Please be advised that the Barry County Board of Commissioners has scheduled a Board of Commissioners meeting on July 22, 2025 at 9:00 a.m. for the purpose of:

AGENDA

for Barry County Board of Commissioners July 22, 2025; 9:00 a.m.; Commission Chambers For more information go to: www.barrycounty.org

- 1. Call To Order at 9:00 a.m.
- 2. Moment of Silence/Invocation
- 3. Pledge of Allegiance
- 4. Roll Call
- 5. Reports from State and County Officials
- 6. Limited Public Comment (for items on the agenda; 3 minutes per person)
- 7. Approval of Written Agenda (including consent items & items for discussion)
- 8. Various Correspondence
- 9. Consent Items (voted upon at one time by roll call vote):
 - a. Approval of July 8, 2025 Board of Commissioners meeting minutes.
 - b. Approval to appoint Jerry Wilson to serve on the Barry County Community Mental Health Authority Board for three-year terms that began on April 1, 2025 and expires on March 31, 2028.
 - c. Approval of the renewal of the Liability, Vehicle Physical Damage and Property and Crime Insurance coverage through the Michigan Municipal Risk Management Authority for the period of July 1, 2025 to July 1, 2026 in the amount of \$510,963 and authorize the member representative to sign the agreement.
 - d. Approval of an agreement for a Conservation Easement on the Bailey Nature Preserve property with the Southwest Michigan Land Conservancy, and to authorize the Chairperson of the Board to sign.
 - e. Approval to dispose of multiple vehicles as listed below by private sale or scrap.
 - f. Approval to appoint Eric Zuzga as Officer Delegate, and Marsha Bassett as Officer Alternate, to attend the 2025 Municipal Employees Retirement System Annual meeting, and to approve paying the expenses for the Officer Delegate and the Employee Delegate to attend on October 16-17, 2025 at the Grand Traverse Resort in Acme, MI.
 - g. Approval to appoint Dr. Nicolas Kostelecky as a Deputy Medical Examiner for Barry County, effective immediately.

(roll call vote)

- 10. Presentations:
- 1. Joe Verlin, CPA, CGFM Barry County Annual Financial Report, 12/31/24; https://www.barrycounty.org/Public%20Information/Finance/Annual%20Financial%2 https://www.barrycounty.org/Public%20Information/Finance/Annual%2 <a href="https://www.barrycounty.org/Public%20Information/Finance/Annual%2 <a href="https://www.barrycounty.org/Public%20Information/Finance/Annu
- Jake Welch, Managing Director Barry County Road Commission Annual Report
- 3. Ines Straube, Trial Court Administrator Trial Court Funding
- 11. Public Hearings None

- 12. Items for Consideration (roll call vote indicated)
 Approval of transfers and disbursements:
 - a. Approval of claims in the amount of \$178,652.42 (roll call vote)
- 13. Unfinished Business
- 14. New Business
- 15. County Administrator's Report
- 16. Chairperson's Report
- 17. Vice Chairperson's Report
- 18. Commissioner Reports (for items not on the Agenda)
- 19. Limited Public Comment (3 minutes per person)
- 20. Other Business
- 21. Commissioner Comments
- 22. Adjournment

David Jackson, Chair Barry County Board of Commissioners

Unless otherwise posted in accordance with the Open Meetings Act, Board of Commissioners meetings are held at the Barry County Courthouse, Commissioners Chambers, 220 W. State St., Hastings, MI 49058. Questions regarding the meeting may be addressed to Eric Zuzga, Barry County Administrator, Barry County Courthouse, 220 W. State St., Hastings, MI 49058; (269) 945-1284.

Meetings of the Barry County Board of Commissioners are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, political affiliation, sexual orientation, gender identity or disability. Barry County will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting/hearing, to individuals with disabilities at the meeting/hearing upon four (4) business days notice to the County. Individuals with disabilities requiring auxiliary aids or services should contact the County by writing or calling: Eric Zuzga, County Administrator, Barry County, 220 W. State St., Hastings, MI 49058; 269-945-1284.

Only members of the Barry County Board of Commissioners shall be given the floor to speak during any Board meeting, except 1) Anyone who desires to speak under Limited Public Comment; 2) County officials and/or personnel may speak with the consent of the Chairperson; 3) Any person, with the consent of the Chairperson and/or a majority of the Board; 4) Public comment shall be limited to no more than three minutes per individual and at the times designated as stated above, except where extended privileges are granted by the Chairperson.



Barry County Board of Commissioners Meeting Minutes

July 8, 2025 Commission Chambers

Chair David Jackson called the regular session of the Barry County Board of Commissioners meeting to order at 9:00 a.m.

Chair Jackson led the moment of silence for the victims of the flooding in Texas.

Those present stood and said the Pledge of Allegiance to the Flag of the United States of America.

Members Present: Marsha Bassett, Mike Callton, Bruce Campbell, Catherine Getty, David Hatfield, David Jackson, Jon Smelker and Bob Teunessen. Also present: County Administrator Eric Zuzga, and Deputy County Addison Horrmann.

Reports from State and County Officials:

Dan Patton: Gave a report on the grant received by Charlton Park and the upcoming events to take place over the next two weeks.

Public Comment:

Rick Moore: Recommend replacing clock batteries and thanked the IT department for fixing the mezzanine audiology.

Private Citizen spoke in favor of the CHILL Grant Application.

The Written Agenda was approved.

Various Correspondence:

Bassett shared a concern from a constituent regarding a piece of property on Eagle Point. A second piece of correspondence was shared regarding a concern on Floria Road. The constituent is trying to contact the Drain Commissioner and Bassett is going to help facilitate a meeting between the constituent and the Drain Commissioner.

Jackson shared that he received an inquiry about the Green Street round-about project. He directed the constituent to the City of Hastings to ask questions.

Consent Items:

a. Approval of June 24, 2025 Board of Commissioner meeting minutes.

Moved by Smelker and seconded by Hatfield for approval of the Board of Commissioner meeting minutes. Ayes: Bassett, Callton, Campbell, Getty, Hatfield, Jackson, Smelker, and Teunessen. Nays: None. Motion Carried.

Presentations: None

Public Hearings: CDBG Housing Improving Local Livability (CHILL) Grant Application

The hearing was open for public comment at 9:09 a.m.

Public comments: None

The hearing was closed at 9:10 a.m.

Items for Consideration:

a. Approval of prepaid invoices in the amount of \$3,697,162.44

Moved by Callton and seconded by Getty for approval of claims in the amount of \$3,697,162.44. Roll call vote: Ayes: Bassett, Callton, Campbell, Getty, Hatfield, Jackson, Smelker and Teunessen. Nays: None. Motion carried.

b. Approval of claims in the amount of \$95,312.04

Moved by Callton and seconded by Teunessen for approval of claims in the amount of \$95,312.04. Roll call vote: Ayes: Bassett, Callton, Campbell, Getty, Hatfield, Jackson, Smelker and Teunessen. Nays: None. Motion carried.

c. Approval of Commissioners reimbursements (mileage) in the amount of \$615.30

Moved by Callton and seconded by Hatfield for approval of reimbursements (mileage) in the amount of \$615.30. Roll call vote: Ayes: Bassett, Callton, Campbell, Getty, Hatfield, Jackson, Smelker and Teunessen. Nays: None. Motion carried.

d. Adoption of Resolution # 25-19 for the CHILL grant application and management of the future grant funds

Moved by Callton and seconded by Smelker for adoption of Resolution # 25-19 for the CHILL grant application and management of the future grant funds. Roll call vote: Ayes: Bassett, Callton, Campbell, Getty, Hatfield, Jackson, Smelker and Teunessen. Nays: None. Motion carried.

Unfinished Business: None

New Business: None

County Administrator's Report: None

Chairperson's Report: Will be attending the Barry Township meeting tonight and Rutland Charter Township meeting tomorrow night.

Vice Chairperson's Report: Discussed the Green Street project and shared that the bids for the project came in under the projected amount. He also updated the Board about the scope of the project.

Commissioner Reports:

Teunessen: Will be attending the Hastings Charter Township meeting tonight and Rutland Charter Township meeting tomorrow night.

Campbell: Will be attending the Baltimore Township meeting tonight and wanted to discuss the Barry-Eaton Health Board meeting later on in the meeting.

Smelker: Spoke about the Dawn Patrol Pancake Breakfast to be held at the Hastings Airport on Saturday, July 12th. He also wished for good weather for the Charlton Park Gas and Steam Engine Show to be held this weekend.

Getty: Reported on the Barry-Eaton Health Department Board meeting and shared upcoming changes to services provided to the public due to the recent government funding cuts.

Callton: Gave an update about the Strawberry Shortcake Social held at the Nashville Gardens last week. He will be playing the role as Beach Santa at an upcoming COA event.

Bassett: Attended the Orangeville Township meeting last week. She will be attending the Community Mental Health Board meeting and the Yankee Springs Township on Thursday.

Public Comment:

Larry Osborne: Gave thanks for the M-43 road work done and wished for further work on the southern part of M-43. Gave thanks to the Board for "tackling big issues". Wished for the separation of the board from the Health Department.

Mark Bonsignore from Barry Township: Requested that any thank you notes received by any Commissioners from billionaires who took money from the County to be shared.

Commissioner Comments:

The meeting adjourned at 9:30 a.m.

Commissioner Campbell reported on the solar field issues with reported Bald Eagle nesting in the area and called a Consumer's energy representative to speak on the issue.

Greg Moore from Consumer's Energy spoke on monitoring the projected area for the reported bald eagle nesting spots, but finding none. He also spoke on construction updates for the area.

David Jackso Barry County	on, Chair Board of Commissioners	
Addison Ho	rrmann, Deputy County Clerk	
Approved:	Date & Initials	

AGENDA REQUEST FORM

AGENDA REQUEST FORM
PROPOSED FOR MEETING OF: July 22, 2025, Board of Commissioners
DEPARTMENT: Board of Commissioners
PREPARED BY: Luella Dennison, Deputy County Administrator
SUBJECT: Appointments to Barry County Community Mental Health Authority
<u>SPECIFIC ACTION(S) REQUESTED:</u> Following interviews, to recommend to the Board of Commissioners approval to appoint Jerry Wilson to serve on the Barry County Community Mental Health Authority Board for a partial three year term that began on April 1, 2025 and expires on March 31, 2028.
SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only): Approval to appoint Jerry Wilson to serve on the Barry County Community Mental Health Authority Board for the remainder of the three-year term that began on April 1, 2025 and expires on March 31, 2028.
<u>DESCRIPTION OF ACTION:</u> There is one partial term currently open. The position was advertised and 2 applications were received. The Authority received a federal grant making them a Certified Community Behavioral Health Clinic, and needs to transition to at least 51% of the board having lived experience or family members with lived experience in mental health diagnosis and/or substance abuse diagnosis. State statute requires that at least one-third of the membership be primary and/or secondary consumers.
TIME FRAME OF ACTION: Immediate.
FUNDING REQUIRED: YES NOx
IF YES, ANSWER THE FOLLOWING: 1. FUNDING SOURCE (Federal, State, or Local) 2. IF LOCAL, SPECIFY FUND: 3. AMOUNT REQUESTED: 4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) 5. FINANCIAL IMPACT ON OTHER DEPARTMENTS:
PERSONNEL IF REQUIRED: None
NEW OR RENEWAL: Staggered terms on this board renew every three years.

<u>ANY OTHER PERTINENT INFORMATION:</u> Attached is the current membership roster for the board and the application from Jerry Wilson. Please note the designations of primary and secondary consumer are based on the information provided by the board member when they applied. To achieve at least 51% of the board having lived experience or family members with lived experience, 7 members must fall into the category of primary or secondary consumers.

C<u>ONTACT PERSON WITH PHONE NUMBER:</u> Eric Zuzga, County Administrator, 269-945-1284 or Rich Thiemkey, Director, Barry County Community Mental Health Authority, 269-948-8041.

MENTAL HEALTH AUTHORITY BOARD

(Three Year Terms)

NAME	REPRESENTING	TERM BEGINS	TERM ENDS
Jeffrey Kniaz (appt'd 4/8/25)	Member: Primary/Family memb	er 4-1-25	3-31-28
Courtney Ziny (appt'd 4/8/25)	Member: Primary/Public Officia	l 4-1-25	3-31-28
Vacant	Member:	4-1-25	3-31-28
Kristen Laubaugh (appt'd 10/11/22)	Member: Family Member	4-1-25	3-31-28
Duane Secord (appt'd 1/26/21)	Member	4-1-23	3-31-26
William Mattson (appt'd 9/21/21)	Member	4-1-23	3-31-26
Mark Bonsignore	Member: Primary Consumer	4-1-23	3-31-26
Bob Becker	Member	4-1-24	3-31-27
Lorraine Lindsey (appt 6/27/23)	Member: Family	4-1-24	3-31-27
Steven Wilson (appt 11/12/24)	Member: Primary Consumer	4-1-24	3-31-27
Brenda Shinabarger-Howe (appt 6/25/24)	Member	4-1-24	3-31-27
County Commissioner representative is app Marsha Bassett	oointed annually by the Chairperson of Member: Public Official	of the Board of Commissioner 1-1-25	12-31-25

Second county commissioner appointee position was replaced with citizen at large position in 2012.

Jeffrey Kniaz	605 W Green Street, Hastings MI 49058; 269.779.3136; carpe tao@prontomail.com
Courtney Ziny	1438 S dibble St, Hastings MI 49058; 269.818.7804; cmziny@gmail.com
Kristen Laubaugh	643 W Woodlawn Ave, Hastings MI 49058; 269.320-3248; kristenlaubaugh@gmail.com
Mark Bonsignore	11084 Gurd Rd, Delton MI 49046, 269.671.5520; mwbwhere@gmail.com
Bob Becker	906 W. Madison St., Hastings, MI 49058; 948-1673 (w); 540-577-4911; robertbecker@yahoo.com
Lorraine Lindsey	10584 Ford Rd, Delton MI 49046; 269.251.0537; <u>lalindsey3@yahoo.com</u>
Brenda Shinabarger-Ho	owe, 12197 Winans Dr, Dowling MI 49050; 269.377.6453; bshinhowe@bmail.com
Vacant	
Steven Wilson	1535 North East St. Apt A4; Hastings MI 49058 269.805.9440 stevenwilson2323is@gmail.com
Duane Secord	1009 S Jefferson, Hastings MI 49058 269.908.7822 ddsecord@gmail.com
William Mattson	118 E Grand St, Hastings MI 49058; 907.378.2558 wmattson@johnsonhouseconsulting.com
Marsha Bassett	7500 Crooked Lake Dr, Delton MI 49046; 269-998-2829; mabassett@barrycounty.org

(rev 1/14/19) (rev 4/23/19)(11/19/2019; 12/10/2019; 1/8/2020; 1/11/21; 1/26/21; 2/24/21; 3/30/21; 7/20/21; 9/28/2021; 1/11/22; 4/12/22; 4/19/22; 4/26/2022; 10/11/22; 10/19/22; 4/11/2023; 4/11/23; 6/27/23; 7/23/23; 1/22/24; 4/2/2024; 6/25/24; 11/13/2024; 2/3/2025; 4/15/25) Membership: Must have at least 4 members who are primary consumer or family member, with at least 2 members being primary consumer; Public Officials not to exceed 6 (public official is defined as serving in elected/appointed or employed more than 20 hrs. per week by an agency of federal, state, city or local government)

Application for Appointment to Board or Commission

Print Del

Submitted by: Jerry Wilson

Submitted On: 2025-05-13 14:55:49

Submission IP: 69.174.188.22 (172.31.68.115)

proxy-IP (raw-IP)

Status: Open
Priority: Normal

Assigned To: Luella Dennison

Due Date: Open

Barry County Board of Commissioners

Application for Appointment to:

* Please select the board to which you are applying	
Mental Health Authority	~
Please select any additional boards to which you are applying	
Select an Option	~
Please select any additional boards to which you are applying	
Select an Option	~
Please select any additional boards to which you are applying	
Select an Option	~
* First Name	
Jerry	
* Last Name	
Wilson	
* What City/Township do you live in?	
Irving	·
* Address	
2772 McCann Rd	
* City/State/Zip	
Middleville, MI 49333	
* Daytime Phone Number	
269-795-9454	

Evening Phone Number
269-795-9454
* Email Address
jjwilson2@hotmail.com
* Occupation
Retired
* Employer
Retired
* Can you attend meetings between 8:00 a.m 5:00 p.m.?
Yes
* Can you attend evening meetings?
Yes
* Please list membership on any other board/committee/authority
None
* Please indicate experience and/or qualifications that would help make you an effective member of each board/committee/authority for which you have applied:
B.A. Psychology, M.S.W., PhD AdministrationCollege Assoc. ProfBehavioral Health C.E.O.
* Please list any unique or valuable perspectives and/or resources you could bring to the board/committee/authority:
Formed Mental Health non profit foundation, experience in family with dementia and alcoholism addiction
* Have you been convicted of a felony?
No
If yes, please state when, where, and the nature of the offense:
* Please list any conflicts of interest you may have if chosen for this position:
None
Please attach any supporting documentation you wish to have considered
Upload a File
Choose File No file chosen

If you are returning the application by fax or mail please return to:
Barry County Administration 220 West State Street Hastings, MI 49058
Phone (269) 945-1284 Fax: (269) 948-4884
Current members must submit a new application at the end of their term if they wish to reapply. The deadline for applications from the incumbents is the same as the deadline for new applicants. Applications are considered active until published positions are filled.
The applicant acknowledges that he/she serves at the pleasure of the Board of Commissioners and can be removed by the Board without cause unless a particular term is established by federal or state statute.
I specifically authorize the Barry County Sheriff Department or other law enforcement agencies to release any records of prior criminal convictions it may have or may obtain from other sources to the County of Barry. I verify that the information provided herein is true and complete. I understand that false or misleading statements may be cause for elimination from consideration.
* Signature (If submitting electronically, please type your name)
Jerry Wilson
* Date
05/13/2025
Format: MM/DD/YYYY

I am aware that this application is a public document

🛮 Yes

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF:	BOC 7/22/25
DEPARTMENT:	County Administration
PREPARED BY:	Eric F Zuzga, County Administrator
	cle Physical Damage and Property and Crime Junicipal Risk Management Authority (MMRMA).
renewal of the Liability, Vehicle Physical Dama	o recommend to the Board of Commissioners approval of the age and Property and Crime Insurance coverage through the ty for the period of July 1, 2025 to July 1, 2026 in the amount of ive to sign the agreement.
SPECIFIC ACTION(S) RECOMM	ENDED BY THE COW (Admin. use only):
Approval of the renewal of the Liability, Vehic	le Physical Damage and Property and Crime Insurance coverage nent Authority for the period of July 1, 2025 to July 1, 2026 in the
crime coverage through the Michigan Municipa public entity self-insurance pool that provides la across Michigan. The MMRMA was created in arrangement, which allowed them to secure nec	a request to renew the County's liability, vehicle & property and Risk Management Authority (MMRMA.) The MMRMA is a liability and property coverage to municipal government entities a 1980 by three member municipalities as a joint purchasing essary insurance coverage at a reasonable price. Today, than 300 local government entities across Michigan. For me past few years:
2025-2026 \$510,90 2024-2025 \$492,44 2023-2024 \$481,24 2022-2023 \$446,57 2021-2022 \$424,00 2020-2021 \$408,57 2019-2020 \$395,27 2018-2019 \$381,00 2017-2018 \$381,9 2016-2017 \$372,70	42 47 21 51 26 27 57
TIME FRAME OF ACTION: Imme	diate.
FUNDING REQUIRED: YES	NO X (included in budget)
 IF LOCAL, SPECIFY FUND:\$ AMOUNT REQUESTED:\$ AMOUNT OF ONGOING COSAnnual 	State, or Local General 510,963 (included in 2025/2026 budgets) T, AND INTERVAL (Monthly, Quarterly, Annual, etc.) HER DEPARTMENTS: NA
PERSONNEL IF REQUIRED: None.	
NEW OR RENEWAL: Renewal.	
ANY OTHER PERTINENT INFORMATION	IN: None

CONTACT PERSON WITH PHONE NUMBER: Eric Zuzga, County Administrator, 269-945-1284.

MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY COVERAGE PROPOSAL

Member: County of Barry Proposal No: Q000015030

Date of Original Membership: November 1, 1985

Proposal Effective Dates: July 01, 2025 To July 01, 2026

Member Representative: Eric Zuzga Telephone #: (269) 945-1414

Regional Risk Manager: Ibex Insurance Services Telephone #: (248) 538-0470

A. Introduction

The Michigan Municipal Risk Management Authority (hereinafter "MMRMA") is created by authority granted by the laws of the State of Michigan to provide risk financing and risk management services to eligible Michigan local governments. MMRMA is a separate legal and administrative entity as permitted by Michigan laws. **County of Barry** (hereinafter "Member") is eligible to be a Member of MMRMA. **County of Barry** agrees to be a Member of MMRMA and to avail itself of the benefits of membership.

County of Barry is aware of and agrees that it will be bound by all of the provisions of the Joint Powers Agreement, Coverage Documents, MMRMA rules, regulations, and administrative procedures.

This Coverage Proposal summarizes certain obligations of MMRMA and the Member. Except for specific coverage limits, attached addenda, and the Member's Self Insured Retention (SIR) and deductibles contained in this Coverage Proposal, the provisions of the Joint Powers Agreement, Coverage Documents, reinsurance agreements, MMRMA rules, regulations, and administrative procedures shall prevail in any dispute. The Member agrees that any dispute between the Member and MMRMA will be resolved in the manner stated in the Joint Powers Agreement and MMRMA rules.

B. Member Obligation - Deductibles and Self Insured Retentions

County of Barry is responsible to pay all costs, including damages, indemnification, and allocated loss adjustment expenses for each occurrence that is within the Member's Self Insured Retention (hereinafter the "SIR"). **County of Barry's** SIR and deductibles are as follows:

Table I Member Deductibles and Self Insured Retentions

COVERAGE	DEDUCTIBLE	SELF INSURED RETENTION
Liability	N/A	\$75,000 Per Occurrence
Vehicle Physical Damage	\$1,000 Per Vehicle	\$15,000 Per Vehicle \$30,000 Per Occurrence
Fire/EMS Replacement Cost	N/A	N/A
Property and Crime	\$1,500 Per Occurrence	N/A
Sewage System Overflow	N/A	N/A

The member must satisfy all deductibles before any payments are made from the Member's SIR or by MMRMA.

Member's Motor Vehicle Physical Damage deductible applies, unless the amount of the loss exceeds the deductible. If the amount of loss exceeds the deductible, the loss including deductible amount, will be paid by MMRMA, subject to the Member's SIR.

The **County of Barry** is afforded all coverages provided by MMRMA, except as listed below:

- 1. Sewage System Overflow
- 2.
- 3.
- 4.

All costs including damages and allocated loss adjustment expenses are on an occurrence basis and must be paid first from the Member's SIR. The Member's SIR and deductibles must be satisfied fully before MMRMA will be responsible for any payments. The most MMRMA will pay is the difference between the Member's SIR and the Limits of Coverage stated in the Coverage Overview.

County of Barry agrees to maintain the Required Minimum Balance as defined in the Member Financial Responsibilities section of the MMRMA Governance Manual. The Member agrees to abide by all MMRMA rules, regulations, and administrative procedures pertaining to the Member's SIR.

C. MMRMA Obligations - Payments and Limits of Coverage

After the Member's SIR and deductibles have been satisfied, MMRMA will be responsible for paying all remaining costs, including damages, indemnification, and allocated loss adjustment expenses to the Limits of Coverage stated in Table II. The Limits of Coverage include the Member's SIR payments.

The most MMRMA will pay, under any circumstances, which includes payments from the Member's SIR, per occurrence, is shown in the Limits of Coverage column in Table II. The Limits of Coverage includes allocated loss adjustment expenses.

Table II
Limits of Coverage

Liability and Motor Vehicle Physical Damage		Limits of Coverage Per Occurrence		Annual Aggregate	
		Member	All Members	Member	All Members
1	Liability	15,000,000	N/A	N/A	N/A
2	Judicial Tenure	100,000	N/A	N/A	N/A
3	Sewage System Overflows	0	N/A	0	N/A
4	Volunteer Medical Payments	25,000	N/A	N/A	N/A
5	First Aid	2,000	N/A	N/A	N/A
6	Vehicle Physical Damage	1,500,000	N/A	N/A	N/A
7	Uninsured/Underinsured Motorist Coverage (per person)	100,000	N/A	N/A	N/A
	Uninsured/Underinsured Motorist Coverage (per occurrence)	250,000	N/A	N/A	N/A
8	Michigan No-Fault	Per Statute	N/A	N/A	N/A
9	Terrorism	5,000,000	N/A	N/A	5,000,000

Property and Crime		Limits of Coverage Per Occurrence		Annual Aggregate	
		Member	All Members	Member	All Members
1	Buildings and Personal Property	143,113,895	350,000,000	N/A	N/A
2	Personal Property in Transit	2,000,000	N/A	N/A	N/A
3	Unreported Property	5,000,000	N/A	N/A	N/A
4	Member's Newly Acquired or Constructed Property	10,000,000	N/A	N/A	N/A
5	Fine Arts	2,000,000	N/A	N/A	N/A
6	Debris Removal (25% of Insured direct loss plus)	25,000	N/A	N/A	N/A
7	Money and Securities	1,000,000	N/A	N/A	N/A
8	Accounts Receivable	2,000,000	N/A	N/A	N/A
9	Fire Protection Vehicles, Emergency Vehicles, and Mobile Equipment (Per Unit)	5,000,000	10,000,000	N/A	N/A
10	Fire and Emergency Vehicle Rental (12 week limit)	2,000 per week	N/A	N/A	N/A
11	Structures Other Than a Building	15,000,000	N/A	N/A	N/A
12	Dam/Dam Structures/Lake Level Controls	650,000	N/A	N/A	N/A
13	Transformers	2,500,000	N/A	N/A	N/A
14	Storm or Sanitary Sewer Back-Up	1,000,000	N/A	N/A	N/A
15	Marine Property	1,000,000	N/A	N/A	N/A
16	Other Covered Property	20,000	N/A	N/A	N/A
17	Income and Extra Expense	5,000,000	N/A	N/A	N/A
18	Blanket Employee Fidelity	1,000,000	N/A	N/A	N/A
19	Faithful Performance	Per Statute	N/A	N/A	N/A
20	Earthquake	5,000,000	N/A	5,000,000	100,000,000
21	Flood	5,000,000	N/A	5,000,000	100,000,000
22	Terrorism	50,000,000	50,000,000	N/A	N/A

Table III

Network and Information Security Liability, Media Injury Liability, Network Security Loss, Breach Mitigation Expense, PCI Assessments, Social Engineering Loss, Reward Coverage, Telecommunications Fraud Reimbursement, Extortion.

	Limits of Coverage Per Occurrence/Claim	Deductible Per Occurrence/Claim		Retroactive Date	
	\$2,000,000				
Coverage A Network and Information Security Liability: Regulatory Fines:	Each Claim Included in limit above Each Claim Included in limit above	\$25,000	Each Claim	7/1/2013	
Coverage B Media Injury Liability	Each Claim Included in limit above	\$25,000	Each Claim	7/1/2013	
Coverage C Network Security Loss Network Security	Each Unauthorized Access Included in limit above Each Business Interruption	\$25,000	Each Unauthorized Access Retention Period of	Occurrence	
Business Interruption Loss:	Loss Included in limit above		72 hours of Business Interruption Loss		
Coverage D Breach Mitigation Expense:	Each Unintentional Data Compromise Included in limit above	\$25,000	Each Unintentional Data Compromise	Occurrence	

Coverage E PCI Assessments:	Each Payment Card Breach \$1,000,000 Occ./\$1,000,000 Agg. Included in limit above	\$25,000	Each Payment Card Breach	Occurrence
Coverage F Social Engineering Loss:	Each Social Engineering Incident \$100,000 Occ./\$100,000 Agg Included in limit above	\$25,000	Each Social Engineering Incident	Occurrence
Coverage G Reward Coverage	Maximum of 50% of the Covered Claim or Loss; up to \$25,000 Included in Limit above		Not Applicable	Occurrence
Coverage H Telecommunications Fraud Reimbursement	\$25,000 Included in limit above		Not Applicable	Occurrence
Coverage I Extortion Coverage	Each Claim Included in limit above	\$25,000	Each Extortion Loss	Occurrence

Annual Aggregate Limit of Liability

Each Member Aggregate

All Members Aggregate

\$2,000,000	\$17,500,000
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The Each Member Aggregate Limit of Liability for the combined total of all coverage payments of MMRMA and MCCRMA shall not exceed \$2,000,000 per Member for all Subjects of Coverage in any Coverage Period, regardless of the number of coverage events.

The All Member Aggregate Limit of Liability for the combined total of all coverage payments of MMRMA and MCCRMA shall not exceed \$17,500,000 for All Members for all Subjects of Coverage in any Coverage Period, regardless of the number of Members or the number of coverage events.

It is the intent of MMRMA that the coverage afforded under the Subjects of Coverage be mutually exclusive. If however, it is determined that more than one Subject of Coverage applies to one coverage event ensuing from a common nexus of fact, circumstance, situation, event, transaction, or cause, then the largest of the applicable Deductibles for the Subjects of Coverage will apply.

D. Contribution for MMRMA Participation

County of Barry

Period: July 01, 2025	To July 01, 2026	
Coverages per Member Coverage	e Overview:	\$468,044
Stop Loss Coverage:		\$17,919
Member Loss Fund Deposit:		\$25,000

\$510,963

E. List of Addenda

- 1. Limited Liability Coverage For Use or Operations of Unmanned Aircraft
- 2. Stop Loss Program Participation Agreement

TOTAL ANNUAL CONTRIBUTIONS:

This document is for the purpose of quotation only and does not bind coverage in the Michigan Municipal Risk Management Authority, unless accepted and signed by both the authorized Member Representative and MMRMA Representative below.

Accepted By: County of Barry	Proposal No: Q000015030	MMRMA	
Member Representative		MMRMA Representative	
Date		 Date	

7/1/25 To 7/1/26 Page 6 of 9 County of Barry

ADDENDUM

STOP LOSS PROGRAM PARTICIPATION AGREEMENT

Optional

The Stop Loss Program limits the Member's cash payments during a July 1 - June 30 year for those costs falling within the Member's SIR. The Stop Loss Program responds only to cumulative Member SIR payments, including damages, indemnification, and allocated loss adjustment expenses, within a July 1 - June 30 calendar year. The paid costs include payments for any coverage provided to the Member by MMRMA provided that the costs are actually paid within the July 1 - June 30 period. On July 1 of each year, the Member's paid costs accumulate from zero.

If the Member has chosen to participate in the Stop Loss Program, and if the Member's paid costs exceed the member's entry point, the Stop Loss Program will pay, until July 1, all costs that would, in the absence of the Stop Loss Program, be paid from the Member's SIR. **County of Barry's** entry point is \$250,000. Withdrawing Members do not participate in the Stop Loss Program after the date of withdrawal.

The Member agrees to be bound by MMRMA rules relating to the Stop Loss Program.

Accepted	by:
	Member Representative
Date:	
MMRMA	
	Authorized Representative
Date:	

ADDENDUM

LIMITED LIABILITY COVERAGE FOR USE OR OPERATIONS OF UNMANNED AIRCRAFT (Optional)

This addendum modifies the Liability and Motor Vehicle Physical Damage Coverage Document

A. LIMITATIONS OF COVERAGE, PROCEDURES, EXCLUSIONS, DEFINTIONS.

- 1. MMRMA will pay for any loss as defined in Sections 1 and 2 of the Liability and Motor Vehicle Physical Damage Coverage Document, caused by the use or operation of an Unmanned Aircraft, the actual loss up to a \$1,000,000 limit per occurrence and subject to a \$2,000,000 annual member aggregate.
- 2. The Member Duties, Responsibilities, Other Conditions stated in Section 7 of the Liability and Motor Vehicle Physical Damage Coverage Document shall apply to Limited Liability Coverage for use or operations of Unmanned Aircraft.
- 3. As respects this Limited Liability Coverage for Use or Operations of Unmanned Aircraft Addendum, Section 7; Member Duties, Responsibilities, Other Conditions, of the Liability and Motor Vehicle Physical Damage Coverage Document is amended to include the following:

P. FAA COMPLIANCE

The terms of this Addendum apply only if the Member is in compliance with all FAA rules and regulations governing the use or operation of an unmanned aircraft, at time of occurrence.

- 4. The Liability and Motor Vehicle Physical Damage Coverage Document Section 4, Definitions, shall apply to this Limited Liability Coverage For Use Or Operation Of An Unmanned Aircraft Addendum.
- 5. As respects this Limited Liability Coverage For Use Or Operations Of Unmanned Aircraft Addendum, Section 2; Exclusion C, of the Liability and Motor Vehicle Physical Damage Coverage Document is deleted in its entirety and replaced by the following:

EXCLUSIONS

C. Ownership, maintenance, loading or unloading, use or operation of any aircraft (other than unmanned aircraft), airfields, or runways; watercraft over 75 feet in length;

Period: 07/01/2025 to 07/01/2026

LIMITED LIABILITY COVERAGE FOR USE OR OPERATIONS OF UNMANNED AIRCRAFT (Optional)

Accepted By:	Member ID:	MMRMA
County of Barry	1159	
Member Representative		MMRMA Representative
Date		Date



Eric Zuzga County Of Barry 220 W. State Street Hastings, MI 49058 July 1, 2025

Dear Eric Zuzga,

The following is a breakout of annual contribution of your coverage with the Michigan Municipal Risk Management Authority (MMRMA) for the policy period July 1, 2025 to July 1, 2026.

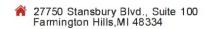
Automobile Liability & Vehicle Physical Damage		\$93,001
18 Private Passenger	\$13,417	
6 Police "Other"	\$4,108	
36 Police PP/Patrol	\$32,245	
19 Trucks	\$10,743	
5 Vans	\$4,027	
18 Buses	\$28,461	
Police Professional Liability		\$129,629
Public Officials Liability		\$42,607
All Other Liability		\$18,041
Health Liability		\$37,690
Property		\$147,076
Stop Loss		\$17,919
Retention Fund		\$25,000
Total Contribution		\$510,963

If you have any questions or if I can be of further assistance, please call.

Sincerely,

Craig Manser

Regional Risk Manager









AGENDA REQUEST FORM

PROPOSED FOR MEETING OF: BOC July 22, 2025

DEPARTMENT: Barry County Parks & Recreation Commission (BCPRC)

PREPARED BY: Dan Patton, Parks Director

SUBJECT: Conservation Easement Agreement with Southwest Michigan Land Conservancy and Approval to Sign for Bailey Nature Preserve.

<u>SPECIFIC ACTION(S) REQUESTED:</u> To recommend to the Board of Commissioners approval of an agreement for a Conservation Easement on the Bailey Nature Preserve property with the Southwest Michigan Land Conservancy, and to authorize the Chairperson of the Board to sign.

SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):

Approval of an agreement for a Conservation Easement on the Bailey Nature Preserve property with the Southwest Michigan Land Conservancy, and to authorize the Chairperson of the Board to sign.

<u>DESCRIPTION OF ACTION:</u> The approval will in perpetuity limit the types of construction activities and development of outdoor recreational activities of the Bailey Nature Preserve to match those that are consistent with the Conservation Values of the property. This action further helps ensure the property will be preserved in its natural forested condition to protect the plants, wildlife, and fisheries on the property.

TIME FRAME OF ACTION: July 2025
FUNDING REQUIRED: YES NOX
IF YES, ANSWER THE FOLLOWING:
1. FUNDING SOURCE (Federal, State, or Local)
2. IF LOCAL, SPECIFY FUND:
3. AMOUNT REQUESTED:
4. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual,
etc.)N/A
5. FINANCIAL IMPACT ON OTHER DEPARTMENTS: N/A
PERSONNEL IF REQUIRED: N/A
NEW OR RENEWAL: New
ANY OTHER PERTINENT INFORMATION: See Attached Conservation Easement. The

CONTACT PERSON WITH PHONE NUMBER: Dan Patton 26-945-3775

document has been submitted to the county attorney for review.

BAILEY NATURE PRESERVE CONSERVATION EASEMENT

DEFINITIONS AND CONVEYANCE

Date: ______, 2025

Owner: Barry County, a municipal corporation and subdivision of the State of

Michigan, whose address is 220 West State Street, Hastings, Michigan,

49058.

Conservancy: Southwest Michigan Land Conservancy, Inc., a Michigan nonprofit

corporation, whose address is 8395 East Main Street, Galesburg, Michigan

49053.

Property: The property legally described in the attached **Exhibit A**.

Conveyance: Owner conveys and warrants to Conservancy a perpetual Conservation

Easement over the Property. The scope of this Conservation Easement is

as set forth in this agreement.

Consideration: This conveyance is a gift from Owner to Conservancy and the

consideration is less than \$100.00; accordingly, this conveyance is exempt

from county and state real estate transfer taxes pursuant to MCL

207.505(a) and 207.526(a).

