	Ottawa County	A, C	A	YES	A, B	A	YES	YES
Grand Haven-Spring Lake Sewer Authority (Treatment Plant)	Grand Haven City Spring Lake Village Ferrysburg City Spring Lake Twp Grand Haven Twp	Treatment Plant - Authority Grand Haven City	NO	A	By Authority	A+	C	YES	NO
Grand Haven City Sewer System	Grand Haven City	Grand Haven City	NO	N/A	YES	A-	C	YES	NO
Spring Lake Village Sewer System	Spring Lake Village	Spring Lake Village	NO	N/A	YES	N/A	C	YES	NO
Ferrysburg City Sewer System	Ferrysburg City	Ferrysburg City	NO	N/A	YES	N/A	C	YES	YES
Spring Lake Twp Sewer System	Spring Lake Twp	Spring Lake Twp	A, B	N/A	YES	A-	C	YES	YES
Grand Haven Twp Sewer System	Grand Haven Twp	Grand Haven Twp	A, B	N/A	YES	A-	C	YES	YES
Coopersville City Sewer System	Coopersville City	Coopersville City	NO	N/A	YES	N/A	C	NO	NO
Crockery Twp Sewer System	Crockery Twp	Ottawa County	A, C	A, B	YES	A, B	A	YES	YES

* Per Regulations, Proven Managerial, Technical, and Financial Capabilities to Operate Systems

** Includes Reliability Studies, Master Plans, Contract Requirements (+) significant oversight (-) minimal oversight

Attachment G PUBLIC UTILITIES MANAGEMENT RESPONSIBILITIES

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|---|---|-----------|---|--|--|--|---|

WATER AND SEWER SYSTEMS

<u>Existing Systems</u>	<u>Service Area</u>	<u>Operating Agency</u>							
Holland Area Water System (Treatment Plant)	Holland City Zeeland City Park Township Part of Allegan County	Holland BPW	NO	A	YES	A-	C	YES	YES
Grand Rapids – Ottawa Water System (Transmission Mains)	Allendale Twp Coopersville City S. Grand Haven Twp S. Robinson Twp Tallmadge Twp Polkton Twp Wright Twp Chester Twp N. Port Sheldon Twp N. Olive Twp N. Blendon Twp	Grand Rapids, Ottawa County	NO	A	By Grand Rapids	A-	B	YES	YES
Allendale Twp Water System	Allendale Twp N. Georgetown Twp	Allendale Twp	A, B	A	YES	A-	C	YES	YES
Coopersville City Water System	Coopersville City	Coopersville City	A (Trans. Main Only)	N/A	YES	A-	C	NO	NO
Polkton Twp Water System	Polkton Twp	Ottawa County	A, C	B	N/A	B	A	NO	YES
Olive-Robinson Water System	S. Robinson Twp	Ottawa County N. Olive Twp	A	B	N/A	B	A	YES	YES
Port Sheldon Twp Water System	N. Port Sheldon Twp N.W. Olive Twp	Ottawa County	NO	B	N/A	B	A	YES	YES
Wright Twp	Marne Area Sewer System	Grand Rapids	NO	N/A	By Grand Rapids	N/A	By Grand Rapids	NO	NO
Chester Twp Sewer System	Conklin	Ottawa County	A, C	B	N/A	B	A	NO	YES
West Central Ottawa Sewer System (Treatment Plant And Sewers)	S. Robinson Twp Olive Township N.E. Port Sheldon Twp	Ottawa County	A, C	B	N/A	B	A	YES	YES

* Per Regulations, Proven Managerial, Technical, and Financial Capabilities to Operate Systems

** Includes Reliability Studies, Master Plans, Contract Requirements (+) significant oversight (-) minimal oversight

Attachment H

Organizational Options for Public Utilities (2009)

Pro

Con

Option 1: Department of County Road Commission (current)		
<p><i>The Public Works functions of the County currently come under the Road Commission, with the Road Commission Board approving all decisions related to Public Works</i></p>	<ul style="list-style-type: none"> -No fiscal responsibility for Public Works by the County and Board of Commissioners -Commissioners make appointments to the Road Commission/Public Utilities Board (or could decide that the positions should be elected), therefore having a minor say in who makes the decisions -Historically current system has worked well -Users (i.e. local units) trust the current system 	<ul style="list-style-type: none"> -County Board of Commissioners has no involvement in the public utilities decision making process or long-range and strategic planning -County is not involved in the financial reporting although it is required annually for the audit which has caused significant problems for getting the audit completed per state law -County liability could be increased significantly due to pledge of full faith and credit on all bond issues -Public Utilities processes and decisionmaking not transparent to County or general public -Disconnect between Planning Department and Public Utilities function, hindering long-range processes
Option 2: Board of Public Works and County Department		
<p><i>A Public Works Department would report to a Board of Public Works (membership of the Drain Commissioner and 4, 6, or 8 other members)</i></p>	<ul style="list-style-type: none"> -Decisionmaking authority brought closer to the County Board of Commissioners -County would be responsible for financial reporting, which would address a significant reporting concern -Overall accountability improved to an elected board representing the entire county -Planning, Utilities and GIS would be under the county umbrella, better long range planning from a holistic perspective -Public utilities decisions have increasing importance as evidenced by the \$38 million Wyoming system bond and the \$5 million purchase of ownership in the Grandville sewer system 	<ul style="list-style-type: none"> -Board of Public Works could require additional compensation (per diems) -Creates perception of bigger, more powerful county government that will take away local control of Public Utilities issues -County liability could be increased significantly due to pledge of full faith and credit on all bond issues
Option 3: Drain Commissioner's Office		
<p><i>Public Works duties would be carried out by the Drain Commission</i></p>	<ul style="list-style-type: none"> -The Drain Commission currently oversees lake improvement and soil erosion and control duties -County would be responsible for financial reporting -Would eliminate one director-level position (administrative department head) 	<ul style="list-style-type: none"> -Drain Commissioner's salary would likely be increased by Compensation Commission due to additional duties -Vests a great deal of authority and duties into one office -Elected official might not bring longer term continuity to the office with elections every four years -Knowledge of operations and decisionmaking might not improve if elected official/department head does not report to the Board of Commissioners or Administration -County liability could be increased significantly due to pledge of full faith and credit on all bond issues -An elected Drain Commissioner might not have the most knowledge and experience to handle all Public Works functions
Option 4: Elected Public Works Commissioner		
<p><i>The Drain Commissioner's position is combined with the Public Works duties to create an elected Public Works Commissioner</i></p>	<ul style="list-style-type: none"> -The Drain Commission is already handling lake improvement and soil erosion and control duties -County would be responsible for financial reporting -Would allow voters to determine if candidate is qualified for position -Would eliminate one director-level position (administrative department head) 	<ul style="list-style-type: none"> -Public Works Commissioner's salary would likely be greater than Drain Commissioners due to additional duties -Vests a great deal of authority and duties into one office -An elected Public Works Commissioner might not have the most knowledge and experience to handle all Public Works functions -Elected official might not bring longer term continuity to the office with elections every four years -County liability could be increased significantly due to pledge of full faith and credit on all bond issues -Public Works Director position would require knowledge of water, sewer and municipal bonding practices

Attachment I

Public Utilities Task Force

County Board:

Joe Baumann
Vice-Chair, County Commissioner

Jim Holtvluwer
County Commissioner

Road Commission:

Tom Palarz
Road Commissioner

Tom Elhart
Vice-Chair, Road Commissioner

Township:

Don Komejan
Manager, Holland Township

John Nash
Supervisor, Spring Lake Township

City:

Steve Patrick
Manager, Coopersville City

Dave Koster
General Manager, Holland Board of Public Works

Staff (County):

Al Vanderberg
County Administrator

Keith VanBeek
Assistant County Administrator

Mark Knudsen
Director, Planning &
Performance Improvement

Paul Sachs
Assistant Director, Planning &
Performance Improvement

Staff (Road Commission):

Brett Laughlin
Managing Director

Ken Zarzecki
Public Utilities Director

Pat Staskiewicz
Public Utilities Engineer

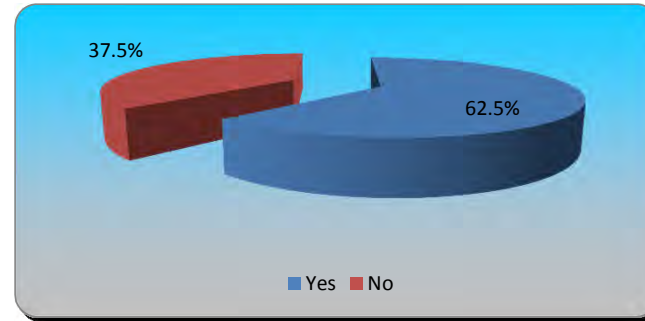
Attachment J

Turning Graphical Results by Question

Session Name: Public Utilities Task Force Forum 3-15-2013 11-10 AM
 Created: 3/15/2013 11:26 AM

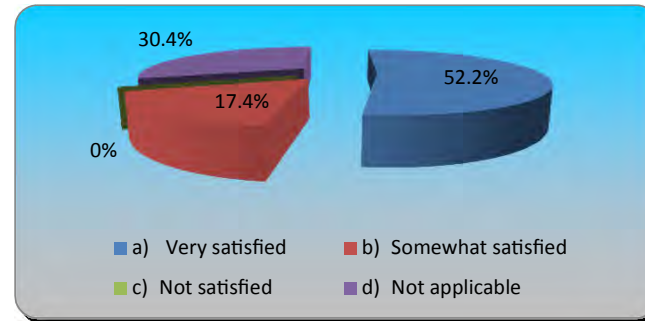
1.) SYSTEM TEST QUESTION: Will Reggie Bush's Career be over now that he joined the Lions? (multiple choice)

	Responses	
Yes	15	62.50%
No	9	37.50%
Totals	24	100%



2.) 1) If your municipality has used Public Utilities to finance and administer a construction project through the sale of County bonds, were you satisfied with the experience? (multiple choice)

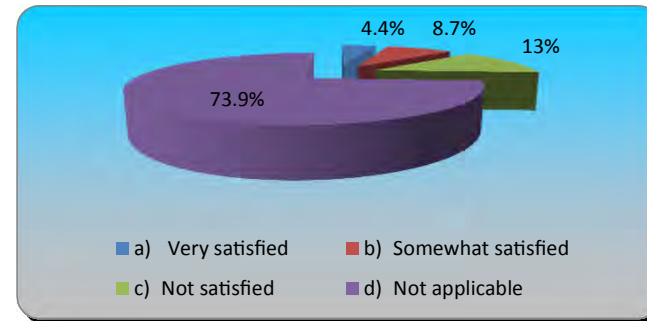
	Responses	
a) Very satisfied	12	52.17%
b) Somewhat satisfied	4	17.39%
c) Not satisfied	0	0%
d) Not applicable	7	30.43%
Totals	23	100%



Attachment J

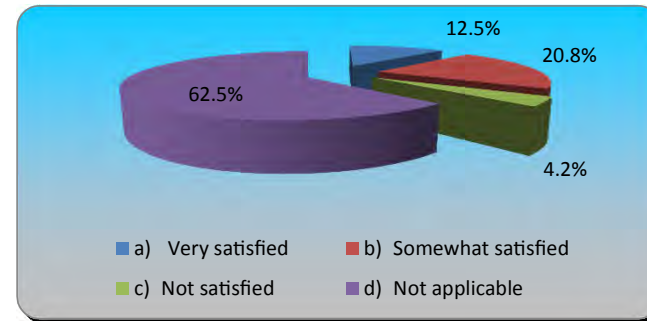
3.) 2) If your municipality has used Public Utilities to operate and maintain a utility system, were you satisfied with the experience? (multiple choice)

	Responses	
a) Very satisfied	1	4.35%
b) Somewhat satisfied	2	8.70%
c) Not satisfied	3	13.04%
d) Not applicable	17	73.91%
Totals	23	100%



4.) 3) If your municipality has used Public Utilities for utility planning (preliminary project planning, feasibility studies, reliability studies), were you satisfied with the experience? (multiple choice)

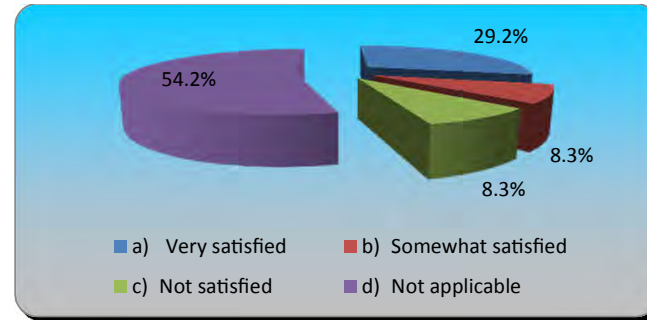
	Responses	
a) Very satisfied	3	12.50%
b) Somewhat satisfied	5	20.83%
c) Not satisfied	1	4.17%
d) Not applicable	15	62.50%
Totals	24	100%



Attachment J

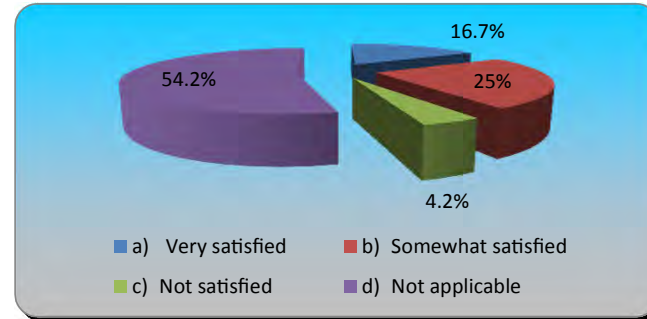
5.) 4) If your municipality has used Public Utilities for financial planning (debt/revenue schedules for new bond issues, utility rate analysis, etc.), were you satisfied with the experience? (multiple choice)

	Responses	
a) Very satisfied	7	29.17%
b)Somewhat satisfied	2	8.33%
c)Not satisfied	2	8.33%
d)Not applicable	13	54.17%
Totals	24	100%



6.) 5) If your municipality is a member of the following utility Boards/Committees, were you satisfied with Public Utilities participation? Northwest Ottawa Water Administrative Committee Grand Haven/Spring Lake Sewer Authority Board Holland Area WWTP Administrative Committee Grandville CWP Advisory Committee. (multiple choice)

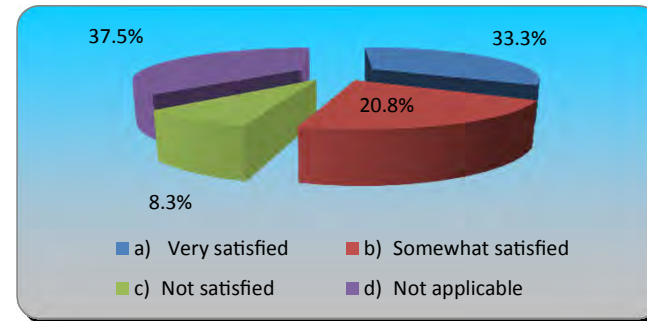
	Responses	
a) Very satisfied	4	16.67%
b)Somewhat satisfied	6	25%
c)Not satisfied	1	4.17%
d)Not applicable	13	54.17%
Totals	24	100%



Attachment J

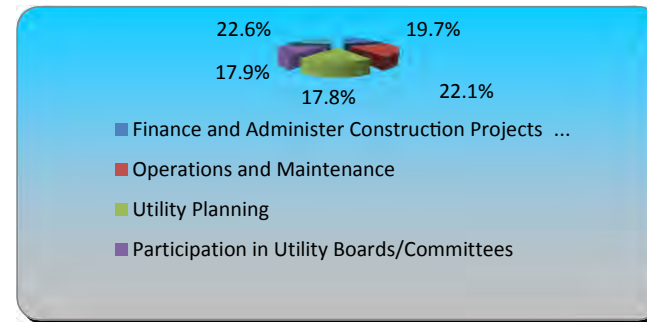
7.) 6) If your municipality has interacted with Public Utilities staff for general administrative tasks, were you satisfied with the experience? (multiple choice)

	Responses	
a) Very satisfied	8	33.33%
b) Somewhat satisfied	5	20.83%
c) Not satisfied	2	8.33%
d) Not applicable	9	37.50%
Totals	24	100%



8.) 7) Rank in order of importance the current services offered by Public Utilities. (With 1 being most important and 5 being least important) (priority ranking)

	Responses	
Finance and Administer Construction Projects...	146	19.65%
Operations and Maintenance	164	22.07%
Utility Planning	132	17.77%
Participation in Utility Boards/Committees	133	17.90%
Overall Administration	168	22.61%
Totals	743	100%

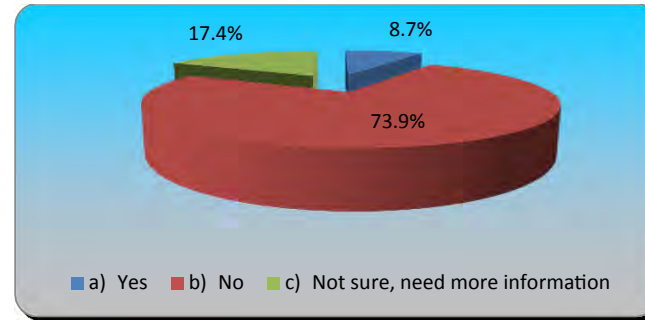


Attachment J

9.) 8) Should Public Utilities be involved with garbage or rubbish collection and disposal facilities and services?

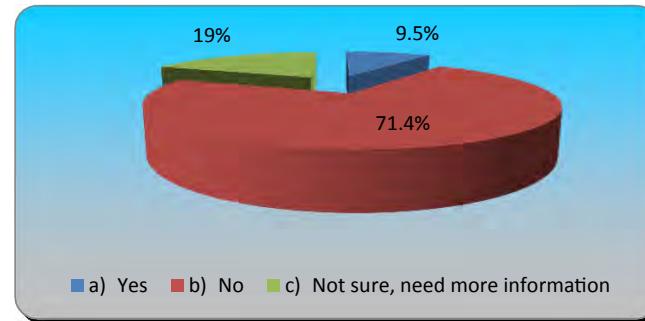
(multiple choice)

	Responses	
a)Yes	2	8.70%
b)No	17	73.91%
c)Not sure, need more information	4	17.39%
Totals	23	100%



10.) 9) Should Public Utilities be involved with Lake Boards and lake improvements? (multiple choice)

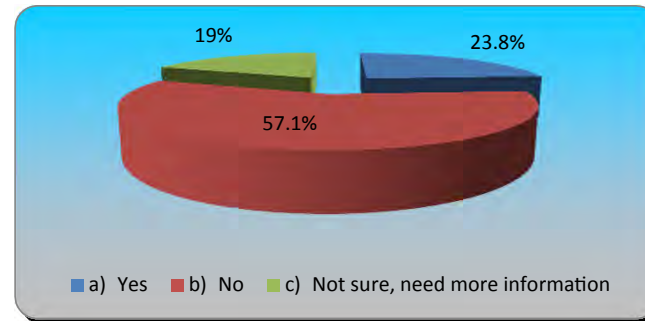
	Responses	
a)Yes	2	9.52%
b)No	15	71.43%
c)Not sure, need more information	4	19.05%
Totals	21	100%



Attachment J

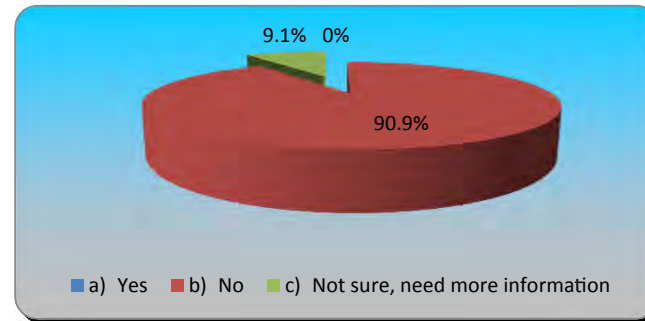
11.) 10) Should Public Utilities be involved with erosion control systems? (multiple choice)

	Responses	
a)Yes	5	23.81%
b)No	12	57.14%
c)Not sure, need more information	4	19.05%
Totals	21	100%



12.) 11) Expanding the role of Public Utilities for these additional services would likely require increasing the level of effort (staff) and cost of Public Utilities. Would your municipality be in favor of sharing in the increased cost for the expanded role? (multiple choice)

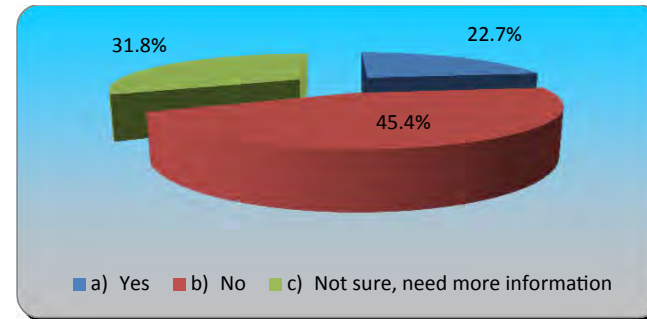
	Responses	
a)Yes	0	0%
b)No	20	90.91%
c)Not sure, need more information	2	9.09%
Totals	22	100%



Attachment J

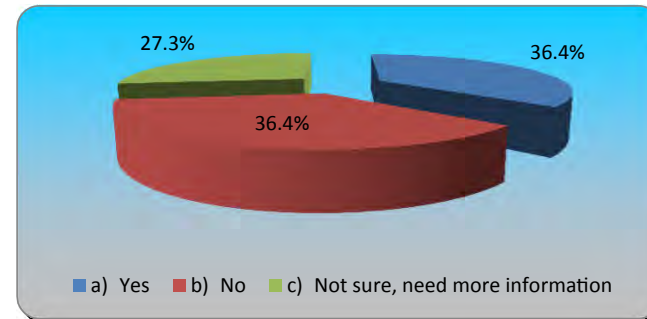
13.) 12) Do you think Public Utilities should increase their level of effort and work more closely with the County Sheriff in areas of emergency response and mutual aid between the local municipalities? (multiple choice)

	Responses	
a)Yes	5	22.73%
b)No	10	45.45%
c)Not sure, need more information	7	31.82%
Totals	22	100%



14.) 13) Do you think Public Utilities should increase their level of effort and work more closely with the Water Resources Commissioner (Drain Commissioner) in areas of joint operations, improvements to water quality, or planning for drains? (multiple choice)

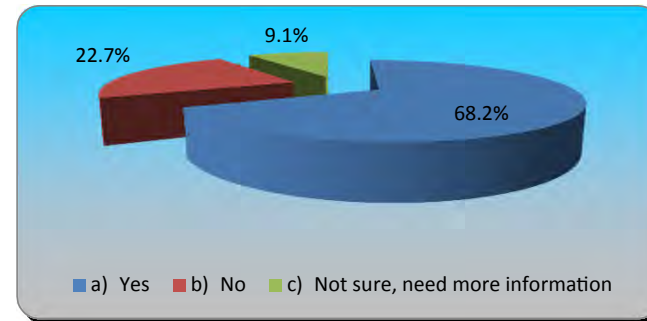
	Responses	
a)Yes	8	36.36%
b)No	8	36.36%
c)Not sure, need more information	6	27.27%
Totals	22	100%



Attachment J

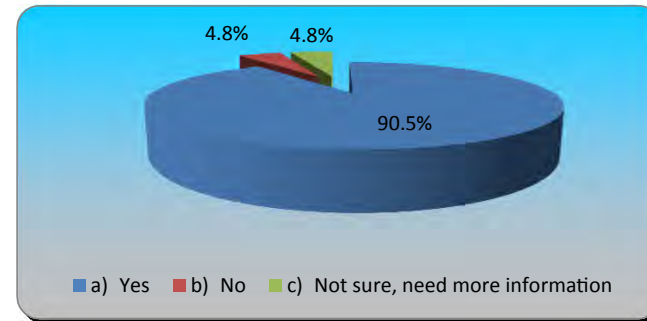
15.) 14) Do you think Public Utilities should increase their level of effort and work more closely with the GIS Department in developing a County-wide water and wastewater utility layer? (multiple choice)

	Responses	
a)Yes	15	68.18%
b)No	5	22.73%
c)Not sure, need more information	2	9.09%
Totals	22	100%



16.) 15) Would your municipality participate with efforts to share data with the GIS Department in developing a County-wide water and wastewater utility layer? (multiple choice)

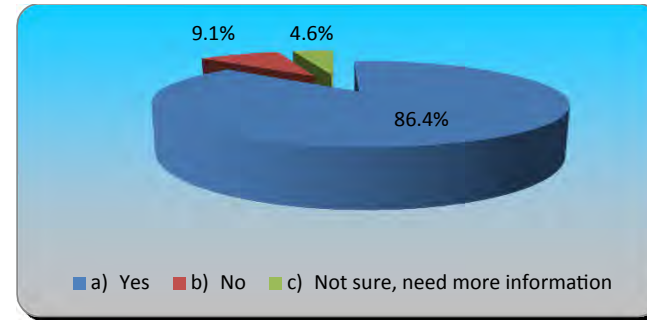
	Responses	
a)Yes	19	90.48%
b)No	1	4.76%
c)Not sure, need more information	1	4.76%
Totals	21	100%



Attachment J

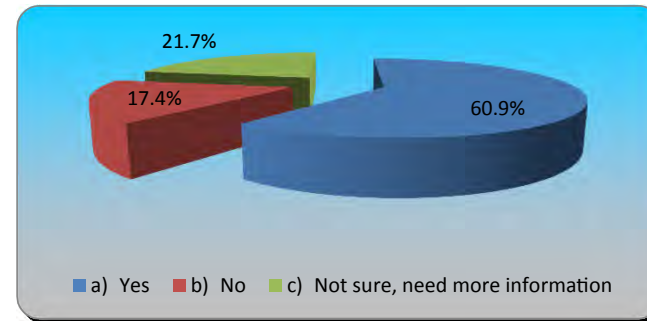
17.) 16) Do you think the findings of the Comprehensive Water Resources Study poses potential challenges and implications for water and wastewater systems in the County? (multiple choice)

	Responses	
a)Yes	19	86.36%
b)No	2	9.09%
c)Not sure, need more information	1	4.55%
Totals	22	100%



18.) 17) Do you think Public Utilities should increase their level of effort and work more closely with the Planning and Performance Improvement Department on issues such as the Comprehensive Water Resources Study? (multiple choice)

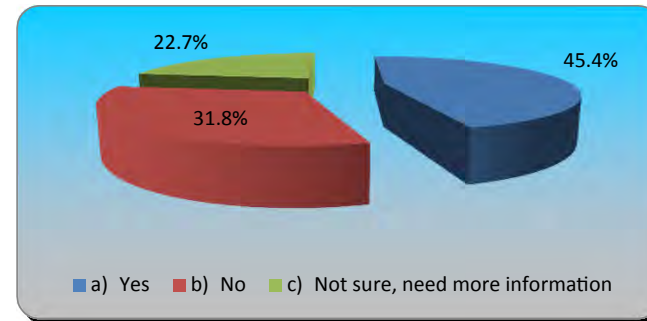
	Responses	
a)Yes	14	60.87%
b)No	4	17.39%
c)Not sure, need more information	5	21.74%
Totals	23	100%