Easement: This Conservation Easement.

Party or Parties: Owner and/or Conservancy as applicable.

MCL: Michigan Compiled Laws.

NREPA: The Michigan Natural Resources and Environmental Protection Act, MCL

324.101 et seq.

REPRESENTATIONS

1. **OWNER.** Owner is committed to preserving the Conservation Values of the Property. Owner is committed to restricting the use of the Property to activities consistent with the Purposes and preservation of the Conservation Values.

2. CONSERVANCY.

Conservancy:

- **A.** Is a qualified holder of this Conservation Easement committed to preserving the Conservation Values of the Property and upholding the terms of this Easement;
- **B.** Is a tax-exempt, nonprofit Michigan corporation qualified under Internal Revenue Code 501(c)(3) and 170(h)(3) and NREPA Part 21 Subpart 11, Conservation and Historic Preservation Easement, MCL 324.2140 et seq.;
- **C.** Has the resources to enforce this Easement;
- **D.** Protects natural habitats of fish, wildlife, plants, and the ecosystems that support them; and
- **E.** Preserves open spaces, including farms and forests, where such preservation is for the scenic enjoyment of the general public or pursuant to clearly delineated governmental conservation policies and where such preservation will yield a significant public benefit.

OWNER AND CONSERVANCY AGREE TO THE FOLLOWING:

- **3. PURPOSES.** The Purposes of this Conservation Easement are as follows:
 - **A.** To protect a relatively natural wildlife habitat of fish, wildlife, and plants, and ensure that the Property will be perpetually preserved in its natural forested condition.
 - **B.** To preserve open space yielding a significant public benefit:
 - 1. For the scenic enjoyment of the general public; and
 - 2. Pursuant to a clearly delineated Federal, State, or local governmental conservation policy.
 - **C.** In addition, this Conservation Easement has the purposes of:
 - 1. Protecting and improving the Property's natural resource and watershed values as part of the Kalamazoo River Watershed (KRW), and
 - 2. Maintaining and enhancing the natural features of the Property, including Metcalf Lake, approximately 35 acres of open water and associated

wetlands, which then flows into Wabascon Creek the mainstem Kalamazoo River and ultimately into Lake Michigan.

These purposes are referred to as the "Purposes" of this Easement.

4. CONSERVATION VALUES.

The Property possesses natural, ecological, biological, scientific, scenic, open space, and historic values of prominent importance to Owner, Conservancy, and the public. These values are referred to as the "Conservation Values" in this Easement. Certain Conservation Values may have relevance to more than one Purpose even though only listed once. The Conservation Values of this Easement include the following:

- **A.** The Property provides open space for the scenic enjoyment of the general public and will yield a significant public benefit through:
 - 1. A scenic landscape and natural character which would be impaired by modification of the Property.
 - 2. A scenic panorama visible to the public from North Avenue and East Baseline Road, which would be adversely affected by modifications of the natural habitat.
 - 3. Relief from urban closeness.
 - 4. Prominent visibility to the public from North Avenue and East Baseline Road, which will enhance tourism if the Property is preserved in its natural state.
 - 5. Biological integrity of other land in the vicinity of the Property has been modified by intense urbanization, especially surrounding inland lakes, and that trend is expected to continue.
 - 6. There is a reasonable possibility that Conservancy may acquire other valuable property rights on nearby or adjacent properties to expand the Conservation Values preserved by this Conservation Easement.
 - 7. The Property is desirable for substantial residential development because of its size, location, lake frontage, and orientation, and in the absence of this Conservation Easement the Property could be developed in a manner that would destroy the Conservation Values.
 - 8. The Property will be open to the public and utilized for outdoor recreation and education and will serve residents of Barry County, as well as the Battle Creek area in neighboring Calhoun County.
- **B.** The Property is preserved pursuant to clearly delineated federal, state, and local conservation policies and its preservation yields a significant public benefit. The following legislation, regulations, and policy statements identify relevant public

policies:

- 1. The State of Michigan has recognized the importance of protecting our natural resources as delineated in the Michigan Constitution:
 - The conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety, and general welfare of the people. The legislature shall provide for the protection of the air, water, and other natural resources of the state from pollution, impairment, and destruction. (1963 Constitution, Article IV, Section 52.);
- 2. NREPA Part 21 Subpart 11, Conservation and Historic Preservation Easement, MCL 324.2140 et seq.;
- 3. NREPA Part 355, Biological Diversity Conservation, MCL 324.35501 et seq. (Legislative Findings MCL 324.35502);
- 4. NREPA Part 303, Wetlands Protection, MCL 324.30301 et seq. (Legislative Findings MCL 324.30302);
- 5. Water Pollution Control Act of 1972, 33 USC 1251-1387 (§1251 Goals & Policy; §1344 Wetlands permitting, also known as "Section 404" of the Clean Water Act);
- 6. NREPA Part 301, Inland Lakes and Streams, MCL 324.30101 et seq.;
- 7. NREPA Part 361, Farmland and Open Space Preservation, MCL 324.36101 et seq.;
- 8. NREPA Parts 91 and 93, Soil Conservation, Erosion, and Sedimentation Control, MCL 324.9101 et seq.; 324.9301 et seq. (Legislative Policy MCL 324.9302);
- 9. The Barry County Board of Commissioners and the Barry County Parks and Recreation Commission have designated this area as a Natural Resource Park, which includes lands set aside for preservation of significant natural resources, landscapes, and open space in the 2025-2029 Barry County Parks and Recreation Plan dated October 2024; and
- 10. The County of Barry and the Township of Assyria have designated this area as Conservation Reserve in the Barry County 2040 Master Plan dated June 26, 2023; and
- 11. Multiple Wellhead Protection Areas designated by the State of Michigan are present downstream of Wabascon Creek within the Wabascon Creek subwatershed, which provides drinking water for the City of Battle Creek.

- C. The Property contains significant natural habitat in which fish, wildlife, plants or the ecosystems which support them thrive in a natural state, as demonstrated by:
 - 1. The Property provides vital corridor wetlands and upland wildlife habitats which serve as a connection for wildlife movement and create a natural "greenway" along the Wabascon Creek corridor.
 - 2. The Property is a mix of hardwood forest, open water, and wetlands interspersed with small tributaries. These communities are in a relatively natural and undisturbed condition and support the full range of wildlife species found in these habitat types.
 - 3. Metcalf Lake serves as a headwater source for Wabascon Creek, as well as other downstream lakes such as Wabascon and Foster Lakes.
 - 4. The Property provides important natural land within the Kalamazoo River watershed. Protection of the Property in its natural and open space condition helps to ensure the quality and quantity of water resources for the Kalamazoo River Watershed and Lake Michigan downstream.
 - 5. The Property includes approximately 6,000 feet of frontage on Metcalf Lake and contains approximately 25 of the 35 total acres or 75% of open water that comprise Metcalf Lake, and approximately 1,500 feet of frontage on small tributaries flowing in and out of the lake.
 - 6. Wetlands, as described in NREPA Part 303, Wetlands Protection, MCL 324.30301 et seq., identified as important natural resources for the people of the State of Michigan, are present on the Property.
 - a. The Property contains approximately 60 acres of diverse wetland types, including emergent, submergent, prairie fen, southern hardwood swamp, southern shrub-carr, submergent marsh, and southern wet meadow. In addition to multiple water quality related functions, these natural wetland areas provide crucial intact habitat for aquatic invertebrates, reptiles, amphibians, and plant communities.
 - 7. The Property contains wetlands with populations of southern wild-rice (*Zizania aquatica*) and narrow-leaved reedgrass (*Calamagrostis stricta*) which are identified as a Threatened species in the state of Michigan and bog bluegrass (*Poa paludigena*) and shining wedge grass (Sphenopholis nitida), which are identified as species of Special Concern in the state of Michigan.
 - 8. The Property provides suitable habitat for and likely contains a population of Eastern Massasauga rattlesnakes, which have been recently documented less than one (1) mile from the Property and are identified as Threatened

- in the state of Michigan.
- 9. The Property contains sustainable habitat for biodiverse vegetation, birds, fish, amphibians, and terrestrial animals; the Baseline Documentation Report lists some of these species, which could be expanded with further exploration.
- 10. Valued native forest land exists on the Property, which includes diverse native species, trees of many age classes and structural diversity, including a multi-story canopy, standing dead trees, and downed logs.
- 11. The Property contains forested areas which represent high quality examples of dry and dry-mesic southern forest dominated by mature white oak (*Quercus alba*), red oak (*Q. rubra*) and black oak (*Q. velutina*) trees. An area of dry-mesic southern forests hosts a population of shining wedge grass (*Sphenopholis nitida*) which is identified as a species of Special Concern in the state of Michigan.
- 12. The forested areas surrounding the lake are predominantly northern white cedar (*Thuja occidentalis*), eastern hemlock (*Tsuga canadensis*), and tamarack (*Larix laricina*), with other species including elm, maple, birch, ash, and pine.
- 13. The Property is apparent of kettle and kame topography, undulating in the southwest, southeast, and south-central portions of the Property from 878 to 954 feet. Slopes of up to 18% are adjacent to wetland areas which could be otherwise degraded.
- 14. The Metcalf Lake basin and its wetlands are alkaline, with constant groundwater flow from spring seeps entering the Metcalf Lake from the base of the glacially-deposited upland ridges.
- 15. The Property lies within five (5) miles of the following conserved properties which similarly preserve the existing natural habitat:
 - a. Eggerstedt Conservation Easement, Southwest Michigan Land Conservancy, Barry County, Assyria Township, Sections 23 and 26. (203 acres)
 - b. Rye Conservation Easement, Southwest Michigan Land Conservancy, Barry County, Assyria Township, Section 22. (80 acres)
 - c. Wanondoger Creek Preserve, Southwest Michigan Land Conservancy, Calhoun County, Pennfield Township, Section 21. (29.6 acres)
 - d. Rasmussen Conservation Easement, Southwest Michigan Land Conservancy, Calhoun County, Pennfield Township, Section 10. (38.4 acres)

- e. Pennfield Bog Nature Sanctuary, Michigan Nature Association, Calhoun County, Pennfield Township, Section 11. (29.6 acres)
- f. Palmer Conservation Easement, Southwest Michigan Land Conservancy, Calhoun County, Bedford Township, Section 2. (48 acres)
- g. Wallace Conservation Easement, Southwest Michigan Land Conservancy, Calhoun County, Bedford Township, Section 3. (133 acres)
- 16. This Easement protects a natural area which contributes to the ecological viability of a local, state, or national park, nature preserve, wildlife refuge, wilderness area, or similar conservation area.
- 5. **BASELINE DOCUMENTATION.** Specific Conservation Values of the Property have been documented in a natural resource inventory signed by both Owner and Conservancy (hereinafter "Baseline Documentation Report" regardless of specific name(s) on inventory(ies). The Baseline Documentation Report, incorporated herein by reference, consists of maps, a depiction of all existing human-made modifications, prominent vegetation features, identification of flora and fauna, land use history, distinct natural features, and photographs of the Property. The parties agree that the Baseline Documentation Report is an accurate representation of the Property at the time of execution of this Conservation Easement. Conservancy may use the Baseline Documentation Report to enforce this Conservation Easement but is not limited to the Baseline Documentation Report to show a change in conditions. Any characterization of this Easement in the Baseline Documentation Report shall not be interpreted so as to alter, amend, limit, or otherwise modify this Easement; the terms of this Easement shall control in the event of any alleged or actual conflict or inconsistency between the terms of this Easement and the Baseline Documentation Report.
- **PERMITTED AND PROHIBITED USES.** Owner retains all ownership rights not expressly restricted by this Conservation Easement but any activity on or use of the Property that is inconsistent with the Purposes or detrimental to the Conservation Values is expressly prohibited. Explicitly retained rights and explicitly prohibited activities and uses include the following, without limitation, with respect to the Property:
 - A. Right to Convey and Transfer Notices. Owner retains the right to sell, mortgage, bequeath, donate, or otherwise convey the Property subject to the terms of this Conservation Easement. Each subsequent Owner will be bound by this Easement. At least 30 days prior to transfer of any of Owner's rights in the Property, Owner or Owner's representative shall give (a) the proposed transferee of the Property a true, accurate, recorded and complete copy of this Easement, and (b) the Conservancy written notice of the proposed transfer including the full name(s) and address(es) of the prospective transferee(s). Owner at all times shall provide Conservancy with up-to-date contact information including mailing

- address, telephone number, and any email address regularly checked.
- **B. Subdivision.** Except as otherwise expressly permitted below, the following are prohibited: the legal or de facto subdivision of the Property, including any subdivision, short subdivision, platting, binding site plan, testamentary division, creation of a site condominium or other submission of the Property to a condominium form of ownership, or other process by which the Property is divided into lots or in which title to different portions of Property are held by different owners.
- C. Limited Right to Institutional and Commercial Activities. All industrial activity on the Property is prohibited. Owner retains the right to conduct limited institutional and commercial activities associated with the operations of a public park and as associated with permitted activities as identified in Paragraph 6, provided these activities are consistent with the Purposes and preservation of the Conservation Values. Owner retains the right to de minimis commercial recreational activity as such term is referenced in Internal Revenue Code section 2031(c)(8)(B).
- D. Use as a Park. The Owner has the right to use the Property as a public park and day-use recreational area for typical park uses and to charge fees for these uses, including but not limited to swimming, non-motorized boating, jogging, tent camping, dog walking, adaptive equipment, hiking, fishing, picnicking, cross-country skiing, sledding, ice-skating, and snowshoeing. Extended use camping is prohibited. Overnight camping with the use, parking, or storage of fifth-wheel trailers, travel trailers, tent pop-up trailers, campers and motor homes is prohibited. The right to any park activity may be extinguished if the Conservancy determines, in its sole discretion, that a park activity is adversely impacting the Conservation Values of the Property.
- **E. Structures and Construction.** The placement or construction of any human-made modifications, including structures, buildings, fences, roads, driveway and parking lots is prohibited except as follows:
 - 1. **Wetland Protection.** All structures must be located outside of designated wetlands as identified on the **Baseline Documentation Map**, except as approved by the Conservancy under the provisions of Paragraph 9. With no exception, all construction activities, including but not limited to any structure, parking lot, trail, or boardwalk must comply with Wetland Protection, Part 303 of the Michigan Natural Resources and Environmental Code, MCL 324.30301 *et seq.* and Inland Lakes and Streams, Part 301 of the Michigan Natural Resources and Environmental Code, MCL 324.30101 *et seq.* or successor provisions then applicable.
 - 2. **Right to Structures**. The Owner retains the right to add, maintain, renovate, expand, and replace structures, including but not limited to viewing or observation platforms, picnic shelters, pavilions, parking lots, toilets, and canoe/kayak storage and launch. Any renovation, expansion,

or construction of structures shall not result in a total aggregate impervious land surface area of more than 50,000 square feet. At the time of execution of this Conservation Easement, the Property contains one dock that is 40 square feet of impervious surface. Any additional construction may not exceed 50,000 square feet of total impervious surface.

- 3. **Right to Utilities.** The Owner retains the right to add utilities to serve the structures as needed. These utilities include, but are not limited to, electricity, natural gas, water, and septic and sewer services. These utilities can be located either above ground, or below ground in accordance with applicable regulations, provided the activity does not substantially alter the landscape or adversely affect the Conservation Values of the Property as determined by the Conservancy in its sole discretion.
- 4. **Right to Driveways and Parking Lots**. The Owner retains the right to access the Property via two (2) driveways and two (2) associated parking lots for ingress and egress. One driveway and parking lot will provide access to the south side of the Property via a public roadway known as Baseline Road and one driveway and parking lot will provide access to the east side of the Property via the public roadway known as North Avenue. These driveways and parking lots may be constructed with pervious or impervious surface materials. The driveway and corresponding right-of-way may not exceed 30 feet in width. The two (2) parking lots shall be included in the impervious surface limit stated above. The driveway shall not be included in the impervious surface square footage limit stated above.
- 5. **Right to Perimeter Barriers.** The Owner retains the right to construct and maintain fencing or other deterrent type of structures to prevent access by off-road recreation vehicles or other unauthorized access, provided the construction of such fencing or structures do not adversely impact the Conservation Values of the Property as determined by the Conservancy in its sole discretion. Fencing shall not be included in the impervious surface square footage limit stated above.
- 6. **Right to Docks/Viewing Platforms.** The Owner retains the right to maintain the existing dock and build four (4) additional docks or viewing platforms on the shore of Metcalf Lake. In order to preserve the scenic beauty of the Property and protect the Conservation Values of the Property, the dock may not serve as a marina or harbor. There shall be no more than a total of docks (5) docks or viewing platforms on the shore of Metcalf Lake. These three docks or viewing platforms shall be included in the impervious surface square footage limit stated above.
- 7. **Right to Trails, Footbridges, and Boardwalks.** The Owner retains the right to maintain existing foot trails throughout the Property as identified on the **Baseline Documentation Map** provided that the maintenance

activity does not substantially alter the landscape or adversely affect the Conservation Values of the Property. The Owner also retains the right to add additional trails, footbridges, and boardwalks. The addition of any new trail, footbridge, or boardwalk may not substantially alter the landscape of the Property nor shall it adversely impact the Conservation Values of the Property. The boardwalks and footbridges shall not be included in the impervious surface square footage limit stated above.