Attachment J

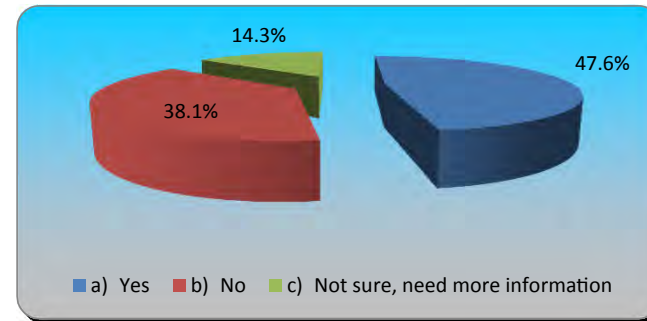
19.) 18) Do you think Public Utilities would benefit from an increased level of effort by participating in Planning Commission meetings and projects of Ottawa County and/or local units of government? (multiple choice)

	Responses	
a)Yes	10	45.45%
b)No	7	31.82%
c)Not sure, need more information	5	22.73%
Totals	22	100%



20.) 19) Do you think Public Utilities should increase their level of effort and work more closely with the Environmental Health Department with the management of private water wells and on-site wastewater treatment systems? (multiple choice)

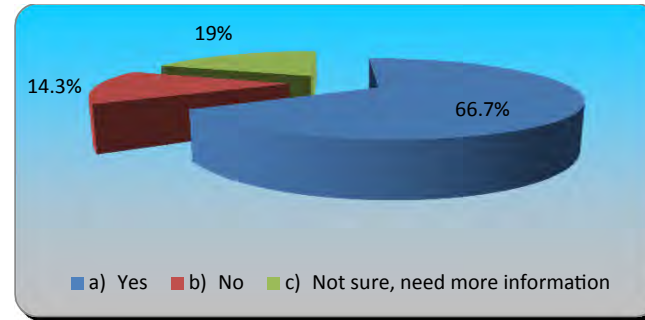
	Responses	
a)Yes	10	47.62%
b)No	8	38.10%
c)Not sure, need more information	3	14.29%
Totals	21	100%



Attachment J

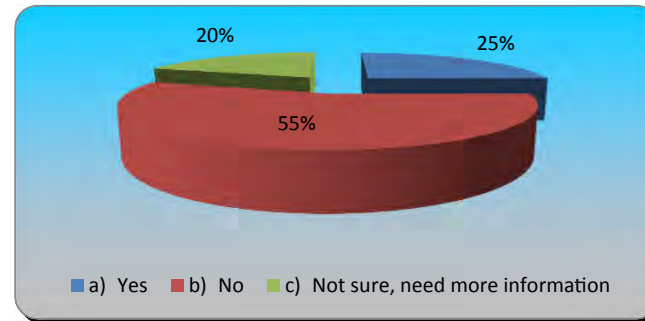
21.) 20) Do you think Public Utilities should increase their level of effort and work to update the County-wide Utility Master Plan? (multiple choice)

	Responses	
a)Yes	14	66.67%
b)No	3	14.29%
c)Not sure, need more information	4	19.05%
Totals	21	100%



22.) 21) Would your municipality be in favor of sharing in the increased cost for an updated County-wide Utility Master Plan? (multiple choice)

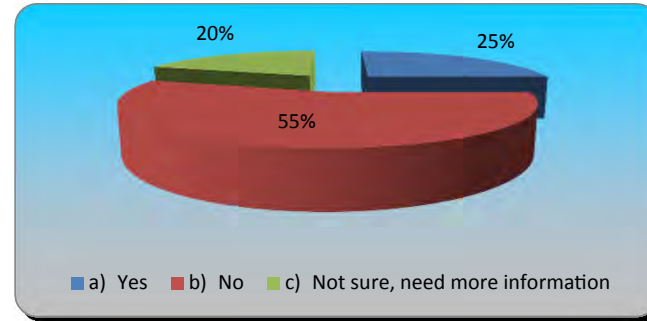
	Responses	
a)Yes	5	25%
b)No	11	55%
c)Not sure, need more information	4	20%
Totals	20	100%



Attachment J

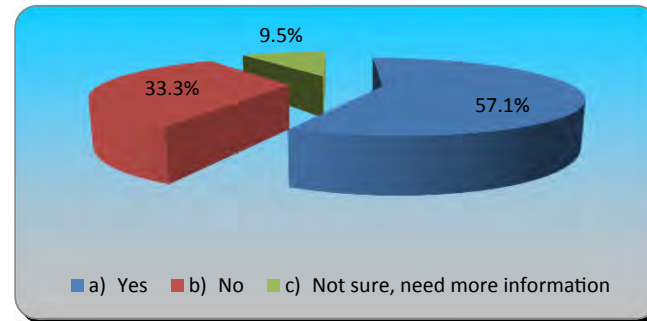
23.) 22) Expanding the level of effort of Public Utilities for this collaborative work would likely require increasing the level of effort (staff) and cost of Public Utilities. Would your municipality be in favor of sharing in the increased cost for the expanded role? (multiple choice)

	Responses	
a)Yes	5	25%
b)No	11	55%
c)Not sure, need more information	4	20%
Totals	20	100%



24.) 23) Do you think it would be beneficial to create additional groups (where one does not currently exist) in other regions of the County to meet on a routine basis to collaborate on utility planning and policy issues? (multiple choice)

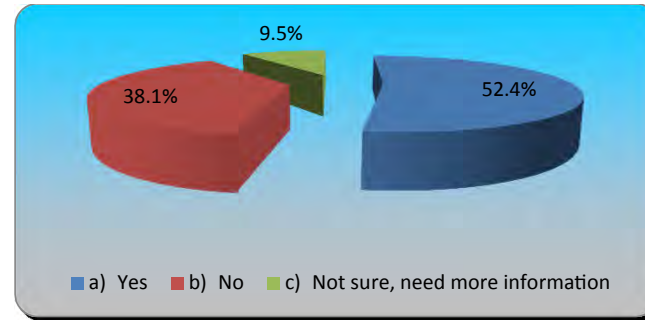
	Responses	
a)Yes	12	57.14%
b)No	7	33.33%
c)Not sure, need more information	2	9.52%
Totals	21	100%



Attachment J

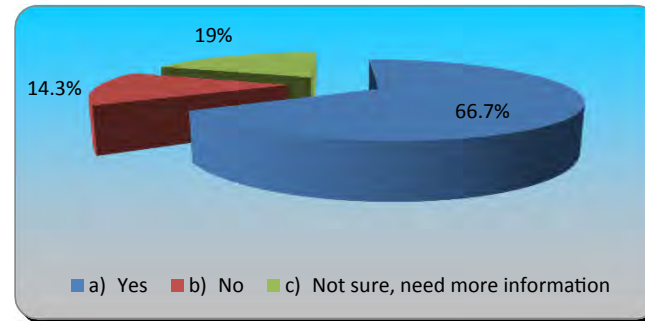
25.) 24) Do you think it would be beneficial to create a County-wide advisory group to meet on a routine basis to collaborate on utility planning and policy issues? (multiple choice)

	Responses	
a)Yes	11	52.38%
b)No	8	38.10%
c)Not sure, need more information	2	9.52%
Totals	21	100%



26.) 25) Do you think it would be beneficial to create a County-wide group of operators to meet on a routine basis to collaborate on utility operations and maintenance issues? (multiple choice)

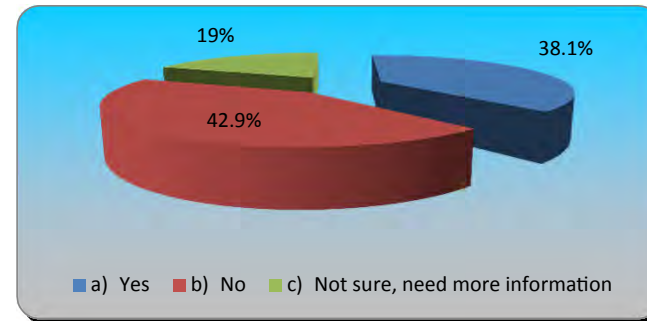
	Responses	
a)Yes	14	66.67%
b)No	3	14.29%
c)Not sure, need more information	4	19.05%
Totals	21	100%



Attachment J

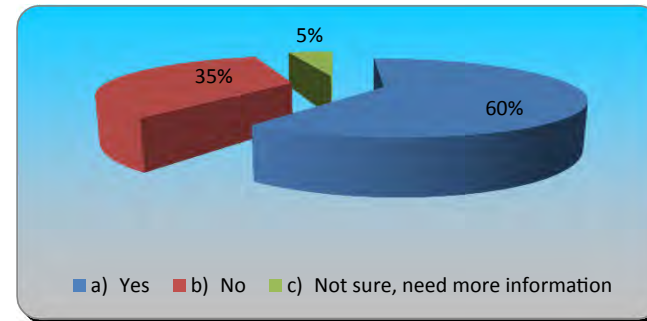
27.) 26) Do you think it would be beneficial if Public Utilities would coordinate development of a County-wide asset management guidance or template? (multiple choice)

	Responses	
a)Yes	8	38.10%
b)No	9	42.86%
c)Not sure, need more information	4	19.05%
Totals	21	100%



28.) 27) Do you think it would be beneficial if Public Utilities would explore the development of a finance bond program for local unit capital improvements projects? (multiple choice)

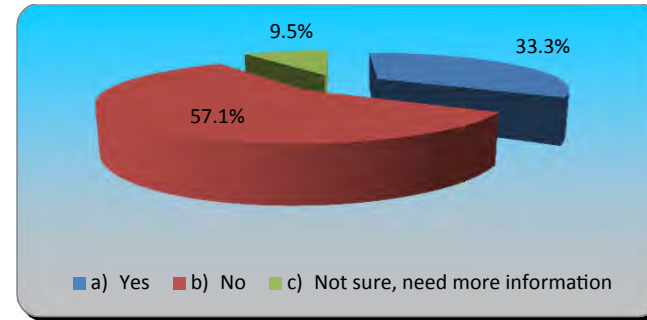
	Responses	
a)Yes	12	60%
b)No	7	35%
c)Not sure, need more information	1	5%
Totals	20	100%



Attachment J

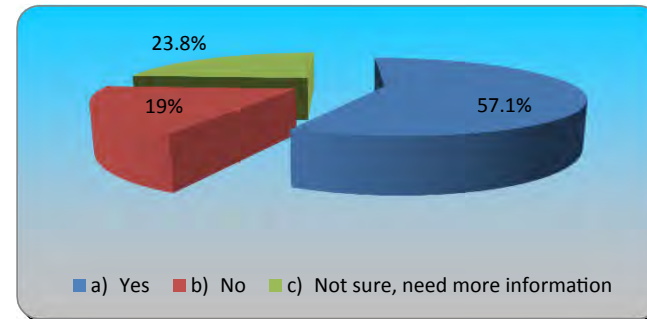
29.) 28) Do you think Public Utilities should coordinate or implement a special operations team to assist local units in non-routine and unusual services (lift station repairs, storage tank maintenance, IT services, cross connection control, industrial pre-treatment)? (multiple choice)

	Responses	
a)Yes	7	33.33%
b)No	12	57.14%
c)Not sure, need more information	2	9.52%
Totals	21	100%



30.) 29) My municipality would be willing to participate in work groups described to discuss collaborations or explore other projects among the various utility systems? (multiple choice)

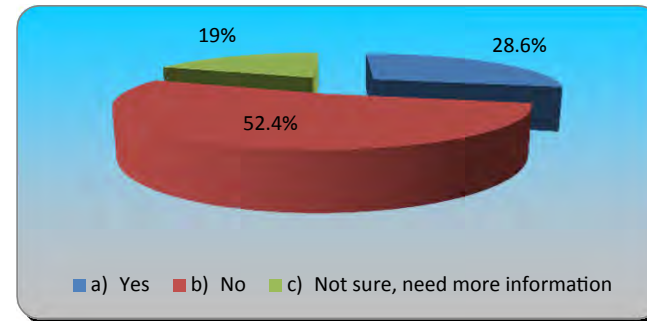
	Responses	
a)Yes	12	57.14%
b)No	4	19.05%
c)Not sure, need more information	5	23.81%
Totals	21	100%



Attachment J

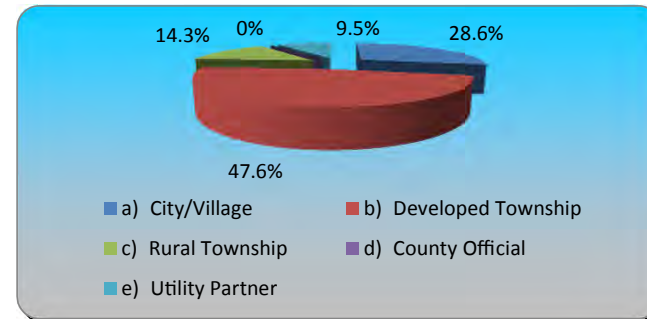
31.) 30) Expanding the level of effort of Public Utilities for these added opportunities would likely require increasing the level of effort (staff) and cost of Public Utilities. Would your municipality be in favor of sharing in the increased cost for the expanded role? (multiple choice)

	Responses	
a)Yes	6	28.57%
b)No	11	52.38%
c)Not sure, need more information	4	19.05%
Totals	21	100%



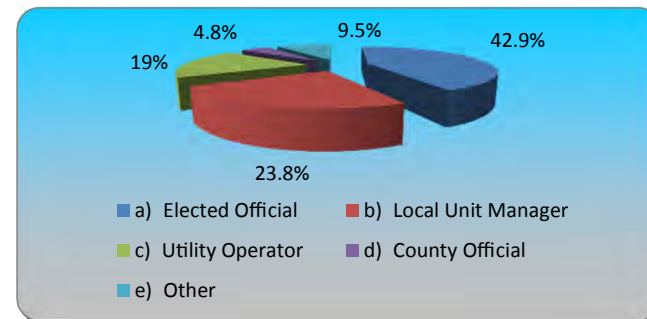
32.) 31) I represent the following: (multiple choice)

	Responses	
a)City/Village	6	28.57%
b)Developed Township	10	47.62%
c)Rural Township	3	14.29%
d)County Official	0	0%
e)Utility Partner	2	9.52%
Totals	21	100%



33.) 32) I am: (multiple choice)

	Responses	
a)Elected Official	9	42.86%
b)Local Unit Manager	5	23.81%
c)Utility Operator	4	19.05%
d)County Official	1	4.76%
e)Other	2	9.52%
Totals	21	100%



Attachment K

Public Utilities Task Force Forum
March 15, 2013
Questionnaire Responses (10 Total Responses Received)

1) Section #1 – Current Services/Customer Service: Please provide brief comments on the services provided by Public Utilities. Please include any suggestions to improve these services.

- a. Newly Elected and not yet in a position to comment on the questions at this time. (Rick Homan – Spring Lake Township)
- b. N/A (Joellen Thompson – City of Grand Rapids)
- c. Financial (Jerry Alkema – Allendale Charter Township)
- d. N.O.W.S. and the Grand Haven Sewer Authority both work with Ottawa County Public Utilities. In my estimation this has been a positive relationship. They have helped us with planning and finance. Actually, I only know this way and it works. (John Nash – Spring Lake)
- e. Wyoming currently works well with Ottawa County. Financing is a key area and it is currently working well. (Bill Dooley – City of Wyoming)
- f. Holland Charter Township primarily uses bond issuance/administration services and is well satisfied. Receipt of wholesale customer invoices, rate projections, and true-up adjustments in a more timely manner is helpful. (Don Komejan – Holland Charter Township)
- g. Operations and maintenance need work. For example Coopersville has a contract with the county to maintain the water transmission line from Allendale. Along that line there are hydrants and valves. We have asked for a schedule of when those hydrants would be inspected and serviced and when the valves would be turned. For some reason the county has been reluctant to comply with our requests. We never know if or when maintenance has been done. That transmission line is critical to us and we take those tasks seriously. That is why we are considering offering an option to Public Utilities where the city will assume those responsibilities.

Another example was recently discovered. A broken hydrant—that was not fixed by the county for months—was unavailable when the fire department needed it to fight a fire on Garfield Road. The hydrant didn't work, it was bagged and no one knew when it was scheduled to be repaired even after the city inquired as to the schedule of its repair. In short my water/sewer supervisor and I would rather just maintain the transmission line ourselves and then we would know what was done, when it was done, and how it was done.

This is why, over time, Coopersville decided to maintain the booster station we share with Allendale instead of continuing to contract with the county.

General administrative services are fine.

Attachment K

The financial services offered, such as bonding, are a great asset. (Steve Patrick – City of Coopersville)

- h. Services provided by the Ottawa County Road Commission Public Utilities are of significant value and professionalism. However, the cost of those services and method of determining costs are prohibitive. While the service is sufficient, the attitude and opportunity to affect decisions are challenging. Compromise and acceptance of input from constituent local governments is nonexistent. (Leon Stille – Crockery Township)
 - i. The services that are provided by the department are exceptional, especially when the level of support staff is noted. My suggestion would be to move the department from the OCRC to the OC Planning Department (pursuant to a governance format under PA 185) in order to take advantage of the staff support that could be provided through this department and the related GIS department. (Bill Cargo – Grand Haven Charter Township)
- 2) Section #2 – Statutory Authority and Governance: Please provide brief comments on the current structure of Public Utilities and the services/activities that could come under some oversight of Public Utilities if desired. Please include any suggestions to improve the governance structure and/or services.
- a. Newly Elected and not yet in a position to comment on the questions at this time. (Rick Homan – Spring Lake Township)
 - b. N/A (Joellen Thompson – City of Grand Rapids)
 - c. None (Jerry Alkema – Allendale Charter Township)
 - d. The Connection between Public Utilities and planning should include the drain office. (John Nash – Spring Lake Township)
 - e. Wyoming can work effectively with Ottawa County in whatever structure they deem is best for the residents of Ottawa County. (Bill Dooley – City of Wyoming)
 - f. Generally, Holland Charter Township does not anticipate the need for the additional services listed in Section #2 of the survey and is not in favor of sharing in costs for such services, unless it participates in them. The current manner of processing plans and MDEQ permit applications through Ottawa County Public Utilities has little value added and we suggest that this step be discontinued. (Don Komejan – Holland Charter Township)
 - g. I suggest that Public Utilities be more closely aligned with the county's Planning and Performance Improvement department. Why? It's more important than ever to insure Public Utilities makes decisions that are harmonious with other critically important planning that is taking place around the county. It would also be invaluable for the Planning and Performance Improvement department and other planning entities around the county to better understand and appreciate the complexities and challenges Public Utilities faces. Utilities are interconnected with planning and planning principles. (Steve Patrick – City of Coopersville)

Attachment K

- h. Currently, the utility department is top heavy! It appears they have created a department with two high profile, expensive managers and only 4 field workers. This causes excessive labor costs for those units contracting assistance. The Road Commission doesn't seem to feel they should absorb any of the overhead in their greater operation, even though they have over loaded this department. (Leon Stille – Crockery Township)
 - i. See Section 1(i) comment. As an example of the lack of support staff, I believe that the failure of the Public Utilities Department to exactly follow the performance bond requirements related to the failure of the Nows submerged intake #2 (which allowed the bond company to be “released” from the lawsuit) was not related to the expertise or work ethics of the members of this department. Rather, I believe it was the lack of staff support which requires the key members of this department to be too involved (and distracted) by too many “clerical” or lower level functions. (Bill Cargo – Grand Haven Charter Township)
- 3) Section #3 – Planning and Level of Effort: Please provide brief comments on the level of effort and involvement by Public Utilities with other agencies and issues. Please include any suggestions to improve these efforts.
- a. Newly Elected and not yet in a position to comment on the questions at this time. (Rick Homan – Spring Lake Township)
 - b. We look forward to working with Utilities staff on projects. I think more frequent, formalized communications would be helpful to address project and planning efforts. (Joellen Thompson – City of Grand Rapids)
 - c. Financial – good (Jerry Alkema – Allendale Charter Township)
 - d. Governance – I think there must be a much closer connection between Ottawa County Public Utilities and Ottawa County Planning. I would see significant benefit to at least two times a year the Ottawa County Road Commission and the County holding a joint meeting. (John Nash – Spring Lake Township)
 - e. Wyoming would support an update of the 1990 Utility Plan for Ottawa County and the development of an accurate GIS map. (Bill Dooley – City of Wyoming)
 - f. Generally, Holland Charter Township does not see the need for expanded/higher levels of effort/interaction between Ottawa County Public Utilities and other agencies in the County. We suggest that such services and levels of effort occur on a request basis and be funded on a cost reimbursement basis. (Don Komejan – Holland Charter Township)
 - g. More utility planning meetings that include additional stakeholders in the region would be appreciated. My supervisor and I had only a vague knowledge of the planning services being offered that are utilized by local governments and other utility systems before recent meetings and, of course, the latest meeting last Friday.

We also became aware, or we at least perceive some shortcomings in some drawings we reviewed. A specific example was our initial review of master plan items shown to us by Public Utilities at a meeting February 25, 2013 in Coopersville. A few drawings were outdated. Outdated in the sense that Public Utilities was not aware of what Coopersville

Attachment K

had been doing over the past few years or the direction in which we are heading for future development or the infrastructure we believe is critical to make that happen. Public Utilities should be asking for local government's input periodically to make sure all parties are proceeding in a uniform and mutually beneficial direction.

The intent here is not to criticize or point fingers, but to show where improvements are needed and what course of action will achieve those improvements. Obviously Coopersville is unaware of the daily challenges that face Public Utilities, but that in itself is reason for more communication and partnering to know what every stakeholder is facing. (Steve Patrick – City of Coopersville)

- h. The Public Utilities department is very adept at analyzing, consulting, providing information, as well as collaborating with sister agencies. However, much of this effort is outside of local units' interests and should be provided through a different budgeted line item. (Leon Stille – Crockery Township)
 - i. I believe that the department is acting independently from other Ottawa County departments and would benefit from direct supervision, increased staff support, and increased interaction with the Ottawa county Planning Department. (Bill Cargo – Grand Haven Charter Township)
- 4) Section #4 – Collaboration and New Opportunities: Please provide brief comments on areas for collaboration and/or new opportunities by Public Utilities and partners. Please include any suggestions to achieve these opportunities.
- a. Newly Elected and not yet in a position to comment on the questions at this time. (Rick Homan – Spring Lake Township)
 - b. A Grand Rapids Water Advisory Group would be very beneficial – for regular communication, collaboration and identification of opportunities. (Joellen Thompson – City of Grand Rapids)
 - c. Good (Jerry Alkema – Allendale Charter Township)
 - d. New opportunities: yes to Planning and Drain offices, no to garbage, yes to Lake Boards, yes to erosion control, and no to emergency response and mutual aid. (John Nash – Spring Lake Township)
 - e. Wyoming would welcome the opportunity to meet regularly with participants in the Wyoming Water System for dissemination of information and input from customers. (Bill Dooley – City of Wyoming)
 - f. Holland Charter Township desires to seek opportunities to collaborate and share data and resources among wand with entities that have similar interest, needs, etc. These efforts may occur on a county-wide basis or a small group basis depending on the interests and needs of the various local agencies. (Don Komejan – Holland Charter Township)
 - g. The obvious suggestion is to increase participation as a facilitator between local governments that share or have common interest in water and sewer infrastructure. The first challenge is to provide impartiality in an environment that may have political

Attachment K

undertones. The second challenge is find the best engineering design or system regardless of political maneuverings by larger local governments.

Personally I am uncomfortable with the current personnel's ability or openness to new ideas and new ways of doing things. There should be more listening and less eagerness to impose preconceived solutions that may not be based on current needs or engineering challenges as defined by the local government and their engineering consultants.

Public Utilities should help define the steps necessary to accomplish the "big picture" design of water and sewer master plans both locally, sub-regionally, and county wide. They should provide more coordination and facilitation, and act as advisor for others to proceed with a generally agreed upon direction. (Steve Patrick – City of Coopersville)

- h. There is great opportunity for outsourcing much of Public Utilities services. O & M, financial administration, and purchasing could easily be provided through third-party contractors at a lessor cost to local units. There doesn't seem to be a willingness to explore this. (Leon Stille – Crockery Township)
- i. I believe that the department is acting independently from other Ottawa County departments and would benefit from direct supervision, increased staff support, and increased interaction with the Ottawa county Planning Department. (Bill Cargo – Grand Haven Charter Township)

5) Please provide any other comments or suggestions you might have for the Task Force relating to Public Utilities.

- a. Newly Elected and not yet in a position to comment on the questions at this time. (Rick Homan – Spring Lake Township)
- b. Seems like there are numerous operator groups – perhaps should be re-aligned under County. Grand Rapids and Wyoming Policy Group would be helpful as discussed above. (Joellen Thompson – City of Grand Rapids)
- c. Office location and/or moving of Public Utilities is not near as necessary as increased communications and collaborations between Utilities, Planning, and Drain offices. (John Nash – Spring Lake Township)
- d. Wyoming would also welcome a County-wide Planning Group. (Bill Dooley – City of Wyoming)
- e. Generally, the current scope of the Ottawa County Public Utilities Department seems to be at an adequate/useful level for the Township as that scope relates to services and value added to the Township's ongoing utilities services. As Ottawa County Public Utilities deals with administration of the Wyoming Wholesale Water Contract, additional communication and opportunity to review and discuss contract issues/changes with the local agencies affected by such issues/changes is appreciated. (Don Komejan – Holland Charter Township)
- f. What we're doing here is critically important for the future growth of Ottawa County. Smart growth, economic development, and quality of life are directly connected to

Attachment K

infrastructure that is both reliable in capacity and redundancy. That can be achieved to a certain extent where “systems” owned by local governments are inter-connected to provide a degree of capacity and redundancy in an economically feasible fashion. Is it complicated? Yes. Is it achievable? Absolutely!

In short, Public Utilities should act more like a symphony conductor and not attempt to play all the instruments as well.

Thank you for facilitating this study and discussion and all the hard work and time that has been invested in this project! (Steve Patrick – City of Coopersville)

- g. Currently, there are some retirements close at hand. It seems this is an excellent time to re-evaluate personnel requirements, cost allocation, service areas, and project elimination. The Road Commission has created a utilities hierarchy that is cost prohibitive and manager over loaded. On the open market it would be non-competitive! Hopefully, this exercise will bring some structural changes that will benefit local government users. (Leon Stille – Crockery Township)
- h. I am both satisfied with the current service and open to change if the County can operate more efficiently. (Dan Carlton – Georgetown Township)
- i. Any decision to move the Public Utilities department from the OCRC to the Ottawa County structure (as allowed under PA 185) would not be related to the performance of the individual members of the department; rather it should be related to recognizing that broadening the level of support from staff (that are currently working within the Ottawa County Planning Department and have both expertise and capacity) would improve the level of support to Public Utilities and improve the performance of the department. I would also note that the aforementioned is a personal opinion and is not a policy decision of the Grand Haven Township elected board members. (Bill Cargo – Grand Haven Charter Township)

Attachment L

**FINANCING PUBLIC IMPROVEMENTS UNDER
THE COUNTY PUBLIC IMPROVEMENTS ACT (1939 PA 342)
AND THE COUNTY DEPARTMENT OF PUBLIC WORKS ACT (1957 PA 185)**

January 14, 2013

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Attachment L

COUNTY PUBLIC IMPROVEMENTS ACT (1939 PA 342)

and

COUNTY DEPARTMENT OF PUBLIC WORKS ACT (1957 PA 185)

I. Act 342

- A. Authorizes a county, by a majority vote of the members elect of the board of commissioners, to establish a system or systems of:
 - 1. Water improvements and services
 - 2. Sewer or sewage disposal improvements and services
 - 3. Garbage or rubbish collection and disposal facilities and services
- B. The county board of commissioners by resolution designates a "county agency" which has supervision and control of the management and operation of all such systems and facilities.
 - 1. County agency may be:
 - (a) Board of county road commissioners
 - (b) Drain commissioner
 - (c) Board of public works
- C. The county is authorized to issue bonds to finance any of the foregoing systems or facilities.