- 8. **Right to Renewable Energy.** Owner reserves the right to and may construct, operate, maintain, replace, and upgrade otherwise lawful noncommercial solar, wind, geothermal, and other types of renewable energy generation equipment ("Equipment") to the extent such uses are consistent with the terms of this Conservation Easement, provided the energy generated is solely intended for use on the Property and installation, construction, and use of such Equipment does not adversely impact the Conservation Values protected by this Conservation Easement. Renewable energy generation infrastructure and equipment shall be included in the impervious surface square footage limit stated above.
- 9. **Approval**. Prior to beginning construction, renovation, or replacement of a structure(s), driveway, parking area, new trails, fencing, or boardwalks the Owner shall provide a written plan to Conservancy for Conservancy's review and approval under the provisions of Paragraph 9; such approval may be withheld only upon a determination by Conservancy in its sole discretion that the action as proposed would be inconsistent with the Purpose, Conservation Values, or terms of this Easement.
- **F. Vegetation Management.** Any alteration, including pruning, trimming, cutting down, using herbicides, or otherwise causing the destruction or removal of trees or other vegetation, whether living or dead, in whole or in part, is prohibited, except as follows:
 - 1. **Right to Manage Dangerous, Nonnative, or Diseased Trees or Vegetation.** Pruning, trimming, and removing trees or other vegetation is permitted only under the following conditions:
 - a. To respond to, minimize, and/or eliminate real danger to a structure or humans in frequently-used areas due to a structural or health defect of a tree.
 - b. To respond to, minimize, and/or eliminate a threat of infestation posed by insect pests or diseased vegetation.
 - c. To respond to, minimize, and/or eliminate threats from invasive or non-native plant species.
 - d. For the purpose of ecological restoration and management

- 2. **Right to Facilitate Maintenance and Construction.** Reasonable pruning, trimming, or removing trees or other vegetation is permitted to facilitate the maintenance, repair, replacement, or construction of any structure, improvement, or trail, expressly permitted by this Easement with Conservancy's permission or to correct or restore unusual storm or wildfire damage.
- 3. **Right to Use and Cut Downed Trees for Firewood.** Owner retains the right to cut and use trees that are downed as a result of natural occurrence as firewood for designated park activities without a management plan, provided that said use retains adequate woody debris on the forest floor for habitat and soil productivity purposes. This right does not include any removal of live or standing dead trees. The right to cut downed trees for firewood may be extinguished if the Conservancy determines this use is adversely impacting the Conservation Values of the Property.
- 4. **Right to Conduct Ecological Restoration.** The Owner retains the right to conduct ecological restoration on the Property provided the restoration work meets the following goals and is carried out in accordance with applicable government regulations, and pursuant to a Management Plan or an Ecological Restoration Plan prepared by a qualified natural resource professional and approved in advance by the Conservancy.

Ecological restoration is the process of assisting the recovery and management of ecological integrity with sensitivity to the regional and historical context of the landscape. Ecological restoration includes, but is not limited to, planting native species, forest stand improvement, removing non-native or invasive species, and implementation of a natural disturbance regime (e.g. fire) appropriate for the Property. Any income generated from a forest stand improvement must be limited to a de minimis commercial threshold as referenced to in Internal Revenue Code section 2031(c)(8)(B).

The ecological restoration goals are:

- a. to maintain, improve or enhance the overall ecological integrity of the Property (wildlife habitat and species diversity);
- b. to maintain, improve or enhance the scenic character of the Property;
- c. to restore the biodiversity, function, and ability of the Property to reasonably accommodate normal disturbances;
- d. to conserve native plant and animal species;
- e. to protect water quality, wetland, and riparian zones; and

f. to minimize soil disturbance and erosion.

The Management Plan or Ecological Restoration Plan shall be provided to the Conservancy for the Conservancy's review and approval in accordance with Paragraph 9, below. The Conservancy shall review and either approve or notify the Owner of any deficiencies in the Plan that relate to protecting the Conservation Values of the Property. The Conservancy's approval may be withheld only upon a reasonable determination by the Conservancy that the proposed action(s) would be inconsistent with the purposes of this Conservation Easement or detrimental to the Conservation Values of the Property.

- G. Disturbance/Alteration of Land. Disturbance, alteration, and mining of the surface of the Property, including the excavation, removal, quarrying, filling, storing, or relocation of soil, sand, gravel, aggregate, rock, stone, ore, marl, limestone, gypsum, salt, coal, clay, peat, sod, or topsoil, are prohibited.

 Treatment, processing, storage, transportation, and other handling of overburden, effluent, tailings, or other waste or byproducts created or produced during mining, the removal of surface or mineral resources, or oil and gas extraction also are prohibited. Limited disturbance and alteration of the surface of the Property is permitted to exercise explicitly retained rights as stated in Paragraph 6.
- H. Mining and Oil and Gas Extraction. Mining is expressly prohibited, including but not limited to any activity which will disturb, consume, deplete, use, occupy, or alter the surface estate, ecosystem, hydrology, or groundwater, including but not limited to the removal of non-hydrocarbon metallic and non-metallic minerals. No circumstance, including the exercise of the retained rights below, shall be interpreted to permit any of the following: injection, mixing, use, retention, storage, transportation, or other presence of hydraulic, fracking or similar fluids, chemicals, or substances, whether new, used, reclaimed, recovered, waste, or otherwise across or on the Property; use of any surface water on the Property for oil and gas activities, including but not limited to hydraulic fracking; mining or oil or gas exploration, development, or testing for or extraction conducted on, from, or across the surface of the Property; and alteration or use of the Property surface or construction or placement of any structures, including wells and pipelines, on, over, or across the Property. Notwithstanding the foregoing prohibitions, the following activities are permitted:
 - 1. **Right to Enter into a Non-Developmental Lease.** Owner retains the right to enter into a non-developmental lease which solely permits the extraction of oil, gas, hydrocarbons, or petroleum from beneath the Property surface without any alteration or use of the Property surface or construction or placement of any structures, including wells and pipelines, on, over, or across the Property. Nothing otherwise prohibited herein may be allowed by the terms of the non-developmental lease.
- **I. Waste.** Processing, retention, storage, transporting, dumping, disposal, or injection of liquid, solid, gaseous, natural or human-made waste, refuse, or debris

- on or into the Property is prohibited.
- J. Storage of Sand, Gravel, and Woodchips. Owner retains the limited right to temporarily store sand, gravel, woodchips, and similar materials for Trail maintenance on the Property. Such storage must be within or directly adjacent to the parking lots and the material shall be for use only on the Property.
- K. Water Courses, Groundwater. Natural water courses, lakes, rivers, streams, creeks, wetlands, and other bodies of surface water and groundwater or water features shall not be altered or impounded. Water from ground or surface sources shall not be diverted, blocked, extracted, pumped, or piped from the Property or degraded or polluted.
- **L. Vehicles.** Owner retains the right to operated motorized vehicles on the Property as follows:
 - 1. **Off-Road Vehicles.** Motorized off-road vehicles such as, but not limited to, snowmobiles, dune buggies, all-terrain vehicles, electric bikes, dirt bikes, and motorcycles may not be operated on the Property, except as otherwise expressly permitted in the following:
 - a. Emergency vehicles are permitted as necessary.
 - b. Vehicles used to complete Conservancy-approved restoration work are permitted as necessary.
 - c. Vehicles used to carry out permitted maintenance, construction, and management uses on the Property are permitted as necessary.
 - d. ADA-approved accessibility motorized vehicles are permitted for those with physical disabilities on designated trails and boardwalks.

The right to operate motorized vehicles off-road may be extinguished if the Conservancy determines that use of off-road or motorized vehicles is adversely impacting the Conservation Values of the Property.

- 2. **On-Road Vehicles.** Owner retains the right to operate motorized vehicles on the Property on the established driveway and parking areas.
- 3. **Motorized Boats.** The use of any motorized boats on Metcalf Lake, including gasoline and electric power, shall be prohibited; emergency watercraft are permitted to facilitate emergency medical service and provide medical attention to and/or extraction of visitors. Owner may use motorized boats solely to carry out permitted maintenance, construction, and management uses on the Property as necessary.
- **M. Livestock.** Raising or housing of livestock, poultry or horses, commercial breeding, and commercial aquaculture are prohibited on the Property.

- **N. Signs and Billboards.** Billboards and permanent signs are prohibited except as follows:
 - 1. **Right for signs for specific purposes.** Owner retains the right to display signs for the following purposes and any other purposes consistent with Permitted Uses under Paragraph 6:
 - a. To disclose the name and address of the Property and owner's name.
 - b. To disclose that the Property is protected by a conservation easement (See also Paragraph 7.D.)
 - c. Trail signs, educational signs, ecological signs, and directional signs.
 - d. To advertise the Property for sale or lease.
 - e. Signs setting forth rules for use of the Property.
 - f. Memorial plaques, stands, or rocks.
 - g. To warn or deal with matters of property boundaries, health, safety, and welfare.
 - h. To comply with any applicable law or regulation.
- O. Right to Hunt, Trap, and Fish. Owner retains the right to allow hunting, trapping and fishing on and from the Property consistent with all applicable laws, the permitted uses of the Property, and the Conservation Values and Purposes of this Easement.
- P. Right to Other Permissible Uses. Conservancy and owner acknowledge that there may be other permissible uses that may be fully consistent with the protection of the Conservation Values and Purposes but are not contemplated or expressly reserved in this Easement. Accordingly, Conservancy and Owner agree that the Owner may engage in any such use only if the Owner seeks approval from Conservancy prior to implementing any such use, and the Conservancy confirms in writing, and in its sole discretion, that the proposed use does not impair or interfere with the Conservation Values and Purposes of this Easement.
- **7. CONSERVANCY RIGHTS.** Owner grants the following rights to Conservancy to perpetually maintain the Conservation Values of the Property:
 - A. Entry and Cooperation. The public is not granted access to, right of entry onto, or use of the Property by this Easement. Conservancy including its authorized agents may enter the Property at reasonable times to monitor the Property, to enforce compliance with this Easement, and to otherwise exercise its rights under this Easement. Owner shall fully cooperate with Conservancy in Conservancy's undertaking and execution of Conservancy's responsibilities under this Easement; Conservancy will not unreasonably interfere with Owner's use and quiet

enjoyment of the Property or permit others to enter the Property. Except in case of emergency or if there is imminent threat to the Conservation Values, Conservancy shall exercise reasonable efforts to notify Owner in advance of Conservancy's planned entry onto the Property. Owner agrees to fully cooperate with Conservancy regarding all matters relating to this Easement including, without limit, promptly, truthfully and accurately reporting and fully disclosing all activities and conditions on or affecting the Property regarding or affecting the Purposes and Conservation Values of this Easement and any violations of this Easement. Owner shall not directly or indirectly interfere with, restrict, place conditions upon access, or otherwise prevent Conservancy or its representatives or agents from entering the Property for purposes of monitoring, inspecting, verifying, protecting, correcting, preserving or otherwise acting to protect the Conservation Values of or otherwise enforce this Easement. If locked gates or other features restrict access to the Property, Owner shall provide Conservancy with keys and all other information or means necessary for Conservancy or its agents to be able to reasonably enter the Property by vehicular means over established access roads or trails; without liability, Conservancy may undertake reasonable self-help to access the Property for Easement-related purposes if such information or means are not provided by Owner.

- **B. Right to Preserve.** Conservancy has the right to prevent any activity on or use of the Property that is inconsistent with the Purposes or detrimental to the Conservation Values of the Property.
- **C. Right to Require Restoration.** Consistent with the remedies below, Conservancy has the right to require Owner to restore to its prior condition any area or feature of the Property which is damaged by any activity inconsistent with this Conservation Easement. Owner shall conduct the restoration in accordance with a plan submitted to and approved by Conservancy.
- **D. Signs.** The Conservancy has the right to place signs on the Property which identify the land as protected by this Conservation Easement. The number and location of any signs are subject to the Owner's approval, which shall not be unreasonably withheld or restricted.
- **8. CONSERVANCY REMEDIES.** Conservancy has the following cumulative, nonexclusive remedies:
 - **A. Delay in Enforcement.** To the fullest extent permitted by law, the failure or delay of Conservancy to discover a violation or initiate enforcement of this Conservation Easement shall not constitute waiver, laches, or estoppel of its rights to do so at a later time.
 - **B.** Third Person Violations. Owner and Conservancy shall have the following rights for acts or occurrences at the Property beyond the direct or indirect control of Owner:
 - 1. Conservancy may not bring an action against Owner for modifications to

- the Property or damage to the Property or its Conservation Values resulting from natural causes beyond Owner's control, including natural disasters, fires, floods, storms, natural earth movement or other acts of God.
- 2. Owner shall be responsible for modifications or damage to the Property that impair or damage the Conservation Values of the Property and result from the acts of third persons whose use of, or presence on, the Property was authorized by Owner. Owner shall restore the Property to the condition that existed prior to modification or damage caused by such third persons pursuant to a restoration plan prepared by a competent professional selected by Owner and submitted to and approved by Conservancy in writing.
- 3. In the event of an unauthorized third-person violation of the Conservation Values on the Property, Conservancy shall not seek restoration or exercise remedies available to it if and so long as Owner diligently pursues all available legal remedies against the violator. In the event actions taken by unauthorized third persons impair the Conservation Values protected by this Conservation Easement, Conservancy reserves the right, either jointly or singly, to pursue all appropriate civil and criminal penalties to compel restoration and Owner assigns all claims and rights to recover against such third persons to Conservancy.
- C. Notice and Demand. If Conservancy determines that Owner is in violation of this Conservation Easement, or that a violation is threatened, Conservancy shall provide written notice to Owner. The written notice will identify the violation and request corrective action to cure the violation and, where the Property has been injured, to restore the Property. If at any time Conservancy determines, in its sole and absolute discretion, that the violation constitutes or threatens immediate and irreparable harm, no written notice is required and Conservancy may then immediately pursue its remedies to prevent or limit harm to the Conservation Values of the Property. If Conservancy believes that this Conservation Easement has been, or is expected to be, violated, and Conservancy's good-faith and reasonable efforts to notify Owner are unsuccessful, Conservancy may pursue its lawful remedies to mitigate or prevent harm to the Conservation Values without prior notice and without awaiting Owner's opportunity to cure.
- Owner Failure to Act. If, within twenty-eight (28) days after written notice, Owner does not implement corrective measures requested by Conservancy, Conservancy may bring an action at law and/or in equity to enforce the terms of the Conservation Easement. In the case of immediate or irreparable harm, as determined in the sole discretion of Conservancy, or if Owner is unable to be notified, Conservancy may invoke these same remedies without notification and/or awaiting the expiration of the 28-day period. Conservancy is entitled to seek to enjoin the violation through temporary or permanent injunctive relief and to seek specific performance, declaratory relief, restitution, reimbursement of expenses, and/or an order compelling Owner to restore the Property. Conservancy

shall have the right of specific performance to impose or enforce any right and obtain relief by immediate temporary restraining, preliminary and/or permanent injunctive order, without the necessity of bond or other security, and without having to prove damages. Such relief shall be against Owner and/or any person or entity acting in concert with Owner and in addition to damages and other available remedies to the Conservancy and all such rights and remedies shall be cumulative. Owner agrees if a violation of this Conservation Easement is threatened or occurs the harm and injury to the Conservancy will be irreparable and such that the Conservancy will have no adequate remedy at law and could not be compensated adequately by damages.

- **E.** Recovery Costs and Reimbursement. If the court determines that Owner has failed in part or in full to comply with this Conservation Easement, Owner must also reimburse Conservancy for all reasonable, actual litigation costs and attorney fees, and all costs of Property restoration incurred by Conservancy.
- Frivolous Litigation. If Conservancy initiates litigation against Owner to enforce this Conservation Easement, the court determines that Owner is the prevailing party, and the court determines that (1) the litigation was initiated with the primary purpose to harass, embarrass, or injure Owner; (2) Conservancy did not have a reasonable basis to believe that the facts underlying Conservancy's legal position were in fact true; or (3) Conservancy's legal position was devoid of arguable legal merit, then the court may require Conservancy to reimburse Owner's reasonable costs and reasonable attorney's fees in defending the action.
- G. Actual or Threatened Non-Compliance. Conservancy's rights under this Paragraph 8 apply equally in the event of either actual or threatened violations of the terms of this Conservation Easement. Owner agrees that Conservancy's claim for money damages for any violation of the terms of this Conservation Easement is inadequate. Conservancy shall also be entitled to affirmative and prohibitive injunctive relief and specific performance, both prohibitive and mandatory. Conservancy's claim for injunctive relief or specific performance for a violation of this Conservation Easement shall not require proof of actual damages to the Conservation Values.
- **H.** Cumulative Remedies. The preceding remedies of Conservancy are cumulative. Any or all of the remedies may be invoked by Conservancy if there is an actual or threatened violation of this Conservation Easement.
- 9. NOTIFICATION AND APPROVAL. If Owner proposes to undertake any activity which requires notice to Conservancy or Conservancy's approval, Owner shall provide sixty (60) days' written notice of Owner's planned activity together with all reasonably related information, such as a written description of the planned activity, engineer/architect plans and drawings, updated contact information, permits, schedules, and the like. Notification must be written and submitted as required in Paragraph 23, Notices.

Conservancy will give approval so long as: (1) the Conservancy determines the proposed

use or activity does not negatively impact the Conservation Values or Purposes of this Conservation Easement, and (2) notification, including any required plans and other related information, has been properly completed.

If Conservancy does not approve, deny, or request that Owner amend and resubmit the notice within sixty (60) days after actual receipt of written notice and supporting materials or a request, the Conservancy's failure to respond shall be deemed a constructive denial. Because a constructive denial is not a decision by the Conservancy, it is not a decision on the merits of the Grantor's request, therefore it is not final or binding on the Conservancy, and the Owner can resubmit the same or amended request for approval. If the Owner's request is approved by the Conservancy, the approval shall continue for three years. If Owner's approved activity is not completed within three years after Owner's initial written notice to the Conservancy, then the prior approval will be deemed expired and the Owner must re-submit Owner's written application for Conservancy's review and approval.

10. SUBORDINATION. Owner represents and warrants that as of the date of execution and recording of this Conservation Easement, the Property is not subject to any lease, land contract, mortgage, lien, claim or interest which has not been subordinated to this Conservation Easement. Any lease, land contract, mortgage, lien, claim or interest in the Property arising after the date of recording this Conservation Easement shall be subject and subordinate to the terms of this Conservation Easement.

11. CONSERVATION EASEMENT REQUIREMENTS UNDER MICHIGAN AND FEDERAL LAW.

- A. This Conservation Easement is an immediately vested interest in real property created pursuant to NREPA Part 21 Subpart 11 Conservation and Historic Preservation Easement, MCL 324.2140 et seq. Owner agrees that this Conservation Easement has a fair market value that is at least equal to the proportional value that the Conservation Easement at the time of the gift bears to the value of the Property as a whole at that time. This proportionate value shall remain constant.
- **B.** This Conservation Easement is established for conservation purposes pursuant to the Internal Revenue Code, as amended, 26 U.S.C. Section 170(h)(1)-(6) and Sections 2031(c), 2055, and 2522, and under Treasury Regulations at Title 26 C.F.R. Section 1.170A-14 et seq., as amended.
- C. Conservancy is qualified to hold conservation easements pursuant to these statutes. Conservancy is a publicly funded, non-profit 501(c)(3) organization with the authority to accept lands, easements, and buildings for the purpose of preserving and protecting natural, scenic, educational, recreational, or open-space values of real property, and with the commitment to preserve the Conservation Values of the Property.
- **12. OWNERSHIP COSTS AND LIABILITIES.** In accepting this Conservation Easement, Conservancy shall have no liability or other obligation for costs, taxes, assessments,

insurance, maintenance, or other liabilities of any kind related to the Property. Conservancy's rights do not include the right, in absence of a judicial decree, to enter the Property for the purpose of becoming an operator of the Property within the meaning of the Comprehensive Environmental Response, Compensation, and Liability Act, NREPA, or any similar statute or regulation. Conservancy, its members, trustees or directors, officers, employees, and agents have no liability arising from injury or death to any person or physical damage to any property on the Property. Owner agrees to defend, indemnify and hold harmless Conservancy against such claims arising during the term of Owner's ownership of the Property.

- **13. HAZARDOUS MATERIALS.** Owner represents and warrants that Owner has no knowledge of any release, discharge, dispersal or storage of hazardous substances, or hazardous wastes on the Property. Owner agrees to defend, indemnify, and hold harmless Conservancy against all claims of hazardous materials contamination on the Property.
- 14. CESSATION OF CONSERVANCY EXISTENCE. If Conservancy ceases to exist or fails to be a "qualified organization" for purposes of Internal Revenue Code Section 170(h)(3), or if Conservancy is no longer authorized to acquire and hold conservation easements, then this Conservation Easement shall become vested in another entity which is a "qualified organization" for purposes of Internal Revenue Code Section 170(h)(3). Conservancy's rights and responsibilities shall be assigned to any entity having similar conservation purposes to which such right may be awarded under the *cy pres* doctrine.
- **ASSIGNMENT.** The Conservancy may assign its rights and obligations under this Conservation Easement only to an organization that, at the time of the assignment, is a "qualified organization" under Section 170(h)(3) of the Internal Revenue Code of 1986, as amended. The Conservancy shall require as a condition of assignment that the assignee assume all obligations of the Conservancy under this Conservation Easement and continue to carry out the conservation purposes of this Conservation Easement.
- 16. FUTURE CONDITIONS. No use shall be made of the Property and no activity thereon shall be permitted which is, or is likely to become, inconsistent with the Purposes of this Conservation Easement. Owner and Conservancy acknowledge that, in view of the perpetual nature of this Conservation Easement, they are unable to foresee all potential future land uses, technologies, climate changes, evolution in flora and fauna, other natural resources, and other circumstances, occurrences and conditions affecting the Property or the purposes of this Conservation Easement.
- **17. TERMINATION.** This Conservation Easement may be extinguished only by a court order upon an unexpected change in condition, which causes it to be impossible to fulfill the Purposes, or by exercise of eminent domain.
 - A. Unexpected Change in Conditions. If subsequent circumstances render the Purposes impossible to fulfill, then this Conservation Easement may be partially or entirely terminated but only by judicial proceedings. Conservancy will then be entitled to a share of the proceeds of any sale, exchange, or involuntary conversion of the Property, according to Conservancy's proportional interest in the Property, as determined and as required under Treasury Regulations Section

- 1.170A-14(g)(6)(ii) or its successor. Notwithstanding the foregoing, Owner and Conservancy intend that this Conservation Easement not be subject to the legal doctrine of "changed conditions" that is applied to traditional servitudes. In making this grant, Owner has considered the possibility that uses prohibited by the terms of this Conservation Easement may become more economically valuable than permitted uses, and that neighboring properties may in the future be put entirely to such prohibited uses. The unprofitability of conducting or implementing any or all of the uses permitted under the terms of the Conservation Easement shall not impair the validity of this Conservation Easement or be considered grounds for its termination or extinguishment. It is the intent of Owner that any such economic changes shall not be deemed to be changed conditions or a change of circumstances justifying the judicial termination, extinguishment or amendment of this Conservation Easement.
- **B.** Eminent Domain. If the Property is taken, in whole or in part, by power of eminent domain, then Conservancy will be entitled to a share of the proceeds of any sale, exchange, or involuntary conversion of the Property, according to Conservancy's proportional interest in the Property, as determined and as required under Treasury Regulations Section 1.170A-14(g)(6)(ii) or its successor.
- **C. Payment and Usage.** Payment shall not be later than subsequent sale, exchange, or involuntary conversion of the Property, whichever occurs first. Conservancy shall use any such proceeds in a manner that is consistent with the conservation purposes as set forth in IRS 170(H)(4)(A).
- **18. LIBERAL CONSTRUCTION.** This Conservation Easement shall be liberally construed in favor of maintaining the Conservation Values of the Property and in accordance with the NREPA Conservation and Historic Preservation Easement statutory provisions, Part 21 Subpart 11, MCL 324.2140 et seq.
- 19. AMENDMENT. Owner and Conservancy may jointly amend this Conservation Easement, provided that an amendment: (i) shall be approved by the Conservancy in its sole and absolute discretion; (ii) shall not affect the qualification of this Conservation Easement or the status of the Conservancy under and applicable laws, including MCL 324.2140-324.2144, or Section 170(h) of the Code; (iii) shall be consistent with the Purposes; (iv) shall have a net positive or neutral effect on the Conservation Values; (v) shall not affect the perpetual duration of this Conservation Easement; (vi) shall be allowed to add real property to the legal description and, therefore, preserve the additional land; and (vii) shall be allowed to correct clerical errors in the recorded document, such as inaccuracy in a legal description. Any such amendment shall be in writing and recorded in the official records of Barry County, Michigan, and any other jurisdiction in which such recording is required.
- **20. OWNER RESPONSIBILITY AND CONSERVANCY APPROVAL.** If the approval of, consent to or non-objection by Conservancy is required or given regarding any act, action, or activity of Owner or Owner's agents or contractors upon the land, then, notwithstanding any such approval or consent of the Conservancy, for all purposes Owner shall be solely responsible for the planning, design, necessity, implementation,

means, methods, materials, execution, adequacy, timing, soundness, supervision, inspection, completion, conduct, effectiveness, impacts, results, or consequences of any such activity and any act or omission in connection therewith, occasioned thereby, or arising in connection with the same, including without limit any adverse impact the same may have upon the Conservation Values protected by this Conservation Easement. Under no circumstances shall the approval of, consent to and/or non-objection by Conservancy to any act, action, activity of Owner or Owner's agents or contractors be deemed to be, directly or indirectly, in whole or in part, participation, acceptance, ratification, release, waiver, or a defense or other impediment to Conservancy's right to protect the Conservation Values of or otherwise to enforce the terms of this Conservation Easement against the Owner or any third person.

- 21. REGULATORY AUTHORITY. The Owner is solely responsible for obtaining any applicable permit or authorization or otherwise ensuring that any proposed use, building, construction, design, location, or other specification related to the Property meets applicable local, state, and federal zoning, requirement, regulation, rule policy, or standard. In accepting this Conservation Easement, or in reviewing and /or approving any use, building, construction design, location, or any other specification related to the Property or the use or development of the Property, the Conservancy makes no warranty that the proposed use, building, construction, design, location, or other specification or activity meets any local, state or federal zoning, requirement, regulation, rule, policy, or standard and assumes no responsibility and be subject to no liability for the same.
- 22. INDEMNIFICATION. Owner agrees to defend, indemnify and hold harmless Conservancy, its directors/trustees, officers, employees, agents, volunteers, and representatives ("the Indemnified Parties") from and against all claims, actions, proceedings, liabilities, damages, losses, penalties, fines, costs, enforcement and restoration fees and costs, testing and engineering fees and costs, consultant and expert fees and costs, and reasonable attorney fees and costs, including those incurred in enforcing this indemnity, arising directly or indirectly from or in conjunction with:
 - A. Injury or death to any person, damage to or diminution in the value of any property, or damage to natural resources from any act, omission, condition or other matter related to or occurring on or about the Property regardless of cause, including any injury, harm to, or death of an Indemnified Party;
 - **B.** The presence, suspected presence, or threatened or actual release of any hazardous substance whether into the air, soil, surface or groundwater on, in, above, or below the Property;
 - C. Any actual or alleged violation of any environmental law affecting the Property, whether occurring prior to or during Owner's ownership of the Property and whether caused or permitted by Owner or any person other than Owner;
 - **D.** Any claim or defense by Owner or any third person that any Indemnified Party is liable as an owner or operator of the Property under any environmental law; or

- E. Any breach of Owner's representations, warranties, or retained responsibilities, obligations, or liabilities under this Conservation Easement, provided, however, this Paragraph shall not apply if it is finally determined by a Michigan court that any of the foregoing was solely caused by gross negligence or material willful misconduct of Conservancy.
- 23. NOTICES. All notices required or permitted under this Agreement shall be in writing and deemed given to a party and effective when: (1) delivered in person to a party or to an officer of the party being notified, or (2) sent by certified mail return receipt requested, express mail with proof of delivery, first class mail prepaid, or a recognized nationwide courier service with proof of delivery to a party at the address set forth herein or to the last known address of a party. Either party may change its address by providing written notice of the same. Refusal of a party to accept notice shall not impair the giving of notice.
- **24. SEVERABILITY.** If any portion of this Conservation Easement is determined to be invalid, the remaining provisions will remain in force.
- 25. SUCCESSOR RIGHTS AND OBLIGATIONS. This Conservation Easement is binding upon, and inures to the benefit of Owner's and Conservancy's successors in interest. All subsequent owners of the Property are bound to all provisions of this Conservation Easement to the same extent as Owner. A party's respective future rights and obligations under this Conservation Easement terminate upon transfer of that party's interest in the Property, provided, however, liability accruing for acts or omissions prior to transfer survives transfer.
- 26. MICHIGAN LAW AND FORUM. This Conservation Easement will be construed in accordance with Michigan law. Owner and Conservancy agree and consent that all litigation with respect to or arising out of this Conservation Easement shall be filed, heard and decided by a Michigan court with jurisdiction over the Property or where Conservancy maintains its principal place of business in Michigan.
- **27. ENTIRE AGREEMENT.** This Conservation Easement sets forth the entire agreement of the parties and supersedes all prior discussions and understandings.
- **28. EXHIBITS.** This Conservation Easement includes, and incorporates the following Exhibits:

Exhibit A: Legal Description

Exhibit B: Baseline Documentation Map

CERTIFICATION OWNER: The County of Barry Name: Title: Board of Commissioners Chairperson STATE OF MICHIGAN COUNTY OF Acknowledged before me on this ______ of _____, 2025, by ______, the ______of the Barry County Board of Commissioners, a municipal corporation and subdivision of the State of Michigan, for the corporation. _____, Notary Public _____, County, Michigan Acting in _____ County My commission expires: _____ CONSERVANCY: Southwest Michigan Land Conservancy By: _____ Name: Michael J. Larson Title: President and Executive Director STATE OF MICHIGAN COUNTY OF

Acknowledged before me on this ______ of _____, 2025, by Michael J. Larson, known to me to be the President and Executive Director of Southwest Michigan Land Conservancy.

_____, Notary Public

_____, County, Michigan

Acting in	County
My commission expires: _	

DRAFTED BY:

Kaleigh Winkler Land Protection Director Southwest Michigan Land Conservancy 8395 E. Main Street Galesburg, MI 49053

AFTER RECORDING PLEASE RETURN TO:

Kaleigh Winkler Land Protection Director Southwest Michigan Land Conservancy 8395 E. Main Street Galesburg, MI 49053

CONTINUE TO SEND TAX BILLS TO: Tax Exempt

EXHIBIT A Legal Description

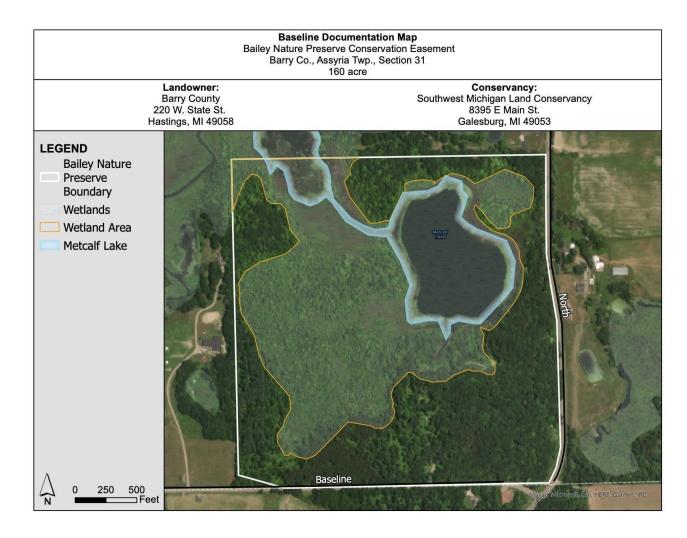
LAND SITUATED IN THE TOWNSHIP OF ASSYRIA, COUNTY OF BARRY, STATE OF MICHIGAN DESCRIBED AS FOLLOWS:

THE SW 1/4 SEC 31-1-7 EX BEG ON W SEC LINE 113.31 FT N OF SW COR OF SEC, S 113. 31 FT, E ON S SEC LINE 374.18 FT, NWLY 391.27 FT TO BEG.

ADD FROM VESTING DEED

TAX ID: 01-031-020-00

EXHIBIT B Baseline Documentation Map



AGENDA REQUEST FORM

PROPOSED FOR	MEETING OF:	BOC / 7/22/25		
DEPARTMENT:		County Administration		
PREPARED BY:		Eric Zuzga, County Adm	inistrator	
SUBJECT:		Vehicle Disposal		
To recommend to by private sale or s	scrap.	ioners approval to dispose of		
		MENDED BY THE COV as listed below by private sale		<u>ise only):</u>
	F ACTION: On beha	lf of multiple departments, I a		rmission to
Department	Vehicle	VIN#	Mileage	Method
911/General	2014 Ford Escape	1FMCU0F75EUD07701	38,986	Sell
General	2013 Ford Taurus	1FAHP2D85DG121538		Sell
Sheriff	2005 Ford F150	1FTRF14W75NB55083		Scrap
Sheriff	2011 Ford Taurus	1FAHP2DW9BG127502	147,000+	Scrap
Sheriff	2014 Chevrolet Tahoe	1GNLC2E08ER179617	216,456	Sell
Sheriff	2011 Chevrolet Tahoe	1GNLC2E06BR193401	147,000+	Sell
Sheriff	2018 Chevrolet Tahoe	1GNLCDEC6JR308213	148,056	Sell
Sheriff	2016 Chevrolet Impala	2G11X5SA1G9172291	116,388	Sell
Sheriff	1989 HMMWV Utility Vehicle	050612		Sell
the vehicle. TIME FRAME OF	FACTION: Effective	les, but will move to scrap the upon approvalNOX	em if we do not re	eceive bids for
1. FUNDI 2. IF LOC 3. AMOU 4. AMOU	CAL, SPECIFY FUND INT REQUESTED: INT OF ONGOING CO	l, State, or Local) : OST, AND INTERVAL (Mont OTHER DEPARTMENTS:	hly, Quarterly, Annua	l, etc.)
PERSONNEL IF I				

NEW OR RENEWAL: New.

ANY OTHER PERTINENT INFORMATION: None

CONTACT PERSON WITH PHONE NUMBER: Eric Zuzga, County Administrator 269-945-1284

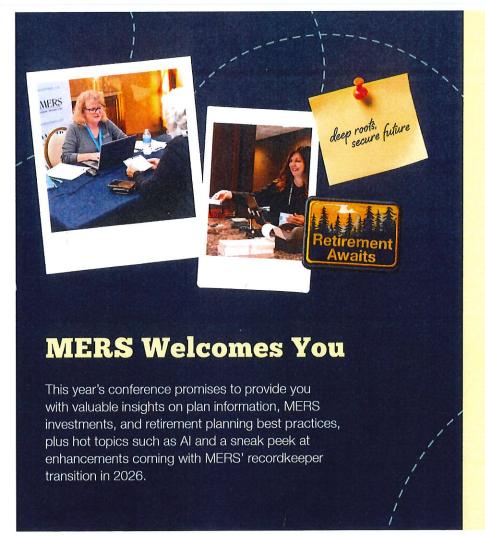
AGENDA REQUEST FORM

AGENDA REQUEST FORM
PROPOSED FOR MEETING OF: July 22, 2025, Board of Commissioners
DEPARTMENT: County Administration
PREPARED BY: Luella Dennison, Deputy County Administrator
SUBJECT: Appointment of Officer Delegate and Officer Delegate Alternate to the Municipal Employees Retirement System 2025 Annual Meeting
<u>SPECIFIC ACTION(S) REQUESTED:</u> To recommend to the Board of Commissioners approval to appoint Eric Zuzga as Officer Delegate, and Marsha Bassett as Officer Alternate, to attend the 2025 Municipal Employees Retirement System Annual meeting, and to approve paying the expenses for the Officer Delegate and the Employee Delegate to attend on October 16-17, 2025 at the Grand Traverse Resort in Acme, MI.
SPECIFIC ACTION(S) RECOMMENDED BY THE COW (Admin. use only):
Approval to appoint Eric Zuzga as Officer Delegate, and Marsha Bassett as Officer Alternate, to attend the 2025 Municipal Employees Retirement System Annual meeting, and to approve paying the expenses for the Officer Delegate and the Employee Delegate to attend on October 16-17, 2025 at the Grand Traverse Resort in Acme, MI.
<u>DESCRIPTION OF ACTION:</u> In accordance with the Municipal Employees Retirement System (MERS) Plan Document each participating municipality may appoint an officer delegate to attend the annual meeting. The officer delegate shall be an officer member who holds a department head position or above, exercises management responsibilities, and is directly responsible to the legislative, executive, or judicial branch of government. Each participating municipality also elects (by employee ballot) an employee delegate to attend the annual meeting. The employee elected delegate is Amber McQueen and in the event that the she cannot attend, the employee delegate alternate is Brenda Morgan. The purpose of the annual meeting is to provide the participating municipalities with continuing education regarding their pension system and to conduct elections of the members to serve on the MERS Board.
TIME FRAME OF ACTION: Immediate.
FUNDING REQUIRED: YES x NO NO
 IF YES, ANSWER THE FOLLOWING: FUNDING SOURCE (Federal, State, or Local) Local IF LOCAL, SPECIFY FUND: General Fund – Miscellaneous AMOUNT REQUESTED: \$255 x 2 for registration=\$510, up to 2 nights lodging (\$209 x 2 =\$418 x 2 rooms = \$836, plus applicable fees, TOTAL=\$1,346 plus applicable lodging fees and mileage reimbursement. AMOUNT OF ONGOING COST, AND INTERVAL (Monthly, Quarterly, Annual, etc.) None FINANCIAL IMPACT ON OTHER DEPARTMENTS: None
PERSONNEL IF REQUIRED: None.

<u>ANY OTHER PERTINENT INFORMATION:</u> See attached conference materials.

NEW OR RENEWAL: Annual appointment.

CONTACT PERSON WITH PHONE NUMBER: Eric Zuzga, County Administrator, 269-945-1284.