II. Act 185

- A. Authorizes a county to create a department of public works for the administration of the powers conferred upon the county thereunder.
 - 1. Department of public works shall be under the general control of the county board of commissioners and under the immediate control of a board of public works.
 - 2. Board of public works consists of:
 - (a) 5, 7 or 9 members, one of whom is required to be the county drain commissioner and the remaining members who are appointed by the board of commissioners; or

Attachment L

- (b) with a 2/3 vote of the county board of commissioners, either
 - (i) Board of county road commissioners
 - (ii) Drain commissioner
 - (iii) Public works commissioner; or
 - (c) in a charter county, the county executive or chief county administrative officer
- B. Authorizes a county to acquire, improve, enlarge, extend, operate and maintain and to issue bonds to finance the following:
- 1. Water supply systems
 - 2. Sewage disposal systems
 - 3. Refuse systems
 - 4. Lake improvements
 - 5. Erosion control systems
- C. The establishment of a water supply, sewage disposal system or refuse system or the making of lake improvements or erosion control systems under Act 185 is required to be approved by a majority of the members elect of the county board of commissioners.
- III. Structuring a Bond Issue under Act 185 or Act 342
- A. Security for Bonds – The principal security for bonds issued under Act 185 or Act 342 generally is the contractual obligation of one or more local units of government (cities, villages and/or townships) to the county to pay principal of and interest on the bonds when due. These bonds are known as contract bonds. Each local unit of government has flexibility in managing its indebtedness to the county and may use more than one revenue source to pay its contractual obligation – e.g. taxes, special assessments, connection charges and/or user fees.
- 1. A county is also authorized under Act 185 and Act 342 to issue revenue bonds that are secured by the revenues to be derived from users of the project.
 - 2. There is no right of referendum on the contract under Act 185.
 - 3. There is a right of referendum on the contract under Act 342. Following the approval of the contract by the local unit, the local unit must publish a notice of right of referendum in the local newspaper, which states that the contract shall not become effective until 45 days after the date of publication of the notice, and if a petition signed by the lesser of at least 10% or 15,000 of the registered electors of the local unit is filed within

Attachment L

such 45-day period requesting a referendum on the contract, the contract shall not become effective until approved by a majority vote at a general or special election.

4. The contract obligates the county to acquire, construct and issue contract bonds to finance the project on behalf of the local unit(s) of government and obligates the local unit(s) of government to make payments to the county sufficient to enable the county to pay principal of and interest on the bonds when due. Each local unit of government, in the contract, pledges its full faith and credit to its contractual obligations to the county. In the absence of a vote of the local unit electors, the pledge obligates the local unit of government to levy sufficient taxes, subject to applicable constitutional, statutory and charter limitations, to pay its share of the debt service on the bonds unless the local unit of government has on hand funds sufficient to make such payments. Normally these funds on hand are raised through special assessments, connection charges or user fees, or some combination thereof, as specifically authorized by Act 185 or Act 342.

B. Full Faith and Credit Pledge – The county is authorized to pledge its full faith and credit as additional and secondary security for the bonds.

1. In the absence of a vote of the county electors, the full faith and credit pledge is a limited tax general obligation of the county and the ability of the county to levy taxes to satisfy the full faith and credit pledge is subject to applicable constitutional and statutory tax limitations. If the local unit(s) of government fail to pay the debt service on the bonds when due, the county is obligated to advance any deficiency as a “first budget obligation” from its general fund.
 - (a) Act 185 authorizes the state treasurer to withhold in any year 25% of the amount by which the local unit of government is delinquent to the county from moneys in possession of the state treasurer that belong to the local unit of government, and also authorizes the county to pursue any other legal remedies available for the reimbursement of any funds advanced pursuant to the county’s full faith and credit pledge.
 - (b) Act 342 authorizes the county, if it advances money by reason of its full faith and credit pledge to pay debt service on the bonds and if so provided in the contract, to notify the state treasurer to deduct the amount of money advanced by the county from any unrestricted money in the state treasurer’s possession belonging to the local unit and to pay the amount to the county.

Attachment L

IV. Ownership and Operation of Facilities

- A. Facilities financed under Act 185 or Act 342 are owned by the County. All land and interests in land are generally acquired in the name of the County and all contracts with professionals (engineers, financial advisors, bond attorneys) are either entered into with the County or assigned to the County at the time the County establishes the project as a county project under Act 185 or Act 342.
- B. The operation of the facilities is a matter to be resolved by the local unit(s) of government and the County and is generally addressed in the contract.

BLOOMFIELD 999007-100 1249139v1

Attachment M1

Financial Impact of Consolidating Public Utilities with Ottawa County

	Public Utilities is Part of Road Commission		Public Utilities is Part of County		Potential Savings/ Added Cost		Comments
REVENUES	Annual Revenue (2012)	Annual Revenue (2012)	Annual Revenue (2012)	Annual Revenue (2012)	Annual Revenue Gained (2012)		
Billed Labor	\$578,680	\$578,680	\$578,680	\$578,680	\$0		Direct labor that is billed to local units of government, retail customers, and wholesale customers
Equipment Billing	\$92,300	\$92,300	\$92,300	\$92,300	\$0		Equipment expenditures and supervisor mileage that is billed to local units of government, retail customers, and wholesale customers
Sales Surcharge	\$0	\$0	\$0	\$0	\$0		
Admin./Financial/Clerical Charge	\$138,248	\$138,248	\$138,248	\$138,248	\$0		General administrative expenditures that are billed to local units of government, retail customers, and wholesale customers
Bond Payment Process Charges	\$7,700	\$7,700	\$7,700	\$7,700	\$0		
Bond Issue Admin. Charge	\$25,999	\$25,999	\$25,999	\$25,999	\$0		
Transfers	\$0	\$0	\$0	\$0	\$0		
Interest	\$5,355	\$5,355	\$5,355	\$5,355	\$0		
Total Revenues	\$848,282	\$848,282	\$848,282	\$848,282	\$0		
EXPENSES	FTE	Annual Cost (2012)	FTE	Annual Cost (2012)	FTE	Annual Cost Savings (2012)	
Salaries							
Board of Public Works	0.0	\$0	9.0	\$9,396	9.0	(\$9,396)	Based on a 9-member Board, 18 meetings per year, a per diem of \$40 per Board member per meeting, and average mileage of \$18 per Board member per meeting
Director	1.0	\$94,917	1.0	\$94,917	0.0	\$0	
Engineer	1.0	\$77,488	1.0	\$77,488	0.0	\$0	
Supervisor	1.0	\$69,126	1.0	\$69,126	0.0	\$0	Includes premium pay
WWTPO	1.0	\$61,500	1.0	\$61,500	0.0	\$0	
Operator	1.0	\$53,680	1.0	\$53,680	0.0	\$0	
Operator	1.0	\$46,175	1.0	\$46,175	0.0	\$0	
Clerk/Secretary	1.0	\$45,359	1.0	\$45,359	0.0	\$0	
Overtime		\$10,362		\$10,362		\$0	
Sub-Total (Salaries)	7.0	\$458,607	16.0	\$468,003	9.0	(\$9,396)	
Fringe Benefits							
Health		\$80,309		\$83,611		(\$3,302)	FY 2013 cost was utilized because the County's rates changed
Dental		\$8,357		\$4,856		\$3,501	FY 2013 cost was utilized because the County's rates changed
Optical		\$1,504		\$674		\$830	FY 2013 cost was utilized because the County's rates changed
Opt-Out of Coverage		\$0		\$0		\$0	
Sub-Total (Fringe Benefits)		\$90,170		\$89,141		\$1,029	Cost savings will occur after all existing contracts are renegotiated
Other Benefits							
FICA/Medicaid		\$35,083		\$35,083		\$0	
Life Insurance		\$1,571		\$1,376		\$195	
Workers Compensation Insurance		\$1,000		\$286		\$714	"Public Utilities is Part of County" cost is based on average claims for the past 8 years and third party administration cost
Unemployment		\$0		\$2,522		(\$2,522)	
Long-Term Disability		\$0		\$1,261		(\$1,261)	
Retirement/MERS		\$41,626		\$41,626		\$0	If Public Utilities were to move under the County, their employees would eventually move to a Defined Contribution plan. The reduction in cost cannot be calculated at this time
457 Plan Match		\$0		\$1,260		(\$1,260)	
Sub-Total (Other Benefits)		\$79,280		\$83,414		(\$4,134)	Cost savings will occur after all existing contracts are renegotiated
Other Expenses							
Equipment		\$65,337		\$65,337		\$0	This expense is based on State rental rates and includes the cost associated with pick-up trucks, generators, air compressors, and other equipment
Overhead		\$69,334		\$0		\$69,334	Public Utilities is charged 10% overhead by the Road Commission on salaries, fringe benefits, other benefits, and equipment expenses. The overhead expense includes, but is not limited to, accounting services, buildings, insurance, computers, telephones, and office supplies
IT		\$0		\$16,048		(\$16,048)	The County will not add IT staff, but it will charge Public Utilities for IT services. This will result in an increase in cost for Public Utilities
Administrative Services		\$0		\$13,394		(\$13,394)	The County will charge Public Utilities for Corporate Counsel, Administrator Office, Human Resources, and Buildings. They will not be charged for Fiscal Services staff (i.e. Clerk/Secretary) who will continue to be located in the Public Utilities office. The cost may increase after the Treasurer's Office expenditures are factored into the calculations. Their cost cannot be allocated at this time because they are based on number of transactions and the manner in which Public Utilities and the County define a transaction is not comparable
Office Supplies, Postage, Telephone		\$0		\$7,048		(\$7,048)	These expenses are paid by the Road Commission and charged to Public Utilities as part of their Overhead expense
Risk Management Insurance		\$0		\$0		\$0	This expense is paid by the Road Commission and charged to Public Utilities as part of their Overhead expense. The exact cost for Public Utilities is unknown. "If Public Utilities is Part of County" there would be a cost associated with Risk Management Insurance but an estimate cannot be calculated at this time
Supervisor Mileage		\$18,619		\$18,619		\$0	
Memberships, Conferences, Training		\$10,556		\$10,556		\$0	
Audit Expense		\$8,650		\$8,650		\$0	
Building Amortization		\$0		\$0		\$0	
Transportation		\$4,980		\$4,980		\$0	This expense includes mileage paid to other Public Utilities Department employees
Legal/Consultant (not direct billed)		\$0		\$0		\$0	
Supplies/Miscellaneous		\$26,542		\$26,542		\$0	This expense covers safety equipment, fees paid to the State for licenses, and other miscellaneous expenses
Sub-Total (Other Expenses)		\$204,018		\$171,174		\$32,844	
Total Expenses		\$832,075		\$811,732			Expenses and Revenues do not balance because Public Utilities received more revenue than expenses in FY 2012
Net Financial Impact to Public Utilities						\$20,343	

Attachment M2

FINANCIAL IMPACT SUMMARY

Public Utilities Consolidation Only

	Road Commission
	Public Utilities Consolidation with Ottawa County
Road Commission	(\$49,334)
Net Financial Impact	(\$49,334)¹

	Public Utilities
	Public Utilities Consolidation with Ottawa County
Public Utilities	\$20,343
Net Financial Impact	\$20,343

	Ottawa County
	Public Utilities Consolidation with Ottawa County
Ottawa County	\$28,385
Net Financial Impact	\$28,385²

¹ If Public Utilities is part of the County, the Road Commission would lose \$69,334 in overhead revenue but also \$20,000 in direct expenses

² This reflects revenue that the County would receive from Public Utilities for IT and Administrative Services charges. The cost of IT Equipment expenditures are excluded

Attachment M3

**FY 2012 Annual Salaries by Staff Position
Public Utilities is Part of Road Commission**

Position	Bargaining Unit	Annual Salary (FY 2012)	Comments
P.U. Clerk/Sec.	Non-Bargaining Unit	\$45,359	100% of time to Public Utilities Department
Director	Non-Bargaining Unit	\$94,917	
Engineer	Non-Bargaining Unit	\$77,488	
Public Utility Supervisor	Non-Bargaining Unit	\$69,126	Includes premium pay
Public Utility WWTP	Non-Bargaining Unit	\$61,500	
Public Utility Operator	Non-Bargaining Unit	\$53,680	
Public Utility Operator	Non-Bargaining Unit	\$46,175	

Source: Ottawa County Road Commission

\$448,245

Attachment M4

FY 2012 Annual Overtime Pay by Staff Position
Public Utilities is Part of Road Commission

Position	Bargaining Unit	Overtime Pay (FY 2012)	Comments
P.U. Clerk/Sec.	Non-Bargaining Unit	\$0	100% of time to Public Utilities Department
Director	Non-Bargaining Unit	n/a	
Engineer	Non-Bargaining Unit	n/a	
Public Utility Supervisor	Non-Bargaining Unit	n/a	
Public Utility WWTPO	Non-Bargaining Unit	\$2,501	
Public Utility Operator	Non-Bargaining Unit	\$4,224	
Public Utility Operator	Non-Bargaining Unit	\$3,637	

Source: Ottawa County Road Commission

\$10,362

Attachment M5

**Annual Salary Comparison
Projected Cost Savings in Annual Salary if Public Utilities is Part of County**

Position	Actual Annual Salary (FY 2012)	Projected Annual Salary (FY 2012) if Public Utilities is Part of County	Annual Salary Cost Savings if Public Utilities is Part of County	Comments
P.U. Clerk/Sec.	\$45,359	\$45,359	\$0	
Director	\$94,917	\$94,917	\$0	
Engineer	\$77,488	\$77,488	\$0	
Public Utility Supervisor	\$69,126	\$69,126	\$0	Includes premium pay
Public Utility WWTP	\$61,500	\$61,500	\$0	
Public Utility Operator	\$53,680	\$53,680	\$0	
Public Utility Operator	\$46,175	\$46,175	\$0	
Total	\$448,245	\$448,245	\$0	

Source: Ottawa County Road Commission; Ottawa County Human Resources Department

Rationale for Projected Annual Salary if Public Utilities is Part of County:

For Administration and Finance positions, the Ottawa County Human Resources Department conducted an informal Wage Study. If the Actual 2012 Salary for a Public Utilities Staff Position is within the salary range as determined by the informal Wage Study, then the Actual Salary will be the Projected Salary.