Making an Impact

The third annual MERS Impact Awards luncheon will be held Thursday, October 16. Join us as we celebrate municipalities that highlight the best in helping employees achieve financial security in retirement.



MERS Business Meeting

The conference officially kicks off Thursday morning with the Business Meeting where CEO Kerrie Vanden Bosch will present the State of MERS address, CIO Jeb Burns will provide an update on the MERS Investment Portfolio, and conference delegates will have the opportunity to vote for members of the MERS Retirement Board.

Keynote Speaker

Katie Hoff - World Champion and Olympic Swimmer

Katie Hoff is an 8-time World Champion and two-time Olympian where she earned a silver and two bronze Olympic medals in swimming. Hailed as the 'female Michael Phelps,' she withstood tremendous pressure and emerged from years of effort with valuable lessons learned on what it takes to succeed and power through bitter disappointment. She'll share her wisdom through captivating stories filled with humor, humility, honesty and vulnerability.



Agenda

Please note that the agenda is subject to change. Check back often for updates and new events added.

riease note that the ag	enda is subject to origings. Once	K Sack often for apatitive and the
All Dates 10/15-10/17 October 15, 2025	3:30 PM -7:00 PM 3:30 PM-5:30 PM 5:30 PM-7:00 PM	Registration Customer Help Tables Welcome Reception
October 16, 2025	7:30 AM-2:00 PM 8:00 AM-9:00 AM 8:00 AM-4:00 PM 9:00 AM-10:00 AM 10:00 AM-10:30 AM	Registration Breakfast Customer Help Tables Welcome & Business Meeting MERS Investment Portfolio Overview
	10:30 AM-10:45 AM	Refreshment Break
	10:45 AM-11:45 AM	Breakout Session - Better Together - Empower Transition for Employers Breakout Session - Building a Retirement Paycheck Breakout Session - MERS Investments Breakout Session - Communicating Your Holistic Retirement Package
	11:45 AM-1:00 PM	Impact Awards Ceremony Luncheon
	1:15 PM-2:15 PM	Breakout Session - Strategies to Modify Your Defined Benefit Plan Design Breakout Session - Al in Action Breakout Session - Lessons Learned from Retirees Breakout Session - Better Together - Empower Transition for Employers Breakout Session - Building a Retirement Paycheck Breakout Session - Preparing to Retire with a Defined Benefit Plan
	2:15 PM-2:45 PM	Afternoon Refreshment Break
	2:45 PM-3:45 PM	Breakout Session - 25 Do's and Don'ts for Retirement Planning Breakout Session - Better Together - Empower Transition for Participants Breakout Session - Communicating Your Holistic Retirement Package Breakout Session - Lessons Learned from Retirees Breakout Session - Strategies to Modify Your Defined Benefit Plan Design
0.4.1	3:45 PM-5:30 PM 5:30 PM-8:30 PM	Break "Camping Eats and Bonfire Beats" - Dinner & Evening Entertainment
October 17, 2025	8:00 AM-8:45 AM 8:00 AM-11:00 AM 8:45 AM-9:30 AM 9:30 AM-10:00 AM 10:00 AM-11:00 AM	Breakfast Customer Help Tables Keynote Speaker - Katie Hoff World Champion and Olympic Swimmer Refreshment Break/Hotel Check-out Breakout Session - MERS Investments Breakout Session - Communicating Your Holistic Retirement Breakout Session - 25 Do's and Don'ts for Retirement Planning Breakout Session - Better Together - Empower Transition for Participants
	11:15 AM-12:15 PM	Breakout Session - AI in Action Breakout Session - Better Together - Empower Transition for Breakout Session - Building a Retirement Paycheck Breakout Session - Lessons Learned from Retirees Breakout Session - Strategies to Modify Your Defined Benefit Plan Design
	12:15 PM-12:15 PM	Conference ends - "To Go" Lunch Boxes Available

Accommodations

The Grand Traverse Resort has reserved a block of rooms for MERS Annual Conference attendees.

Nightly Rates

Hotel Guestroom - \$209 + tax and fees Tower Guestroom - \$269 + tax and fees One Bedroom Condominium - \$269 + tax and fees

To make a reservation, call the resort at **800.968.7352** and mention you are with the MERS Annual Conference, or click the button below.

Rates are guaranteed until Monday, September 15, but we encourage you to make your reservation as soon as possible. Rooms book up fast and the block is likely to sell out before the cut-off date.

Hotel Changes/Cancellations

You must contact the Grand Traverse Resort directly at 800.968.7352 to make any changes to or cancel your reservation.

Parking

Free parking is available onsite at the Grand Traverse Resort.

AGENDA REQUEST FORM

PROPOSED FOR MEETING OF:	BOC, 7/22/25
DEPARTMENT:	Medical Examiner
PREPARED BY:	Eric Zuzga, County Administrator
SUBJECT:	Appointment of Deputy Medical Examiner
	<u>D:</u> To recommend to the Board of Commissioners approval to Deputy Medical Examiner for Barry County, effective immediately.
SPECIFIC ACTION(S) REC	OMMENDED BY THE COW (Admin. use only):
	stelecky as a Deputy Medical Examiner for Barry County, effective
services and to appoint a Medical Exprescribed by state law. The Medical was appointed by the Board of Computhrough 12/31/27. This is a request	ry County is required by state law to provide medical examiner kaminer and Deputy Medical Examiners to fulfill the duties al Examiner for Barry County is Dr. Patrick Hansma, D.O., and he missioners on 12/12/23 to serve a term that runs from 1/1/24 to appoint a new Deputy Medical Examiner (Deputy Medical erms). Appointment by the Barry County Board of Commissioners rying as deputy medical examiners.
With this appointment, the list of De	eputy Medical Examiners will include the following doctors:
Amanda Fisher-Hubbard, MD Edmund Donoghue, MD Thomas Koster, DO Christine James, DO Nicolas Kostelecky, MD	
TIME FRAME OF ACTION:	Immediate
FUNDING REQUIRED: YES _	NO <u>X</u>
 IF LOCAL, SPECIFY FU AMOUNT REQUESTED AMOUNT OF ONGOIN 	ederal, State, or Local)UND:
PERSONNEL IF REQUIRED: NEW OR RENEWAL:	None. New
ANY OTHER PERTINENT INFOR	<u>RMATION:</u> Please see attached licenses and curriculum vitae, for the

CONTACT PERSON WITH PHONE NUMBER: Eric Zuzga, County Administrator, 269-945-1414

Nicolas Alexander Kostelecky, M.D.

Western Michigan University Homer Stryker MD School of Medicine
Department of Pathology
300 Portage Street
Kalamazoo, MI 49007
(269) 337 6029
Nicolas.kostelecky@wmed.edu

Last updated: July 2, 2025

Current Position(s)

Assistant Professor Jul 2025

Department of Pathology

Western Michigan University Homer Stryker M.D. School of Medicine, Kalamazoo, MI

Forensic Pathologist/Deputy Medical Examiner

Jul 2025

Medical Examiner and Forensic Services

Western Michigan University Homer Stryker M.D. School of Medicine, Kalamazoo, MI

Past Positions

Forensic Pathology Fellow 2024-2025

Department of Pathology

Western Michigan University Homer Stryker M.D. School of Medicine, Kalamazoo, MI

Instructor 2024-2025

Department of Pathology

Western Michigan University Homer Stryker M.D. School of Medicine, Kalamazoo, MI

Neuropathology Fellow 2022-2024

Northwestern Memorial Hospital of Northwestern University, Chicago, IL

Chief Resident, Anatomic Pathology 2021-2022

Department of Pathology and Immunology

Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO

Autopsy Senior Resident Educator 2021-2022

Department of Pathology and Immunology

Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO

Resident, Anatomic Pathology 2019-2022

Department of Pathology and Immunology

Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO

Education

Fellowship – Forensic Pathology 2024-Present

Western Michigan University Homer Stryker M.D. School of Medicine, Kalamazoo, MI

Fellowship – Neuropathology 2022-2024

Northwestern Memorial Hospital of Northwestern University, Chicago, IL

Residency – Anatomic Pathology Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO	2019-2022
MBBCh BAO (MD Equivalent), Second Class Honors Grade 1 Royal College of Surgeons in Ireland, Dublin, Republic of Ireland	2015-2019
B.A. in Biology, <i>Magna cum Laude</i> Boston University, Boston, MA	2010-2014
Certification and Licensure Diplomate: American Board of Pathology (ABPath) – 119569	
Board Certified in Neuropathology by the American Board of Pathology Board Certified in Anatomic Pathology by the American Board of Pathology	Oct 2, 2024 July 8, 2022
Michigan State Medical Doctor – Active, 4301513424 Illinois State Medical License – Active, 036.158663	2025-Present 2021-Present
Professional Memberships American Medical Association (AMA) American Association of Neuropathologist (AANP) National Association of Medical Examiners (NAME)	2024-Present 2022-Present 2020-Present
Committee Assignments and Administrative Services Future Forensic Pathologist National Association of Medical Examiners	2025-Present
Ad Hoc Website National Association of Medical Examiners	2025-Present
Strategic Planning National Association of Medical Examiners	2024-Present
Strategic Planning – Workforce Development Subcommittee National Association of Medical Examiners	2024-Present
Education, Program and Publications: Forensic Pathology Training National Association of Medical Examiners	2024
Autopsy Quality Improvement Committee Department of Pathology and Immunology Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO	2021-2022
Resident Librarian – Department of Pathology and Immunology Department of Pathology and Immunology Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO	2020-2021
Trainee Leadership Committee – Department of Pathology and Immunology Department of Pathology and Immunology Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO	2019-2020

Publications

*Denotes co-first author publication

- Kostelecky N, Wadhwani N, Golubovich I, et al. Transdifferentiation of metastatic melanoma into cerebellar angiosarcoma. *J Neuropathol Exp Neurol*. Published online July 4, 2024. doi:10.1093/jnen/nlae075
- Kostelecky N, Loxas M, Multz R, et al. Amniotic Fluid Embolism: An Illustrated Report and Review of Literature. Am J Forensic Med Pathol. Published online June 12, 2024. doi:10.1097/PAF.0000000000000056
- 3. Kahaki S, Hagemann I, Cha K, Trindade C, Petrick N, **Kostelecky N**, et al. End-to-end deep learning method for predicting hormonal treatment response in women with atypical endometrial hyperplasia or endometrial cancer. *J Med Imaging (Bellingham)*. 2024;11(1):017502. doi:10.1117/1.JMI.11.1.017502
- 4. Stamm B, DiBiase R, Lee J, Primdahl D, Malavia T, Dixit K, Horbinski C, **Kostelecky N**, et al. Stamm B, DiBiase R, Lee J, et al. A Woman With Multifocal Ischemic Strokes and Progressive Cognitive Impairment due to Intravascular Lymphoma. *Stroke*. 2023;54(10):e448-e451. doi:10.1161/STROKEAHA.123.043934
- 5. Wu SA, Tong Jia D, Schwartz M, Mulcahy M, Guo K, Tate MC, Sachdev S, **Kostelecky N**, et al. HER2+ esophageal carcinoma leptomeningeal metastases treated with intrathecal trastuzumab regimen. *CNS Oncol*. 2023;12(3):CNS99. doi:10.2217/cns-2022-0018
- Kahaki S, Hagemann IS, Cha K, Trindade CJ, Petrick N, Kostelecky N, Chen W. Weakly supervised deep learning for predicting the response to hormonal treatment of women with atypical endometrial hyperplasia: a feasibility study. SPIE Proceedings 12471, Medical Imaging: Digital and Computational Pathology. 2023;124710T. doi:https://doi.org/10.1117/12.2652912
- 7. Jimenez J*, **Kostelecky N***, Mitchell JD, et al. Clinicopathological classification of immune checkpoint inhibitor-associated myocarditis: possible refinement by measuring macrophage abundance. *Cardiooncology*. 2023;9(1):14. Published 2023 Mar 13. doi:10.1186/s40959-023-00166-1
- 8. **Kostelecky N***, Kreutz K*, Lin CY. Sensitivity of Antemortem Imaging for Pericarditis: An Institutional Experience. *Am J Forensic Med Pathol*. 2023;44(1):21-24. doi:10.1097/PAF.0000000000000808
- 9. Bermea KC*, **Kostelecky N***, Rousseau ST, et al. The human myocardium harbors a population of naive B-cells with a distinctive gene expression signature conserved across species. *Front Immunol.* 2022;13:973211. doi:10.3389/fimmu.2022.973211
- 10. **Kostelecky N**, Ozhegov E, Cao D, Krigman H. Metastatic Cholangiocarcinoma to the Uterus Morphologically Imitating Primary Intestinal-type Endometrioid Adenocarcinoma. *Int J Gynecol Pathol*. 2023;42(4):398-402. doi:10.1097/PGP.00000000000000904
- 11. Mitchell SG, Schultz KAP, Rytting H, **Kostelecky N**, et al. DICER1-associated hepatic cystic neoplasm with pleuropulmonary blastoma-like features: a novel clinicopathologic diagnosis. *Mod Pathol*. 2022;35(5):676-679. doi:10.1038/s41379-021-00947-y

 Moreno JD, Verma AK, Kopecky BJ, Dehner C, Kostelecky N, et al. Angiotensin II Type 1 Receptor Antibody-mediated Rejection Following Orthotopic Heart Transplant: A Single-center Experience. *Transplantation*. 2022;106(2):373-380. doi:10.1097/TP.0000000000003712

Manuscripts in Preparation

- 1. Castellani RJ, JT, Ahrendsen JT, ..., **Kostelecky N**. The aftermath of abusive head trauma: role for arterial vasospasm in disease pathogenesis
- 2. Castellani RJ, **Kostelecky N**, Ahrendsen JT, et al. Neurological Disorders and Clinical Progression in Boxers from the 20th Century: A Narrative Review.
- 3. Fridland S*, **Kostelecky N***, Multz R, Jamshidi P, Ahrendsen JT. Metastatic ossifying fibromyxoid tumor to the brain: case report and review of literature.
- 4. D'Souza A, **Kostelecky N**, Dehner LP. Effects of Zip Code on Placental Weight Curves: An Institutional Experience.

Other Online Publications

Pathology Outlines

- Kostelecky N, Ahrendsen JT. Huntington disease. PathologyOutlines.com website. https://www.pathologyoutlines.com/topic/cnshuntingtondisease.html. Accessed December 7th, 2023.
- 2. **Kostelecky N**, Ahrendsen JT. Cerebral amyloid angiopathy. PathologyOutlines.com website. https://www.pathologyoutlines.com/topic/cnscerebralamyloid0.html. Accessed February 13th, 2023.

MedLink Neurology

- 1. **Kostelecky N**, Jamshidi P, Lukas R. Glioneuronal and neuronal tumors. MedLink.com website. https://www.medlink.com/articles/glioneruonal-and-neuronal-tumors-brief
- 2. **Kostelecky N**, Jamshidi P, Lukas R. Circumscribed astrocytic gliomas. MedLink.com website. https://www.medlink.com/articles/circumscribed-astrocytic-gliomas-brief
- 3. **Kostelecky N**, Jamshidi P, Lukas R. Adult-type diffuse gliomas. MedLink.com website. https://www.medlink.com/articles/adult-type-diffuse-gliomas-brief
- 4. **Kostelecky N**, Jamshidi P, Lukas R. Pediatric-type diffuse high grade gliomas. MedLink.com website. https://www.medlink.com/articles/pediatric-type-diffuse-high-grade-gliomas-brief
- 5. **Kostelecky N**, Jamshidi P, Lukas R. Mesenchymal non-meningothelial tumors. MedLink.com website. https://www.medlink.com/articles/mesenchymal-non-meningothelial-tumors-brief

National Association of Medical Examiners Educational Action Committee Case of the Week

1. Wernicke's Encephalopathy due to prolonged gastrointestinal illness Jan 24, 2025 Case of the Week #116

2.	Charcot-Bouchard Microaneurysm Case of the Week #80	Sep 15, 2023
3.	Hyaloserositis of the Spleen/"Sugar Coated Spleen" Case of the Week #20	Apr 16, 2021
	al Presentations tional/International Meetings	
	Medical Examiner and Coroner Data for Public Health Council of State and Territorial Epidemiologists 2025 Annual Meeting	June 2025
2.	Peripartum & Postpartum Manners of Death in Western Michigan, 2016-2024 American Academy of Forensic Sciences 2025 Annual Meeting	Feb 2024
3.	Is it Time To Rethink How We Train Forensic Pathologists? National Association of Medical Examiners 2024 Annual Meeting	Oct 2024
4.	Diagnostic Slide Session Case 2024-6 American Association of Neuropathologists 2024 Annual Meeting	June 2024
Lo	cal/Regional Meetings	
	The Autopsy as a Career Autopsy Seminar Guest Speaker Series Department of Pathology Barnes-Jewish Hospital/Washington University St. Louis St. Louis, MO	April 2025
2.	Peripartum & Postpartum Manners of Death in Western Michigan, 2016-2024 Research Day 2025 Western Michigan University Homer Stryker M.D. School of Medicine Kalamazoo, MI	April 2025
3.	Scars, scars, and more scars: What the skin can tell us of a patient's medical history Michigan Association of Medical Examiners 2024 Annual Meeting Mt. Pleasant, MI	Nov 2024
4.	Sight, Sound, and a Bloody cloud: A Review of Alport Syndrome AMP Talk Series Washington University St. Louis Department of Pathology and Immunology St. Louis, MO	Aug 2021
5.	Post-mortem Examination of Anaphylaxis AMP Talk Series Washington University St. Louis Department of Pathology and Immunology St. Louis, MO	Apr 2021

Apr 2020

Immune Checkpoint Inhibitor Myocarditis:
 Histologic Findings and Diagnostic Criteria
 AMP Talk Series
 Washington University St. Louis Department of Pathology and Immunology
 St. Louis, MO