For Administration and Finance positions, the Ottawa County Human Resources Department conducted an informal Wage Study. If the Actual 2012 Salary for a Public Utilities Staff Position is higher than the salary range as determined by informal Wage Study, then the Projected Salary will be the Maximum Salary as defined in the Wage Study.

For the remaining Public Utilities Staff positions which are not comparable to a County position, the position will be part of a new Public Utilities Bargaining Unit and the salary will remain as it was for that position.

Attachment M6

**Annual Overtime Pay Comparison
Projected Cost Savings in Annual Overtime Pay if Public Utilities is Part of County**

Position	Actual Overtime Pay (FY 2012)	Projected Overtime Pay (FY 2012) if Public Utilities is Part of County	Annual Overtime Cost Savings if Public Utilities is Part of County	Comments
P.U. Clerk/Sec.	\$0	\$0	\$0	
Director	n/a	n/a	n/a	
Engineer	n/a	n/a	n/a	
Public Utility Supervisor	n/a	n/a	n/a	
Public Utility WWTPPO	\$2,501	\$2,501	\$0	
Public Utility Operator	\$4,224	\$4,224	\$0	
Public Utility Operator	\$3,637	\$3,637	\$0	
Total	\$10,362	\$10,362	\$0	

Source: Ottawa County Road Commission; Ottawa County Human Resources Department

Rationale for Projected Annual Overtime Pay if Public Utilities is Part of County:

If the Public Utilities position that received overtime pay has been classified as Unclassified as determined by the Ottawa County Human Resources Department as part of an Informal Wage Study, then the Projected Overtime Pay will be \$0

Attachment M7

**Annual Health, Dental, and Optical Insurance Cost (FY 2012)
Public Utilities is Part of Road Commission**

Health

Type of Health Plan	Number of Employees	Total Premium (Annual)	Employee Paid Premium (10% of Total)	Employer Paid Premium	Annual Cost to Road Commission
Single	0.0	\$4,863.24	\$486.36	\$4,376.88	\$0.00
Two-Person	3.0	\$10,700.16	\$1,070.04	\$9,630.12	\$28,890.36
Family	4.0	\$14,282.88	\$1,428.24	\$12,854.64	\$51,418.56
Source: Ottawa County Road Commission				Total	\$80,308.92

Dental

Type of Dental Plan	Number of Employees	Total Premium (Annual)	Employee Paid Premium	Employer Paid Premium	Annual Cost to Road Commission
Single	0.0	\$453.24	\$0.00	\$453.24	\$0.00
Two-Person	3.0	\$803.64	\$0.00	\$803.64	\$2,410.92
Family	4.0	\$1,486.44	\$0.00	\$1,486.44	\$5,945.76
Source: Ottawa County Road Commission				Total	\$8,356.68

Optical

Type of Optical Plan	Number of Employees	Total Premium (Annual)	Employee Paid Premium	Employer Paid Premium	Annual Cost to Road Commission
Single	0.0	\$96.84	\$0.00	\$96.84	\$0.00
Two-Person	3.0	\$147.84	\$0.00	\$147.84	\$443.52
Family	4.0	\$265.20	\$0.00	\$265.20	\$1,060.80
Source: Ottawa County Road Commission				Total	\$1,504.32

Attachment M8

**Annual Health Insurance Cost for Public Utilities Staff
If Public Utilities is Part of County**

Health Plan and Health Management Plan Compliance	Number of Ottawa County Employees by Plan Type			Percent of Ottawa County Employees by Plan Type			Number of Public Utilities Employees by Plan Type ¹		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
HSA Plan - Compliant	125	131	360	68.3%	73.6%	81.4%	0	2	3
HSA Plan - 1 Category Non Compliant	7	9	28	3.8%	5.1%	6.3%	0	0	0
HSA Plan - 2 Categories Non Compliant	4	8	15	2.2%	4.5%	3.4%	0	0	0
Low Plan - Compliant	4	0	3	2.2%	0.0%	0.7%	0	0	0
Low Plan - 1 Category Non Compliant	0	1	0	0.0%	0.6%	0.0%	0	0	0
Low Plan - 2 Categories Non Compliant	0	0	1	0.0%	0.0%	0.2%	0	0	0
High Plan - Compliant	38	26	29	20.8%	14.6%	6.6%	0	1	1
High Plan - 1 Category Non Compliant	4	1	4	2.2%	0.6%	0.9%	0	0	0
High Plan - 2 Categories Non Compliant	1	2	2	0.5%	1.1%	0.5%	0	0	0
Total	183	178	442	100.0%	100.0%	100.0%	0	3	4

Health Plan and Health Management Plan Compliance	Total Premium			Employee Paid Premium			Employer Paid Premium		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
HSA Plan - Compliant	\$4,507.92	\$10,143.00	\$12,622.92	\$0.00	\$0.00	\$0.00	\$4,507.92	\$10,143.00	\$12,622.92
HSA Plan - 1 Category Non Compliant	\$4,507.92	\$10,143.00	\$12,622.92	\$676.26	\$1,521.52	\$1,893.32	\$3,831.66	\$8,621.48	\$10,729.60
HSA Plan - 2 Categories Non Compliant	\$4,507.92	\$10,143.00	\$12,622.92	\$901.68	\$2,028.52	\$2,524.60	\$3,606.24	\$8,114.48	\$10,098.32
Low Plan - Compliant	\$5,749.80	\$12,936.84	\$16,099.44	\$1,149.98	\$2,587.26	\$3,219.84	\$4,599.82	\$10,349.58	\$12,879.60
Low Plan - 1 Category Non Compliant	\$5,749.80	\$12,936.84	\$16,099.44	\$2,012.40	\$4,527.90	\$5,634.72	\$3,737.40	\$8,408.94	\$10,464.72
Low Plan - 2 Categories Non Compliant	\$5,749.80	\$12,936.84	\$16,099.44	\$2,299.96	\$5,174.52	\$6,439.68	\$3,449.84	\$7,762.32	\$9,659.76
High Plan - Compliant	\$6,301.20	\$14,177.76	\$17,643.24	\$1,260.22	\$2,835.56	\$3,528.72	\$5,040.98	\$11,342.20	\$14,114.52
High Plan - 1 Category Non Compliant	\$6,301.20	\$14,177.76	\$17,643.24	\$2,205.32	\$4,962.10	\$6,175.26	\$4,095.88	\$9,215.66	\$11,467.98
High Plan - 2 Categories Non Compliant	\$6,301.20	\$14,177.76	\$17,643.24	\$2,520.44	\$5,671.12	\$7,057.44	\$3,780.76	\$8,506.64	\$10,585.80

Health Plan and Health Management Plan Compliance	Number of Public Utilities Employees by Plan Type ¹			Employer Paid Premium			Annual Cost to the County		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
HSA Plan - Compliant	0	2	3	\$4,507.92	\$10,143.00	\$12,622.92	\$0.00	\$20,286.00	\$37,868.76
HSA Plan - 1 Category Non Compliant	0	0	0	\$3,831.66	\$8,621.48	\$10,729.60	\$0.00	\$0.00	\$0.00
HSA Plan - 2 Categories Non Compliant	0	0	0	\$3,606.24	\$8,114.48	\$10,098.32	\$0.00	\$0.00	\$0.00
Low Plan - Compliant	0	0	0	\$4,599.82	\$10,349.58	\$12,879.60	\$0.00	\$0.00	\$0.00
Low Plan - 1 Category Non Compliant	0	0	0	\$3,737.40	\$8,408.94	\$10,464.72	\$0.00	\$0.00	\$0.00
Low Plan - 2 Categories Non Compliant	0	0	0	\$3,449.84	\$7,762.32	\$9,659.76	\$0.00	\$0.00	\$0.00
High Plan - Compliant	0	1	1	\$5,040.98	\$11,342.20	\$14,114.52	\$0.00	\$11,342.20	\$14,114.52
High Plan - 1 Category Non Compliant	0	0	0	\$4,095.88	\$9,215.66	\$11,467.98	\$0.00	\$0.00	\$0.00
High Plan - 2 Categories Non Compliant	0	0	0	\$3,780.76	\$8,506.64	\$10,585.80	\$0.00	\$0.00	\$0.00
Source: Ottawa County Human Resources Department; Ottawa County Road Commission				Total	\$0.00	\$31,628.20	\$51,983.28		

¹ The Road Commission identified the number of Public Utilities employees with Single, Two-Person, and Family Health Insurance Coverage. These numbers were then multiplied by the percent of Ottawa County employees who opted for each type of Health Plan (i.e. HSA, Low, or High Plan) and the percent of Ottawa County employees who were compliant/non compliant with the Health Management Plan

Attachment M9

**Annual Dental Insurance Cost for Public Utilities Staff
If Public Utilities is Part of County**

Dental Plan	Number of Ottawa County Employees by Plan Type			Percent of Ottawa County Employees by Plan Type			Number of Public Utilities Employees by Plan Type ¹		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
Basic	45	38	116	24.6%	21.3%	26.2%	0	1	1
Enhanced	138	140	326	75.4%	78.7%	73.8%	0	2	3
Total	183	178	442	100.0%	100.0%	100.0%	0	3	4

Dental Plan	Total Premium			Employee Paid Premium			Employer Paid Premium		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
Basic	\$281.04	\$674.40	\$843.00	\$28.08	\$67.34	\$84.24	\$252.96	\$607.06	\$758.76
Enhanced	\$416.64	\$999.84	\$1,249.80	\$164.06	\$392.86	\$491.14	\$252.58	\$606.98	\$758.66

Dental Plan	Number of Public Utilities Employees by Plan Type ¹			Employer Paid Premium			Annual Cost to the County		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
Basic	0	1	1	\$252.96	\$607.06	\$758.76	\$0.00	\$607.06	\$758.76
Enhanced	0	2	3	\$252.58	\$606.98	\$758.66	\$0.00	\$1,213.96	\$2,275.98
						Total	\$0.00	\$1,821.02	\$3,034.74

Source: Ottawa County Human Resources Department; Ottawa County Road Commission

¹ The Road Commission identified the number of Public Utilities employees with Single, Two-Person, and Family Dental Insurance Coverage. These numbers were then multiplied by the percent of Ottawa County employees who opted for each type of Dental Plan (i.e. Basic or Enhanced)

Attachment M10

**Annual Vision Insurance Cost for Public Utilities Staff
If Public Utilities is Part of County**

Vision Plan	Number of Ottawa County Employees by Plan Type			Percent of Ottawa County Employees by Plan Type			Number of Public Utilities Employees by Plan Type ¹		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
Basic	66	51	136	36.1%	28.7%	30.8%	0	1	1
Enhanced	117	127	306	63.9%	71.3%	69.2%	0	2	3
Total	183	178	442	100.0%	100.0%	100.0%	0	3	4

Vision Plan	Total Premium			Employee Paid Premium			Employer Paid Premium		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
Basic	\$39.60	\$79.44	\$127.92	\$4.16	\$8.06	\$13.00	\$35.44	\$71.38	\$114.92
Enhanced	\$56.64	\$113.40	\$182.64	\$21.06	\$42.12	\$67.60	\$35.58	\$71.28	\$115.04

Vision Plan	Number of Public Utilities Employees by Plan Type ¹			Employer Paid Premium			Annual Cost to the County		
	Single	Two-Person	Family	Single	Two-Person	Family	Single	Two-Person	Family
Basic	0	1	1	\$35.44	\$71.38	\$114.92	\$0.00	\$71.38	\$114.92
Enhanced	0	2	3	\$35.58	\$71.28	\$115.04	\$0.00	\$142.56	\$345.12
				Total			\$0.00	\$213.94	\$460.04

Source: Ottawa County Human Resources Department; Ottawa County Road Commission

¹ The Road Commission identified the number of Public Utilities employees with Single, Two-Person, and Family Vision Insurance Coverage. These numbers were then multiplied by the percent of Ottawa County employees who opted for each type of Vision Plan (i.e. Basic or Enhanced)

Attachment M11

**Annual Cost of Other Benefits
Public Utilities is Independent**

	Annual Cost (FY 2012)
FICA/Medicaid	\$35,083
Life Insurance	\$1,571
Workers Compensation Insurance	\$1,000
Unemployment	\$0
Long-Term Debt	\$0
Retirement/MERS	\$41,626
457 Plan Match	\$0
Total	\$79,280

Source: Ottawa County Road Commission

Attachment M12

**Annual Cost of Other Benefits
If Public Utilities is Part of County**

Position	Projected Annual Salary and Overtime (FY 2012) if Public Utilities is Part of County	FICA/Medicaid	Life Insurance	Unemployment	Long-Term Disability
P.U. Clerk/Sec.	\$45,359	\$3,470	\$136	\$249	\$125
Director	\$94,917	\$7,261	\$285	\$522	\$261
Engineer	\$77,488	\$5,928	\$232	\$426	\$213
Public Utility Supervisor	\$69,126	\$5,288	\$207	\$380	\$190
Public Utility WWTP	\$64,001	\$4,896	\$192	\$352	\$176
Public Utility Operator	\$57,904	\$4,430	\$174	\$318	\$159
Public Utility Operator	\$49,812	\$3,811	\$149	\$274	\$137
Total	\$458,607	\$35,083	\$1,376	\$2,522	\$1,261

Source: Ottawa County Human Resources Department

Other benefits calculated based on the following assumptions:

FICA = 7.65% of salary

Life Insurance = 0.3% of salary

Unemployment = 0.55% of salary

Disability = 0.275% of salary

Attachment M13

Workers Compensation Cost Public Utilities is Part of County

Workers Compensation Third Party Administration Cost Public Utilities is Part of County

	Annual Cost Per Year ¹
Third Party Administrator	\$5,000
Excess Carrier	\$6,000
Total	\$11,000
Cost Allocated to Public Utilities (2.6%)²	\$286

Source: Ottawa County Human Resources Department; Third Party Administrator for Workers Compensation

¹ This is an estimated cost based on the Road Commission's workers compensation claims from 2005-2012, the number of FTE, and the workers compensation codes of their employees. The cost could change once a full assessment is completed. However, the third party administrator noted that the claims history for the Road Commission is good and that their rates would probably improve if combined with the County which has a better rating

² The annual cost for Third Party Administration includes Road Commission and Public Utilities. Since the Road Commission allocated 2.6% of their administration cost to Public Utilities, the County allocated their Third Party Administration cost in the same manner

Total Workers Compensation Cost Public Utilities is Part of County

	Average Cost Per Year
Average Claims Cost ¹	\$0
Third Party Administration	\$286
Total	\$286

¹ Public Utilities did not have any workers compensation claims in 2012

Attachment M14

County Charges Public Utilities is Part of County

	Annual Cost
IT Charges¹	
Technology and Infrastructure	\$3,659
Applications and Data	\$10,263
User Services	\$2,126
<i>Total IT Charges</i>	<i>\$16,048</i>

Administrative Charges²	
Corporate Counsel	\$1,265
Administrator	\$2,957
Human Resources	\$4,113
Building Expenses	\$5,059
<i>Total Administrative Charges³</i>	<i>\$13,394</i>

Source: Ottawa County Road Commission; Ottawa County IT Department; Ottawa County Cost Allocation Plan

¹ Calculated by the Planning and Performance Improvement Department using the County's Cost Allocation Plan that was completed by MGT of America, Inc.