Poster Presentations

National/International Meetings

- 1. **Kostelecky N**, Primdahl D, Smith H, et al. Primary intracranial sarcoma, DICER1-mutant: Report of two cases and review of literature (Abstract 202). Abstracts of the 100th Annual Meeting June 6–9, 2024 Olympic Valley, California. *JNEN*, Volume 83, Issue 6, June 2024, Pages 427–563, https://doi.org/10.1093/jnen/nlae036
- Kostelecky N, Ahrendsen J, Gjzeli A. An Unusual Cause of Wernicke's Encephalopathy Case Report and Review of Literature (Abstract 247). Abstracts of the 100th Annual Meeting June 6–9, 2024 Olympic Valley, California. *JNEN*, Volume 83, Issue 6, June 2024, Pages 427–563, https://doi.org/10.1093/jnen/nlae036
- Kostelecky N, Loxas M, Multz R, et al. Amniotic Fluid Embolism: A Case Report, Review of Literature, and Recommendations for Postmortem Examination (P49). National Association of Medical Examiners Abstracts of the 57th Annual Meeting October 13 – 17, 2023. AJFMP 45(2):p e22-e93, June 2024. | DOI: 10.1097/PAF.0000000000000935
- Kostelecky N, Hageman I. Single Cell Retained Expression of Mismatch Repair Proteins in Endometrioid Endometrial Carcinoma (Poster No. 2). Abstracts and Case Studies for the College of American Pathologists 2020 Annual Meeting (CAP20 Virtual). Arch Pathol Lab Med (2020) 144 (9s1): e2–e212. https://doi.org/10.5858/arpa.2020-0991-AB
- 6. **Kostelecky N**, Hsiang-Chih L, Perrin R, et al. Autopsy Findings in Two Siblings with TWNK Mutation and Progressive External Ophthalmoplegia with Parkinsonism (Abstract 173) *JNEN*, Volume 79, Issue 6, June 2020, Pages 654–716, https://doi.org/10.1093/jnen/nlaa036

Other Abstracts

- Castellani R, Jamshidi P, Kostelecky N, et al. Reactive Tauopathy Following Severe Traumatic Brain Injury (Abstract 99). Abstracts of the 100th Annual Meeting June 6–9, 2024 Olympic Valley, California. *JNEN*, Volume 83, Issue 6, June 2024, Pages 427–563, https://doi.org/10.1093/jnen/nlae036
- 2. Horbinski C, Dumm M, McCord M, **Kostelecky N**, et al. Multidimensional characterization of supratentorial adult-type diffuse gliomas that migrate to the brainstem (Abstract 119). Abstracts of the 100th Annual Meeting June 6–9, 2024 Olympic Valley, California. *JNEN*, Volume 83, Issue 6, June 2024, Pages 427–563, https://doi.org/10.1093/jnen/nlae036

- 3. Multz RA, **Kostelecky N**, Jamshidi P, et al. Molecular Confirmation of Glioblastoma with Multiple Extracranial Metastases: A Case Report and Literature Review (Abstract 131). Abstracts of the 100th Annual Meeting June 6–9, 2024 Olympic Valley, California. *JNEN*, Volume 83, Issue 6, June 2024, Pages 427–563, https://doi.org/10.1093/jnen/nlae036
- 4. Kahaki S, Hagemann I, Cha K, Trindade CJ, Petrick N, **Kostelecky N**, Chen W. Weakly Supervised Deep Learning for Predicting the Response to Hormonal Treatment of Women with Atypical Endometrial Hyperplasia: A Feasibility Study. SPIE Medical Imaging 2023.
- Gomez Ferrer M, Sun L, Castro E, Wu A, Kostelecky N, Hageman I. Increased Pathologist Effort Required for Review of Total Versus Partial Salpingectomy Specimens. Abstracts and Case Studies From the College of American Pathologists 2022 Annual Meeting (CAP22). Arch Pathol Lab Med 1 September 2022; 146 (9): e2–e186. doi: https://doi.org/10.5858/arpa.2022-0231-AB

Educational Activities/Presentations

Resident/Fellow Education

- Forensic Pathology Fellow Teaching: Fire-related Deaths and Electrocution May 15, 2025
 Department of Pathology
 Western Michigan University Homer Stryker School M.D. of Medicine Department of
 Pathology
- Forensic Pathology Fellow Teaching: Fire-related Deaths and Electrocution Apr 17, 2025
 Department of Pathology
 Western Michigan University Homer Stryker School M.D. of Medicine Department of Pathology
- Forensic Pathology Fellow Teaching: Pediatric Deaths
 Department of Pathology
 Western Michigan University Homer Stryker School M.D. of Medicine Department of Pathology
- Forensic Pathology Fellow Teaching: Forensic Toxicology, Part 2
 Department of Pathology
 Western Michigan University Homer Stryker M.D. School of Medicine
- Forensic Pathology Fellow Teaching: Forensic Toxicology, Part 1
 Jan 9, 2025
 Department of Pathology
 Western Michigan University Homer Stryker M.D. School of Medicine
- Forensic Pathology Fellow Teaching: Postmortem changes
 Nov 21, 2024
 Department of Pathology
 Western Michigan University Homer Stryker M.D. School of Medicine
- 7. Forensic Pathology Fellow Teaching: Sharp and Blunt Force Injuries Oct 17, 2024
 Department of Pathology
 Western Michigan University Homer Stryker M.D. School of Medicine
- 8. Forensic Pathology Fellow Teaching: Firearm injuries Sept 12, 2024
 Department of Pathology
 Western Michigan University Homer Stryker M.D. School of Medicine

9.	Forensic Pathology Fellow Teaching: Suden Natural Death Department of Pathology	Aug 15, 2024
	Western Michigan University Homer Stryker School of Medicine Department	of Pathology
10.	Neuropathology Fellow Teaching: Neuropathology of Ageing Department of Pathology	May 20, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
11.	Neurology Resident Teaching: Neuropathology Slide Review Department of Pathology	May 15, 2024
	Northwestern Memorial Hospital of Northwestern University	
12.	Neuropathology Fellow Teaching: Neuropathology of Psychiatric Disorders Department of Pathology	May 13, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	thology
13.	Neurology Resident Teaching: Neuropathology Brain Cutting Department of Pathology	Apr 3, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
14.	Neuropathology Fellow Teaching: Extrapyramidal disorders of movement Department of Pathology	Mar 18, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
15.	Resident in-service exam (RISE) Review Lecture: Neuropathology Department of Pathology	Mar 7, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
16.	Resident in-service exam (RISE) Review Lecture: Forensics 2 Department of Pathology	Mar 5, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
17.	Neurology Resident Teaching: Neuropathology Slide Review Department of Pathology	Feb 28, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
18.	Resident in-service exam (RISE) Review Lecture: Forensics 1 Department of Pathology	Feb 27, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
19.	Neuropathology Fellow Teaching: Epilepsy Department of Pathology	Feb 5, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
20.	Neurology Resident Teaching: Neuropathology Brain Cutting Department of Pathology	Jan 17, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	ithology
21.	Neuropathology Fellow Teaching: Central Nervous System Trauma Department of Pathology	Jan 15, 2024
	Northwestern Memorial Hospital of Northwestern University Department of Pa	athology

22.	Neurology Resident Teaching: Neuropathology Slide Review Department of Pathology Northwestern Memorial Hospital of Northwestern University Department of Pa	Dec 6, 2023
23.	Neuropathology Fellow Teaching: Peroxisomal Disorders Department of Pathology	Nov 30, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	athology
24.	Pathology Resident Teaching: Autopsy Neuropathology Department of Pathology	Nov 17, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	athology
25.	Neuropathology Fellow Teaching: Lysosomal Storage Disorders Department of Pathology	Nov 16, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	
26.	Neurology Resident Teaching: Neuropathology Brain Cutting Department of Pathology	Oct 25, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	
27.	Neuropathology Fellow Teaching: Perinatal Neuropathology Department of Pathology	Sep 28, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	atnology
28.	Pathology Resident Teaching: Non-neoplastic neuropathology unknowns Department of Pathology Northwestern Memorial Hospital of Northwestern University Department of Pa	Sep 22, 2023
29.	Neurology Resident Teaching: Neuropathology Slide Review Department of Pathology Northwestern Memorial Hespital of Northwestern University Department of Re	Sep 20, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	
30.	Neuropathology Fellow Teaching: Malformations of the CNS Department of Pathology	Aug 24, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	atnology
31.	Neurology Resident Teaching: Neuropathology Brain Cutting Department of Pathology	Aug 16, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	atnology
32.	Pathology Resident Teaching: Non-neoplastic neuropathology Department of Pathology	Jul 21, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	athology
33.	Neuropathology Fellow Teaching: General pathology of the CNS Department of Pathology	Jul 20, 2023
	Northwestern Memorial Hospital of Northwestern University Department of Pa	athology
34.	Pathology Resident Teaching: Prion Disease Department of Pathology	Dec 21, 2022
	Northwestern Memorial Hospital of Northwestern University Department of Pa	athology

35. Resident in-service exam (RISE) Review Lecture: Cardio-thoracics Jan 3, 2022
Department of Pathology and Immunology
Barnes-Jewish Hospital/Washington University in St. Louis

36. Resident in-service exam (RISE) Review Lecture: Forensics Mar 10, 2021
Department of Pathology and Immunology
Barnes-Jewish Hospital/Washington University in St. Louis

Medicolegal Death Investigation Field Staff Education

Training Tuesdays: Environmental Deaths/Hypothermia Feb 11, 2025
 Department of Pathology
 Western Michigan University Homer Stryker M.D. School of Medicine

Social Media Engagement/Webinars

Forensic Pathology Fellowship Applicant Webinar Oct 16, 2024 National Association of Medical Examiners

Honors and Awards

Best Oral Presentation Apr 3, 2025 Presented at Western Michigan University Homer Stryker M.D. School of Medicine Research Day 2025 Kalamazoo, MI

O. T. Bailey-Helena Riggs Award – Best Case (Case 2024-6)

Jun 9 2024

Presented at 100th American Association of Neuropathologists Annual Meeting 2024

Resident of the month
Department of Pathology and Immunology
Nov 2019

Barnes-Jewish Healthcare/Washington University St. Louis, St. Louis, MO

Barker Dissection Prize Participant

Jun 2016

Royal College of Surgeons in Ireland, Dublin, Republic of Ireland

References

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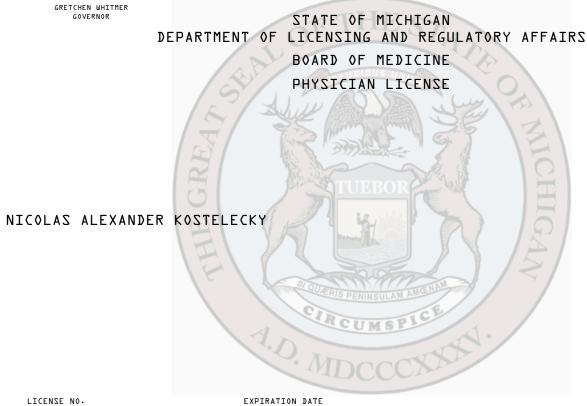
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ANNUAL REPORT 2024

The Barry County Road Commission is pleased to present the 2024 annual report, highlighting a year of significant infrastructure achievements and continued operational excellence. Throughout the year, our team successfully executed a wide range of road improvement and preservation projects across the County, including preventative maintenance, resurfacing, reconstruction, and drainage improvements. These strategic investments have directly contributed to Barry County maintaining its status as having the best-rated road system in the State of Michigan per the Transportation Asset Management Council. This distinction reflects not only the volume of work completed but the quality, planning, and long-term value delivered by our road program. Most importantly, our skilled employees completed the year's work safely without significant accidents or injuries.

While our construction season resulted in tremendous productivity, our winter maintenance operations remained equally dependable. Barry County's snow plowing crews once again demonstrated exceptional performance, ensuring roads were promptly cleared and safe for travel during even the harshest winter conditions. Their dedication to public safety and service reliability played a critical role in keeping our transportation network functional year-round. As we look ahead, the Road Commission remains committed to preserving our standing as a statewide leader in road quality through proactive planning, efficient execution, and continuous improvement.

MISSION STATEMENT

"Continue to efficiently provide safe conditions for public travel on Barry County roads and bridges."

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MEET THE BCRC

The Barry County Road Commission is governed by a three-member board appointed by the Barry County Board of Commissioners. The Road Commissioners are appointed to six year terms, offset two years, with one Road Commission Board seat being appointed each odd numbered year. The Road Commissioners' rolls are to hire a Managing Director and to set policy and vision for the organization.



The Barry County Road Commission Board meets the first and third Tuesday of each month at 6:30am. Meetings are held at the BCRC office building, The Bradley S. Lamberg Administration Building, located at 1725 W. M-43 Hwy, Hastings, MI 49058. All residents are welcome to attend meetings and can comment during the "Public Comment," section of each meeting agenda. If residents would like to be placed on the agenda for additional discussion with the Board of Road Commissioners they can call the BCRC office at (269) 945-3449, to have their specific topic added to the meeting agenda.



Dave Solmes,
Chairman
Dave was appointed
to the BCRC in 2009.
He currently is the
Chairman of the Board.
Dave owns a business
and lives in rural Barry

County with his wife, Tracy, where they raised their three children.



Frank Fiala, Vice-Chairman
Frank was appointed to the BCRC in 2007 after retiring from a 31 year career with IBM. He serves on the Commissioner's

Committee for the County Road Association.
Frank also serves on the Barry County Solid Waste & Recycling Committee, as well as the Parks & Recreation Committee.



Jim C. James,
Member
Jim was appointed
to the BCRC in 2023.
Jim currently works at
Thornapple Manor and
has direct municipal
experience having

served the City of Hastings after previously owning his own business. Jim grew up in Barry County and still lives here with his wife and children.





Jake Welch, Managing Director Jake started at the BCRC in September of 2013 in a Project Manager role. He previously worked in the private sector for an excavating

contractor after finishing his degree at Western Michigan University. Jake has also served as the Director of Operations, Director of Engineering, and Assistant Managing Director for the BCRC prior to being selected for the Managing Director role in October of 2023. Jake lives in the Middleville area with his wife, Stacey, and two sons, Jacob & Willis.



Scott Bond, Superintendent Scott Bond started at the BCRC in 1996 as a Road Worker. In 2003 he was promoted to Superintendent where he runs the operations

department's day to day work activities. Scott previously worked in the private sector and lives in the NE part of Barry County with his wife and nearby family.



Chris BeBeau,
Accounting Manager
Chris started with
the BCRC in 1988 as
the Receptionist &
Board Clerk. She has
also served as the
bookkeeper prior to

assuming her current role. Chris' joy in life comes from her family. She loves spending time with her cherished granddaughter.



Brandy Casey, HR Manager
Brandy has been
employed with BCRC
since December of
2001 where she started
as an Administrative
Assistant. For the past

10 years she has worked as the Human Resource Manager. Brandy and her husband, Cal, reside south of Hastings with their two children who keep them on the road much of the time chasing their Rodeo dreams.



Scott Schantz,
Equipment
Superintendent
Scott joined the BCRC
team in 2012. He
hired in as the Lead
Mechanic and held
that position for 11

years. In May 2023, Scott was selected to take over as Equipment Superintendent. He is a married father of 4 and a retired member of the United States Armed Forces, having served in the United States Marine Corps and Michigan Air National Guard.



BJ Donnini,
Operations Engineer
BJ started full time in
December of 2015 as a
Road Worker. He served
in that role for about
4 years when he moved
to Engineering Tech/

Sign tech in 2022, beginning his service in his current role in 2024. BJ, his wife & daughter are very involved in sports and 4H.



Dave Liddell, Project Manager
Dave joined the
BCRC's Engineering
Department as their
Project Manager in
2023, after working
20 plus years mostly

for private engineering firms. He comes from a long line of family rooted in engineering and business management.



Dylan Kennedy, Engineering Technician Dylan joined the BCRC in 2015 as a temporary employee while attending college. He was hired full time in 2021 as a road

worker before transitioning into his current role as engineer technician in fall of 2022. Dylan was born and raised in rural Barry County, graduating from Alma College in 2018 with a Bachelor of Science degree.

ORGANIZATIONAL CHART





LETTER FROM THE DIRECTOR

On behalf of the Barry County Road Commission, I am honored to present our 2024 Annual Report to the Barry County Community! The men and women that work within our organization take such great pride in their work and I'm confident the data and information provided in this report will clearly show their dedication to the traveling public. I would like to take a moment to reflect on the accomplishments of this past year and the continued commitment we have to providing Barry County with a safe, reliable, and high-quality road system.

It is with great satisfaction that I report that the BCRC maintains the best-rated road system in the State of Michigan. According to the Transportation Asset Management Council (TAMC), our roads are rated with only 1.8% being classified as "Poor"—an achievement that places Barry County, for the third straight year, with the lowest such percentage of any Road Commission in the State of Michigan. This is a direct reflection of the diligent work and strategic planning of our skillful staff, as well as our strong commitment to maintaining and improving our roads with the limited resources available.

At the Barry County Road Commission, we understand the responsibility that comes with managing taxpayer dollars. Taxpayers entrust us to make the most efficient and effective use of the funds allocated for road maintenance and improvements. I do not take this responsibility lightly. Each decision we make is guided by our deep respect for the confidence placed in us by the residents of Barry County. We are committed to ensuring that hard-earned tax dollars are used in the most impactful way possible.

Our efforts to improve road conditions are not only driven by our dedication to maintaining a quality road system, but also by our focus on utilizing the latest advancements in road maintenance and repair technology. In 2024, we were proud to undertake a groundbreaking project on Green Lake Road that exemplifies our commitment to innovation. Through the use of state-of-the-art road technology, we were able to inject structural foam into the roadbed to eliminate the impact of destabilized subsurface materials. This innovative solution, which cost approximately \$100,000, saved taxpayers more than \$900,000 in comparison to traditional repair methods, which were originally estimated at over \$1 million. This project not only won the BCRC a County Road Association Impress Award but also demonstrated our ability to explore and implement cost-effective and cutting-edge solutions to road repair challenges.

As I look ahead to 2025 and beyond, I remain focused on our mission to continuously improve the level of service we provide to our county. I am dedicated to utilizing every tool at our disposal to ensure our roads remain among the best in the state, all while keeping costs in check and respecting the hard work of every taxpayer. I have confidence that the following Annual Report will give assurance in knowing that our organization will continue to work hard for the people of Barry County.

I want to personally thank the residents of Barry County for your continued support and trust in our ability to care for the roads you rely on. We look forward to another year of serving you with the highest standards of excellence.

Sincerely thankful,

Jacob M. Welch

AWARDS



The Barry County Road Commission (BCRC) was honored with a statewide IMPRESS Award at the 2025 County Road Association (CRA) of Michigan Highway Conference held in late March in Lansing. IMPRESS Awards recognize county road agencies that demonstrate innovation on noteworthy projects in the categories of Communications, Operations and Collaboration.

BCRC received an IMPRESS Award in Operations for its Foam Injection Stabilization project, completed in the Summer of 2024. Using polyurethane foam to stabilize the subgrade on Green Lake Road in Thornapple Township. This technique helped address settling issues caused by weak organic soils, reducing the need for frequent patching while offering advantages like cost savings and minimized traffic disruption.

"Barry's work on the 'Foam Injection Stabilization' project showcases the ingenuity and forward-thinking approach of our county road agencies," said Denise Donohue, CRA CEO. "This project is a great example of using innovative techniques to improve road stability while minimizing long-term maintenance costs."