² Calculated by the Planning and Performance Improvement Department using the County's Cost Allocation Plan that was completed by MGT of America, Inc. There is no charge for Fiscal Services staff (i.e. Clerk/Secretary) who will continue to work in the Public Utilities office

³ This cost may increase after the Treasurer's Office expenditures are factored into the calculation. Their expenditures are allocated based on number of transactions; the manner in which Public Utilities' transactions are counted is not comparable to the County at this time

Attachment M15

Cost for Office Supplies, Postage, and Telephones Public Utilities is Part of County

Item	Estimated Annual Cost
Office Supplies ¹	\$1,751
Postage ¹	\$429
Telephones ²	\$4,868
Total Cost	\$7,048

Source: Ottawa County Road Commission

¹ Office Supplies and Postage cost were allocated based on FTE and the Road Commission's total budget for these expenditures

² The telephone cost reflects the County Planning and Performance Improvement Department's telephone expenditures for 2012; this was utilized because the departments are similar in size

Attachment M16

IT Equipment and Software Cost Public Utilities is Part of County

Item	Average Cost ¹	Total Number of Items (Public Utilities)	Total Cost	Average Cost Per Year ²
PC with Software	\$913	5	\$4,565.00	\$913
Computer Monitor	\$173	3	\$519.00	\$104
Desktop Printer	\$200	1	\$200.00	\$40
Source: Ottawa County IT Department; Ottawa County Road Commission			Annual Cost	\$1,057

¹ Reflects the average cost to the County in 2012

² The Total Cost was amortized over 5 years to reflect the normal replacement cycle of IT equipment

Attachment N

Public Utility Systems - Financing Status (March 2013)

System #	System	As of MAY 1, 2013	Amount of		Rate of	Principal	Interest	Issue	Year	Term	Maturity	Paying
			Issue	Grants								
5922-04	Grand Valley Water & Sewer System, 1963		425,000		4.00	Pd 1993	-0-	02-01-63		-	-	
5922-05	Allendale Sewage Disposal System, 1980		910,000	2,672,890	167,849	1	8.19	Pd 1999	-0-	02-01-80		
5922-05	Allendale Sewage Disposal System, 1980, 1998 Ref		375,000		4.49	Pd 2004	-0-	08-01-98		-	-	
5922-07	Allendale Twp. Water Ext. No. 1, 1985		560,000	275,000	275,000	2	9.50	Pd 1987	-0-	06-04-85		
5922-07	Allendale Twp. Water Ext. No. 1, 1985, 1987 Ref		280,000		6.73	Pd 2001	-0-	08-01-87		-	-	
5922-09	Allendale Twp. Water Ext. No. 2, 1986		420,000		6.82	Pd 2001	-0-	04-01-86		-	-	
5922-11	Allendale Twp. Water & Sewer Ext., 1987		2,320,000		7.07	-0-	-0-	05-01-87		-	-	
5922-11	Allendale Twp. Water & Sewer Ext., 1987, 1998 Ref		1,080,000		4.49	Pd 2002	-0-	01-01-98		-	-	
5922-13	Allendale Twp. Water & Sewer Ext., 1989		3,900,000		6.84	-0-	-0-	06-01-89		-	-	
5922-13	Allendale Twp. Water & Sewer Ext., 1989, 1998 Ref		2,720,000		4.49	Pd 2002	-0-	08-01-98		-	-	
5922-13	Allendale Twp. Water & Sewer Ext. Suppl., 1989		1,000,000		6.87	Pd 2002	-0-	09-01-89		-	-	
5922-16	Allendale Twp. Water & Sewer Ext., 1991		4,000,000		6.08	Pd 2002	-0-	06-01-91		-	-	
5922-18	Allendale Twp. WWTP Expansion, 1998		4,785,000		2.25	1,894,446	152,637	05-01-98		a-O	MI Mun	
5922-20	Allendale Twp. Extensions & Improvements, 2000		1,865,000		2.50	757,087	77,990	04-01-00		O-a	MI Mun	
5922-22	Allendale Twp. Extensions & Improvements, 2005		2,625,000		4.09	1,836,000	524,472	07-07-05		O-a	B of NY	
5922-24	Allendale Twp. Water Ext. 2006		1,175,000		4.20	900,000	251,004	11/09/06		A-o	B of NY	
5922-26	Allendale Twp. Water Syst. Imp. 2007		2,655,000		2.13	1,871,968	309,985	06/28/07		A-o	B of NY	
300228	Allendale Twp. WW Syst. Imp. 2012 SWRF		2,680,000		2.50	2,680,000		09/18/12		A-o	MI Fin Auth	
8511-02	Wyoming Pipeline, 1965		1,180,000		3.30	Pd 2000	-0-	06-01-65		-	-	
8511-03	Wyoming Expansion, 1972		1,000,000		4.50	Pd 1996	-0-	04-01-72	1973	-	-	
8511-03	Wyoming Expansion, 1973		220,000		4.58	Pd 1987	-0-	08-01-73		-	-	
8511-05	Wyoming Water Improvements, 1988		11,325,000		7.46	Pd 1996	-0-	08-01-88		-	-	
8511-05	Wyoming Water Improvements, 1988, 1992 Ref		10,035,000		5.67	Pd 2002	-0-	08-01-92		-	-	
8511-05	Wyoming Water Improvements, 1988, 2002 Ref		6,030,000		2.75	Pd 2008	-0-	11-05-02		-	-	
8511-08	Wyoming Water Improvements, 1995		185,000		5.30	Pd 2006	-0-	09-01-95		-	-	
8511-08	Wyoming Water Improvements, 1995, 2006 Ref		2,345,000		4.16	885,000	72,000	05-17-06		f-A	B of NY	
8511-10	Wyoming Water Improvements, 2002, 2011 Ref		6,500,000		4.60	5,190,000	1,245,825	11-01-02		f-A	B of NY	
8511-12	Wyoming Water Treatment Plant Exp. 2007		38,145,000		4.51	35,890,000	22,001,532	05-24-07		f-A	B of NY	
301114	Wyoming Water Treatment Plant Exp. 2009		3,000,000		4.77	2,715,000	1,304,113	06-30-09		f-A	B of NY	
8512-05	Rush Creek Sewers, 1969		3,100,000	311,200	461,955	1	5.50	Pd 1992	-0-	01-01-69		
8512-06	Rush Creek Sewers Ext. No. 1, 1969		215,000		5.75	Pd 1979	-0-	06-01-69		-	-	
8512-07	Rush Creek Sewers Ext. No. 2, 1971		590,000		4.05	Pd 1990	-0-	01-01-71		-	-	
8512-08	Rush Creek Ext. No. 6, 1978		720,000		5.57	Pd 1990	-0-	05-01-78		-	-	
8512-09	Rush Creek Ext. No. 7, 1981		2,370,000	1,852,526		9.24	-0-	01-01-81		-	-	
8512-09	Rush Creek Ext. No. 7, 1981, 1988 Ref		1,700,000		6.12	Pd 1995	-0-	06-01-88		-	-	
8512-11	Rush Creek Ext. No. 9, 1988		820,000		6.11	Pd 1997	-0-	02-01-88		-	-	
301213	Grandville Sewer Extension 2010		20,575,000		4.38	20,575,000	15,292,844	07-22-10		M-n	B of NY	
8513-03	Park Twp. Water System, 1973		675,000		4.33	Pd 1983	-0-	05-01-73		-	-	
8513-04	Park Twp. Water Ext. No. 1, 1979		730,000		5.70	Pd 1991	-0-	07-01-79		-	-	
8513-06	Park Twp. Water Ext. No. 2, 1980		335,000		11.09	Pd 1995	-0-	10-01-80	1981	-	-	
8513-08	Park Twp. Water Ext. No. 3, 1981		200,000	245,000		5.00	Pd 1998	-0-	05-14-81		-	
8513-10	Park Twp. Water Ext. No. 4, 1984		225,000		8.81	Pd 1994	-0-	04-01-84		-	-	
8513-12	Park Twp. Water Ext. No. 5, 1985		265,000		8.08	Pd 1995	-0-	09-01-85		-	-	
8513-14	Park Twp. Water & Sewer Ext., 1987		230,000		6.51	Pd 1997	-0-	05-01-87		-	-	
8513-16	Park Twp. Water & Sewer Ext., 1988		845,000		6.58	Pd 1998	-0-	05-01-88		-	-	
8514-02	Georgetown Twp. Water System No. 1, 1965		700,000		3.50	Pd 1994	-0-	09-01-65		-	-	
8514-03	Georgetown Twp. Water System Ext., 1968		100,000		4.58	Pd 1988	-0-	04-01-68		-	-	
8514-04	Georgetown Twp. Water System Ext., 1972		390,000		4.30	Pd 1986	-0-	04-01-72		-	-	
8514-05	Georgetown Twp. Water System Ext., 1976		945,000		4.75	Pd 1992	-0-	07-01-76	1977	-	-	
8514-07	Georgetown Twp. Water & Sewer Ext., 1986		4,400,000		7.14	Pd 1993	-0-	06-01-86		-	-	

Public Utility Systems - Financing Status (March 2013)

<u>System #</u>	<u>System</u>	<u>Amount of Issue</u>	<u>Grants Federal</u>	<u>Other</u>	<u>Rate of Interest</u>	<u>Principal Balance</u>	<u>Interest Balance</u>	<u>Issue Dated</u>	<u>Year Sold</u>	<u>Pymt Due</u>	<u>Paying Agent</u>
8515-01	Holland Twp. Water System, 1971	1,300,000			5.30	Pd 1991	-0-	10-01-71	1972	-	-
8515-02	Holland Twp. Water Ext. No. 1, 1974	550,000			5.55	Pd 1984	-0-	03-01-74		-	-
8515-03	Holland Twp. Water Ext. No. 2, 1975	1,115,000			5.80	Pd 1990	-0-	07-01-75		-	-
8516-05	NWOC Water - Transmission Main, 1976	3,160,000			5.00	-0-	-0-	09-27-76		-	-
8516-05	NWOC Water - Transmission Main, 1976, 1989 Ref	2,035,000			7.46	Pd 1997	-0-	04-01-89		-	-
8516-05	NWOC Water - Transmission Main, 1976, 1995 2nd Ref	1,935,000			5.49	Pd 2005	-0-	09-01-95		-	-
8516-06	NWOC Water - Ferrysburg Dbn., 1976	410,000			5.00	-0-	-0-	09-27-76		-	-
8516-06	NWOC Water - Ferrysburg Dbn., 1976, 1989 Ref	265,000			7.45	35,000	4,180	04-01-89		J-j	B of NY
8516-07	NWOC Water - Spring Lake Dbn., 1976	1,630,000			5.00	-0-	-0-	09-27-76		-	-
8516-07	NWOC Water - Spring Lake Dbn., 1976, 1989 Ref	1,040,000			7.46	-0-	-0-	04-01-89		-	-
8516-07	NWOC Water - Spring Lake Dbn., 1976, 2001 2nd Ref	810,000			4.37	Pd 2011	-0-	10-03-01		-	-
8516-10	Spring Lake Twp. Water Ext., 1987	1,595,000			6.68	Pd 2002	-0-	05-01-87		-	-
8516-12	NWOC Water - Transmission Main No. 2, 1990	5,100,000			6.78	-0-	-0-	10-01-90		-	-
8516-12	NWOC Water - Transmission Main No. 2, 1990, 1998 Ref	4,555,000			4.71	Pd 2010	-0-	08-01-98		-	-
8516-13	NWOC Water - Trans Main 1976,1989,1995, 2005 Ref	1,155,000			4.16	245,000	14,600	11-29-05	2005	J-j	B of NY
8517-03	Grand Haven Twp. Water System, 1978	3,375,000	3,375,000		5.00	Pd 2005	-0-	06-26-78		-	-
8517-05	Grand Haven Twp. Sewer System, 1985	1,100,000			7.39	-0-	-0-	08-01-85	1986	-	-
8517-05	Grand Haven Twp. Sewer System, 1985, 1998 Ref	875,000			4.77	Pd 2010	-0-	08-01-98		-	-
8517-07	Grand Haven Twp. Water Ext., 1993	650,000			5.09	Pd 2005	-0-	05-01-93		-	-
8517-09	Grand Haven Twp. Water Ext. No. 2, 1993	1,200,000			4.65	Pd 2005	-0-	02-01-94	1994	-	-
8517-11	Grand Haven Twp. Wastewater Ext., 1996	1,100,000			5.74	345,000	41,548	05-01-96		j-J	B of NY
8517-13	Grand Haven Twp. Transmission Main, 1999	3,110,000			5.21	Pd 2008	0	07-01-99		-	-
8517-14	Grand Haven Twp. 1978,1993,1993 No. 2, 1999, 2005 Ref	4,670,000			4.22	2,810,000	357,359	11-29-05	2005	j-J	B of NY
301716	Grand Haven Twp. Wastewater System Imp. 2008	985,000			4.99	900,000	397,083	3-27-08	2008	j-J	B of NY
8518-04	Holland Wastewater Treatment Plant, 1978	2,485,000	8,583,000		5.66	Pd 1998	-0-	07-01-78		-	-
8518-05	Holland-Park Collection Sewers , 1978	8,520,000	15,574,253		5.45	Pd 1996	-0-	10-01-78		-	-
8518-07	Holland Twp. Ext., 1981	3,620,000			12.03	-0-	-0-	04-01-82		-	-
8518-07	Holland Twp. 1981 Ext., 1985 Ref	4,195,000			8.63	-0-	-0-	06-01-85		-	-
8518-07	Holland Twp. 1981 Ext., 1991 2nd Ref	3,765,000			6.04	Pd 2001	-0-	05-01-91		-	-
8518-09	Holland Twp. Water & Sewer Ext., 1983	2,580,000			9.41	-0-	-0-	05-01-83		-	-
8518-09	Holland Twp. Water & Sewer Ext., 1983, 1990 Ref	1,880,000			6.87	-0-	-0-	07-01-90		-	-
8518-09	Holland Twp. Water & Sewer Ext., 1983, 1998 2nd Ref	1,695,000			4.49	Pd 2004	-0-	08-01-98		-	-
8518-11	Holland Twp. Water & Sewer Ext., 1985	5,820,000			7.85	-0-	-0-	01-01-86		-	-
8518-11	Holland Twp. Water & Sewer Ext., 1985, 1991 Ref	5,435,000			6.56	Pd 2001	-0-	05-01-91		-	-
8518-11	Holland Twp. Water & Sewer Ext., 1985, 1998 2nd Ref	3,250,000			4.65	Pd 2006	-0-	08-01-98		-	-
8518-13	Holland Twp. Water & Sewer Ext., 1990	3,955,000			7.35	Pd 2000	-0-	04-01-90		-	-
8518-13	Holland Twp. Water & Sewer Ext., 1990, 1997 Ref	3,015,000			4.84	Pd 2010	-0-	08-01-97		-	-
8518-15	Holland Twp. Water & Sewer Ext., 1991	1,520,000			6.59	Pd 2001	-0-	08-01-91		-	-
8518-15	Holland Twp. Water & Sewer Ext., 1991, 2001 Ref	1,115,000			4.37	Pd 2011	-0-	08-02-01		-	-
8518-17	Holland Area Wastewater System Imp., 1994	11,900,000			5.91	Pd 2002	-0-	07-01-94		-	-
8518-17	Holland Area Wastewater System Imp., 1994, 2001, 2011 R	9,395,000			2.00	1,925,000	38,750	08-02-01		J-d	B of NY
8518-19	Holland Twp. Water Ext., 1998, 2010 Ref	3,920,000			2.48	1,605,000	135,737	08-01-98		f-A	B of NY
8519-03	Olive Blendon Water System, 1978	768,000	732,000		5.00	400,000	110,000	07-14-78		J-j	GE Cap

Attachment N

Public Utility Systems - Financing Status (March 2013)

<u>System #</u>	<u>System</u>	<u>Amount of Issue</u>	<u>Grants Federal</u>	<u>Other</u>	<u>Rate of Interest</u>	<u>Principal Balance</u>	<u>Interest Balance</u>	<u>Issue Dated</u>	<u>Year Sold</u>	<u>Pymt Due</u>	<u>Paying Agent</u>
8520-03	Coopersville Water System, 1978	1,175,000	1,175,000		5.00	365,000	55,000	07-21-78		J-j	GE Cap
8521-04	NWOC Sewers - Ferrysburg System, 1981	3,000,000	2,865,977		10.16	-0-	-0-	03-01-81	-	-	
8521-04	NWOC Sewers - Ferrysburg System, 1981, 1987 Ref	2,620,000			6.20	-0-	-0-	02-15-87	-	-	
8521-04	NWOC Sewers - Ferrysburg System, 1981, 1998 2nd Ref	1,425,000			4.55	Pd 2004	-0-	08-01-98	-	-	
8521-05	NWOC Sewers - Sp Lake System, 1981	4,200,000	4,081,816		10.28	Pd 1995	-0-	03-01-81	-	-	
8521-05	NWOC Sewers - Sp Lake System, 1981, 1988 Ref	3,555,000			7.21	-0-	-0-	07-01-88	-	-	
8521-05	NWOC Sewers - Sp Lake System, 1981, 1993 2nd Ref	3,610,000			4.70	Pd 2004	-0-	06-01-93	-	-	
8521-07	Gr. Hvn./Sp. Lk. Sewer Authority Plant Imp., 1989 "A"	1,020,000			6.41	Pd 1999	-0-	07-01-89	-	-	
8521-07	Gr. Hvn./Sp. Lk. Sewer Auth. Imp., 1989 "A", 1998 Ref	735,000			4.71	Pd 2009	-0-	08-01-98	-	-	
8521-07	Gr. Hvn./Sp. Lk. Sewer Authority Plant Imp., 1989 "B"	2,390,000			6.97	Pd 1998	-0-	07-01-89	-	-	
8521-07	Gr. Hvn./Sp. Lk. Sewer Auth. Imp., 1989 "B", 1998 Ref	1,460,000			4.60	Pd 2004	-0-	08-01-98	-	-	
8521-09	Spring Lake Twp. Sewer Ext., 1999	900,000			4.89	Pd 2012	-0-	04-01-99	-	-	
302111	Spring Lake Twp. Sewer Imp. Series 2011A	840,000			4.14	840,000	417,114	07-27-11		M-n	B of NY
302113	GH/SL Sewer Authority Improvements 2013	2,320,000			2.67	2,320,000	821,295	03-12-13			B of NY
8522-03	Crockery Twp. Water System, 1984	1,000,000	600,000	400,000 2	9.13	-0-	-0-	08-23-84	-	-	
8522-05	Crockery Twp. Water System, 1985	155,000			7.13	-0-	-0-	04-25-85	-	-	
8522-03	Crockery Twp. Water System, 1984, '85, 1987 Ref	1,005,000			7.16	-0-	-0-	08-01-87	-	-	
8522-03	Crockery Twp. Water System, 1984, '85, 1997 2nd Ref	720,000			4.75	Pd 2007	-0-	08-01-97	-	-	
8522-07	Crockery Twp. Water/Gr. Haven City Sewers, 1986	75,000			7.13	Pd 2001	-0-	07-01-86	-	-	
8522-09	Crockery Twp. Water, 1997	275,000			5.20	95,000	12,996	08-01-97		m-N	B of NY
8522-11	Crockery Twp. Sewage Disposal System, 2004	1,275,000			4.01	885,000	226,041	11-01-04		m-N	B of NY
8522-13	Crockery Twp. Water Ext. & Improv. 2005	420,000			4.17	330,000	99,031	7-7-05		m-n	B of NY
8523-03	NWOC Water Treatment Plant, 1984	6,900,000			10.29	-0-	-0-	05-01-84	-	-	
8523-03	NWOC Water Treatment Plant 1984, 1986 Ref.	8,380,000			6.31	-0-	-0-	04-30-86	-	-	
8523-03	NWOC Water Treatment Plant, 1984, 1992 2nd Ref	7,825,000			5.63	Pd 2002	-0-	08-01-92	-	-	
8523-03	NWOC Water Treatment Plant, 1984, 2002 Ref, Series A	4,305,000			2.87	Pd 2010	-0-	09-30-02	-	-	
8523-05	Gr. Haven City Sewers/Crockery Twp. Water, 1986	150,000			7.13	Pd 2001	-0-	07-01-86	-	-	
8523-07	NWO Water Treatment Plant Improvements, 1989	4,980,000			7.00	Pd 2002	-0-	06-01-89	-	-	
8523-07	NWO Water Treatment Plant Imp 1989, 2002 Ref, Series B	3,000,000			2.96	Pd 2010	-0-	09-30-02	-	-	
8523-09	NWO Intake #2 & Pump Station Imp., 2001, 2010 Ref	2,845,000			2.34	1,840,000	208,912	05-01-00		M-n	B of NY
8523-11	NWO South Intake Repair, 2005	990,000		393,072	4.23	Pd 2012	-0-	5-12-05	-	-	
302313	NWO Water System Improvements 2009 Series A	15,420,000			4.59	14,510,000	14,415,510	7-7-09		M-n	B of NY
302315	NWO Water System Improvements 2011 Series B	4,800,000			3.65	4,495,000	1,849,424	6/1/11		M-n	B of NY
8524-03	Zeeland Twp. Water System, 1984	910,000	690,000		9.13	-0-	-0-	05-24-84	-	-	
8524-03	Zeeland Twp. Water System, 1984, 1987 Ref	690,000			7.02	Pd 1997	-0-	08-01-87	-	-	
8524-05	Zeeland Twp. Sewer System, 1987	600,000			7.40	Pd 2001	-0-	04-01-84	-	-	
8524-07	Zeeland Twp. Sewer System, 1988	1,275,000			7.41	-0-	-0-	05-01-88	-	-	
8524-07	Zeeland Twp. Sewer System, 1988, 1998 Ref.	900,000			4.49	Pd 2008	-0-	02-01-98	-	-	
8524-09	Zeeland Twp. Sewer System, 1991	2,075,000			2.00	Pd 2010	-0-	06-27-91	-	-	
8524-11	Zeeland Twp. Water System Imp., 1994	510,000			5.57	-0-	-0-	09-01-94	-	-	
8524-13	Zeeland Twp. Water System Imp., 1999, 2005 Ref	805,000			5.63	Pd 2009	-0-	10-01-99	-	-	
8524-15	Zeeland Twp. Wastewater System Imp., 2004	3,040,000			4.53	1,495,000	498,790	06-24-04		m-N	B of NY
8524-16	Zeeland Twp. Water 1994,99 Refunding 2005	5,035,000			3.99	3,430,000	493,037	09/29/2005		m-N	B of NY
8524-18	Zeeland Twp. Wastewater Sys. Ext. 2006	1,305,000			3.93	210,000	4,200	08/10/2006		m-N	B of NY

**Attachment N
Public Utility Systems - Financing Status (March 2013)**

<u>System #</u>	<u>System</u>	<u>Amount of Issue</u>	<u>Grants Federal</u>	<u>Other</u>	<u>Rate of Interest</u>	<u>Principal Balance</u>	<u>Interest Balance</u>	<u>Issue Dated</u>	<u>Year Sold</u>	<u>Pymt Due</u>	<u>Paying Agent</u>
8525-03	Spring Lake Village Water, 1986	850,000			6.99	Pd 2000	-0-	08-01-86	-	-	
8525-05	Spring Lake Village Water & Sewer, 1987	265,000			6.51	Pd 1997	-0-	06-01-87	-	-	
8525-07	Spring Lake Village Water & Sewer, 1989	440,000			6.71	Pd 1996	-0-	06-01-89	-	-	
8526-03	Jamestown Twp. Sewers, 1989	500,000	659,475		6.99	Pd 2001	-0-	09-01-89	-	-	
8526-05	Jamestown Twp. Water, 1996	885,000			5.83	225,000	22,088	03-01-96	M-n	B of NY	
8526-07	Jamestown Twp. Sewer Ext., 1999	1,830,000			4.32	Pd 2011	0	04-01-99	-	-	
8526-09	Jamestown Twp. Sewer Ext., 2000	990,000			5.61	765,000	239,367	10-01-00	J-d	B of NY	
8526-11	Jamestown Twp. Water & Sewer Imp., 2004	1,785,000			4.74	1,445,000	570,970	06-24-04	J-d	B of NY	
8527-03	Polkton Twp. Water System, 1998	395,000		74,629	2.50	Pd 2011	0	08-01-98	-	-	
8529-03	West Central Ottawa Water & Sewer, 1993	900,000			5.40	75,000	4,013	05-01-93	J-j	B of NY	
8529-05	West Central Ottawa WWTP Improvements, 2002	795,000			4.26	335,000	76,119	06-01-02	M-n	B of NY	
8529-07	Port Sheldon Twp. Sewer Improvements, 2002	1,150,000			4.62	680,000	174,681	06-01-02	M-n	B of NY	
8530-03	Chester Twp. Sewage Disposal System, 1996 "A"	700,000	137,000	480,000	5.13	597,000	430,623	06-01-96	J-j	RECD	
8530-03	Chester Twp. Sewage Disposal System, 1996 "B"	33,000			5.00	Pd 2002	-0-	06-01-96	-	-	

	<u>Amount of Issue</u>	<u>Grants Federal</u>	<u>Other</u>	<u>Principal Balance</u>	<u>Interest Balance</u>
TOTALS					
Total Amount of Issues	398,856,000	43,830,137	2,252,505	118,396,501	62,950,869
- Refunding Total	<u>121,720,000</u>				
	277,136,000				
+ Grants	<u>46,082,642</u>				
= Grand Total Acquired	<u>323,218,642</u>				

NOTES:

1. State Grant
2. Small Cities Grant



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