An independent panel of communications and operations experts from several of Michigan's 83 county road agencies judged all IMPRESS Awards submissions. Award recipients were honored for projects that solved time constraints, labor costs, communication barriers and fostered collaboration.



IMPRESS Awards Operations





Barry County Road Commission

Foam Injection Stabilization

Barry County Road Commission used foam injection stabilization to reduce the need for frequent patching on Green Lake Road in Thornapple Township caused by settling issues due to underlying weak organic soils.



TERMINOLOGY

ROUTINE MAINTENANCE - Routine maintenance activities are day to day activities undertaken most often by BCRC crews. These work types included: snow plowing, patching, scraping gravel roads, minor tree trimming, signage, drainage, etc.

PREVENTATIVE MAINTENANCE - Preventative maintenance activities are often much more costly but are intended to extend the useable life of a roadway. These work types include: crack sealing, chip seal, and asphalt overlays.



CRACK SEAL - Crack sealing is a process used on BCRC's paved road network countywide. Crack sealing involves blowing debris from cracks, covering the cracks with an elastic rubber over band, and spraying the rubber with a water mixture to quicken the set-up time. This process is used on roads with less cracks than roads that would normally be chip sealed, but both processes are completed in an effort to limit water infiltration into the road bed. Average road life extension - 2-3 years



CHIP SEAL - Chip sealing is a process used on BCRC'S paved road network with great regularity. Chip sealing occurs by spraying asphalt emulsion onto a cleaned paved road surface, covering the emulsion with aggregate, rolling the aggregate to assure adherence to the emulsion, and sweeping off any excess aggregate. Chip seal has two primary uses: to seal cracks in an existing road surface to minimize water infiltration into the road bed & to slow oxidization and hardening on a newly paved road to protect the costly investment of new hot mix asphalt. Average road life extension - 6-10 years.



EDGE & FULL SEAL - Edge & full seal is a duplicated process where the outer 4' on each side of the road receives a chip seal. The edges are compacted and swept and then the entire roadway is chip sealed. This process adds additional protection to the outer sections of roadway, which are much more susceptible to damage. Average road life extension - 6-10 years.



ASPHALT - OVERLAY - Overlaying an existing paved road involves placing an additional thickness of hot mix asphalt directly into an existing paved surface. This is a costly but very beneficial preventative maintenance measure if completed at the correct time in a road's life cycle. Average life extension - 20-25 years



CONSTRUCTION/HEAVY MAINTENANCE -

Construction activities are often heavier and costlier road repairs employed when a road surface is nearing its end of serviceable life, generally thought of as rebuilding a roadway. These activities include: Asphalt mill & fill, Asphalt crush & shape, and full depth reconstruction.



ASPHALT - MILL & FILL - Milling is an operation whereby the existing paved road surface is pulverized into small chunks, picked up and removed from the roadbed. After the existing asphalt is removed, varying depths of new hot mix asphalt is applied to create a renewed road surface. This tactic is most often employed when a roadway is nearing the end of its useful life cycle. Average life extension - 30-40 years



GRAVEL - SPOT APPLICATION - Spot application of gravel on gravel roadways involves the BCRC's crews evaluating the locations of habitual repair in order to prioritize locations to add gravel to the road surface. The process is completed when not enough funding is available to resurface the entire roadway and prioritization must take place.



ASPHALT CRUSH & SHAPE - Crushing is an operation whereby the existing paved road surface is pulverized into small chunks, left in place and shaped in order to add structure to the road bed. In essence its creates additional gravel base beneath the new road surface. Once a road way has been crushed and then reshaped it is paved over with new hot mix asphalt. Average life extension - 30-40 years.



GRAVEL - FULL-LENGTH APPLICATION - The BCRC recommends a full 6" lift of processed 23A gravel on gravel road surfaces. When funding allows the BCRC crews will place a full road length lift of 6" of processed 23A road gravel. This process is certainly preferred by the BCRC, however, lack of funding often limits the ability to employ this process.



FULL DEPTH RECONSTRUCTION - Full depth reconstruction would be a smilar process to creating a new road or transitioning a gravel road surface to a paved road surface. Generally, the existing material is removed down to a depth between 11"-23". Sand is imported to create a sub-base, processed road gravel is placed to create a base, and hot mix asphalt is placed to create a new road surface. Average life extension - 30-40 years.



DRAINAGE - Drainage work is completed to manage water entering and exiting the road right-of-way. These activities often include: pulling shoulders, ditching, placed drainage pipes and structures, etc. Most of the drainage work in the BCRC right-of-way is completed by on staff professionals with years of drainage related experience.

FINANCIALS OVERVIEW





The BCRC is a special purpose government entity engaged solely in maintaining and improving road and bridge assets for Barry County, Michigan.

The BCRC's financial statements are included in the basic financial statements of Barry County. Financials being included in the County finances and appointments of Road Commission Board Members are the largest ties between the Road Commission and the County government as a whole.

The BCRC is an independent County agency.

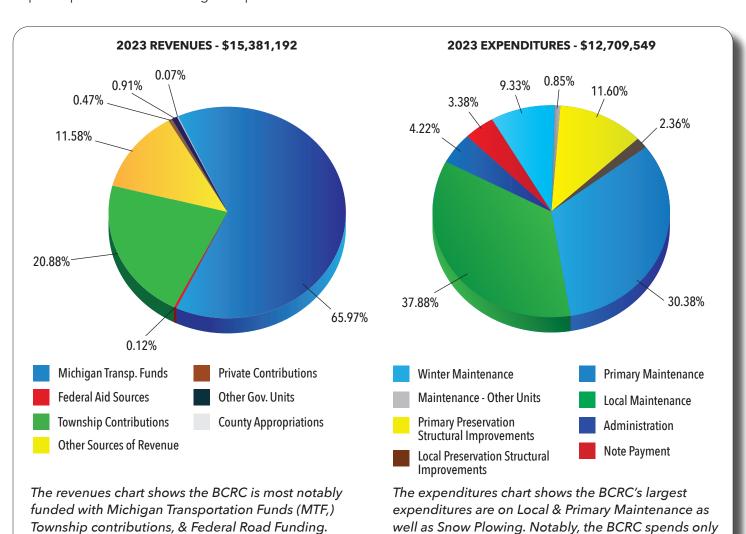
An independent audit is completed on the BCRC's financial statements, and annually the Act 51 Financial Report is provided to the Michigan Department of

Transportation (MDOT) as required by PA 51. The BCRC continues to take every possible step to assure the limited resources received by the BCRC are used to maximize the benefit to our road assets.

The FY 2024 audit for the BCRC's financial report was completed by Gabridge & Company from Grand Rapids, MI. Their opinion found that "the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America."

A full copy of the BCRC audit can be reviewed by contacting our office at (269) 945-3449 and requesting a copy of the audit.

6% of their expenditures on Administration.



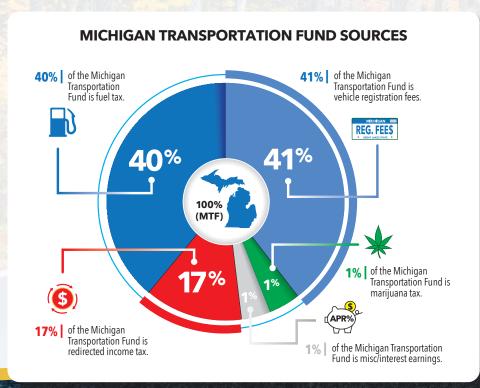
REVENUES

MICHIGAN TRANSPORTATION FUND (MTF)

The Michigan Transportation Fund (MTF) is the mechanism which provides the vast majority of funding to local road agencies. These funds are largely collected by the State of Michigan in the form of fuel/gas taxes & vehicle registration fees. The collected funds are distributed to the MDOT, 533 cities and villages, and 83 county road agencies, based on a formula that includes density of population, road mileage by classification, and collected vehicle registration fees. Motor fuel and vehicle registration fee revenues are constitutionally protected for transportation purposes by Article IX, Section 9 of the 1963 Michigan Constitution. Motor fuel taxes are collected on a cents per gallon basis, not a percentage of cost. Therefore, when fuel costs increase and motorist use less fuel, transportation revenues decrease. MTF must also be preserved in order for road agencies to match Federal dollars.

In November of 2015 Governor Snyder signed a package of legislative transportation funding bills. These bills were largely designed to generate an increase of \$1.2 billion in MTF revenues by 2021. Prior to 2017, the last state gas tax increase was in 1997. We are happy to report that the complete installment of general fund revenue was received in 2024 as previously pledged through legislation. Keeping this revenue coming to roads in future years will be something we track and encourage others to urge their legislators to carry on.

Our past state legislators and Governor Snyder should be applauded for passing the legislation to increase road funding beginning in 2017. However, the amount of the increase and timing was way too late. Most road agencies in the state are still failing miserably. The current state administration led by Governor Whitmer is continuing the fight to fix Michigan's aging infrastructure but almost entirely via bonding funds being used exclusive on State roads.



County road agencies are accustomed to saying Michigan Transportation Fund (MTF) dollars are about 50:50 vehicle registration fees and fuel tax. However, with full implimentation of the 2015 Transportation Package in 2021, the new 2021 MTF gross revenue breadkdown is 40% fuel tax + 41% vehicle registration fees + 17% redirected income tax + 1% misc/interest earnings + 1% marijuana tax.



The current State gas tax is 30 cent/gallon regardless of the actual cost of a gallon of gasoline. Assuming an average fuel economy of 20 miles per gallon, it would cost 1.5 cent/mile in State gas tax to use the public roads in Michigan. A citizen that drives 30,000 miles per year and gets 20 miles per gallon would pay \$450 annually in state gas tax for the use of Michigan roads. Almost everyone believes they pay enough taxes, but very few know where their taxes actually go. With regard to roads - the taxes, costs and direct benefits are so simple to explain and comprehend that it is a shame that everyone doesn't understand. Educating the public and particularly our legislators on the high costs of infrastructure and the relatively low individual cost for the use of it, is what the Barry County Road Commission believes to be the beginning of a solution to Michigan's Transportation problem.

The MTF is implemented through PA 51. Provisions of which distribute funding to various transportation recipients:

- Public Transit Comprehensive Transportation Fund (CTF)
- MDOT's State Roads State Trunkline Fund (STF)
- 83 County Road Agencies for construction and preservation of the county road system and administration
- 533 Cities and Villages for construction and preservation of the city and village road system and administration
- PA 51 also earmarks revenue for a number of targeted transportation funds & programs. These include the Transportation Economic Development Fund (TEDF), the rail grade crossing account, & the Local Bridge Fund



30,000 MILES PER YEAR



20 MPC

\$450/YEAR

= \$450/YEAR IN GAS TAX

A motorist in Michigan that averages 30,000 miles driven per year in a vehicle getting 20 MPG, pays \$450/year in State Gas Taxes.



REVENUES

FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDS

In November of 2021, President Biden signed the Infrastructure Investment and Jobs Act (IIJA) into law. It provides about \$550 billion over fiscal years 2022 - 2026 in new infrastructure, including roads, bridges, mass transit, water infrastructure, resilience, and broadband. Source: U.S. Department of Transportation Federal Highway Administration (FHWA).

Federal funding, including Surface Transportation Program (STP), is distributed to the BCRC through the Kalamazoo Area Transportation Study (KATS) on a regional basis. Barry County is included in Rural Task Force #3. The BCRC also shares Small Urban Transportation funds with the City of Hastings. Both of these funds are provided through a "project specific" competitive application process only. Both funds are only able to be utilized on the "Federal aid eligible road system," often referred to as "primary" roads.

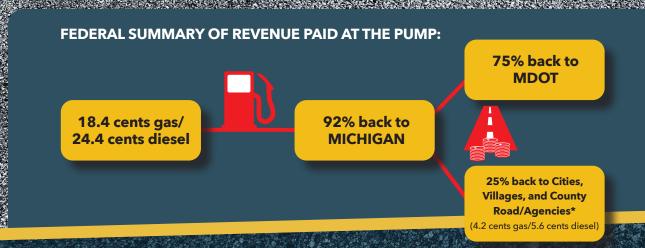
Through FHWA, counties in Michigan are also eligible for Local Safety Program Funds. These funds can be used for road improvements to increase safety using countermeasures to potentially reduce the quantity and/or severity of crashes. The BCRC applies annually for these funds through the Highway Safety Improvement Program (HSIP). Success has been frequent and has been focused on placing guardrail in areas where rollover hazards can be reduced.

BCRC 2024 Federally Funded Projects

SMALL URBAN FUNDING: This funding is split between Barry Country Transit, the BCRC and the City of Hastings. The Hastings Small Urban area receives funding from the State in odd numbered years only and much of this is used by the City of Hastings as they have more eligible miles than the BCRC does.

SURFACE TRANSPORTATION FUNDS: The BCRC exchanged funds with The Road Commission for Oakland County in 2024. The RCOC utilized the BCRC's allocation of federal funds and re-paid the BCRC in MTF funds at a rate of 80%. This allowed the BCRC to save money in design, project costs, engineering and inspections costs. Saving those funds allowed the BCRC to spread that money to more miles of road that needed preventative maintenance rather than full reconstruction and get those projects done far more economically. For instance, BCRC's asphalt bid price for 2024 was around \$75/ton. MDOT's average asphalt bid rates were \$104/ton in 2024, BCRC would have paid 39% more utilizing the Federal Aid Funds through MDOT's bidding process.

HIGHWAY SAFETY IMPROVEMENT PROGRAM: Guardrail is applied for annually under this program. Our current application for Cedar Creek Rd, Tanner Lake Rd and Schultz Rd at an estimated cost of \$756,411.



TOWNSHIP CONTRIBUTIONS

Revenue from the townships is considered the key source of funding to the Barry County Road Commission. Township contributions are by far the BCRC's largest non-mandated revenue source. Without it, the Road Commission would only be able to provide routine maintenance and a limited amount toward construction. Maintaining strong working relationships with all Township partners has been, and will continue to be, a top priority for the BCRC.

The relationships fostered between the Townships within Barry County and the BCRC show how strong local government can be when people work together toward a common goal of improving how the community is able to travel on the road system. Unique to Barry County, Townships are asked for assistance for very specific road items.

S4,500,000

S1,500,000

S1,500,000

Average Annual Maintenance Expense

Township Annual Contributions

SPECIAL ASSESSMENT DISTRICTS: The BCRC receives vastly different amounts of funding for "primary," roads and "local," roads. All subdivision roads are classified "local." The funding for local roads is for maintenance, like snow plowing, signage, minor drainage, etc. The law REQUIRES a 50% minimum match for local road construction. Lack of funding requires the need for prioritization. With a SAD, the governmental agency agrees to pay for the cost of the service "up front," and the property owner agrees to pay back his or her share over a period of years in the form of a special property tax. The law that authorizes property owners to empower townships/road commissions to assess them for road paving or repaving was adopted by the Michigan Legislature in 1931 in the form of Public Act 246. Many Townships in Barry County, and Statewide, utilize this tool to provide for funding of roads largely used only by the residents living on that roadway. The BCRC has completed dozens of SADs over the years.

- Dust Control Townships pay the contractor spraying the dust suppressant, BCRC covers the bidding procedures, scheduling, and prepares the road for dust control.
- Local Road Pavement Markings Townships pay for the pavement marking on all local roads and the BCRC pays for pavement marking on all primary roads.
- Gravel Placement Townships pay about half of the cost of gravel to be purchased, processed, hauled, and compacted on gravel roads in Barry County. The BCRC pays the other half.

• Paved Road Preventative Maintenance

- Townships approximately pay for the cost of out of pocket materials for work on both primary and local roads. The BCRC covers the labor and equipment.

With specific recommendations provided to each Township annually, Township officials are able to budget for and chose recommended road work items which are easily shared with their constituents for transparency purposes. The BCRC doesn't bombard or surprise Townships with costs for road work that isn't recommended and planned for ahead of time.

The funding arrangement and support from the BCRC's Township partners is one of the top reasons that the BCRC road network is rated one of the best in the State of Michigan.

EXPENDITURES





ROAD WORK

The largest portion of the BCRC's budget is expended on maintenance activities. This includes both for local roads and primary roads. This section of the 2024 annual report will explain the process used for selecting which roads will receive which type of roadwork, from routine maintenance and snow removal to major reconstruction. The staff of the Barry County Road Commission takes this process very seriously. The proper and efficient expenditure of public funds is one of the most crucial aspects of working for a government agency. While numerous specific variables come into play to differing degrees, three general factors are always present: sound judgment, outside input from elected officials and citizens, and available funds. Each of these factors alone often yields a different answer. As you will see below, the Road Commission strives diligently to balance these three factors.

Routine maintenance requests for such things as grading, brush control, dust control, patching, snow removal, etc. are responded to promptly by the staff at the Road Commission. These requests come from residents over the phone, in person, by email, social media, and also at board meetings. Scheduling these repairs often depends on availability of products, time of year, funding, and weather conditions.

Both primary and local road preservation & structural improvements as well as a significant portion of the primary and local road maintenance are selected considering input from local elected officials and citizens. These projects include such things as major reconstruction, bridge projects, paving of gravel roads, asphalt overlays, seal coating, gravel road needs and major drainage projects. Each fall, the engineering staff at the Road Commission assesses the condition of every paved county road in Barry County. A "paved road condition report" is compiled for each township for roads within their boundaries. These reports contain repair recommendations as well as costs and past histories for every section of paved county road in Barry County.

By December this paved road condition report, a center and edge line paint report, dust control maps, and miscellaneous other statistics and information are emailed to each township. Generally, the second week of January, the Board of County Road Commissioners and management staff hold individual meetings with all 16 Townships. The paved road condition report is presented formally to the townships and thoroughly discussed. Gravel road needs including gravel and dust control, road side mowing, snow removal, brush cutting and any other concerns that may come up are also addressed. Management staff and the Board of County Road Commissioners use these suggestions and input when amending or formulating budgets and future policies for the Road Commission.

Usually around April, the Road Commission offers a "spring road tour" to each township. In a small passenger van, staff of the road commission along with township board members and citizens, travel the roads within each township. Road needs are pointed out and discussed.

Throughout the spring, all 16 townships send a resolution to the Road Commission stating which roads and repairs they will help fund. The Road Commission takes bids for materials, hires contractors and performs much of the work itself throughout the upcoming summer and early fall months. If all goes well and Mother Nature cooperates, work is completed just prior to starting the process all over again.

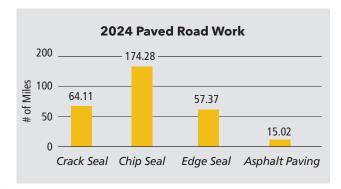


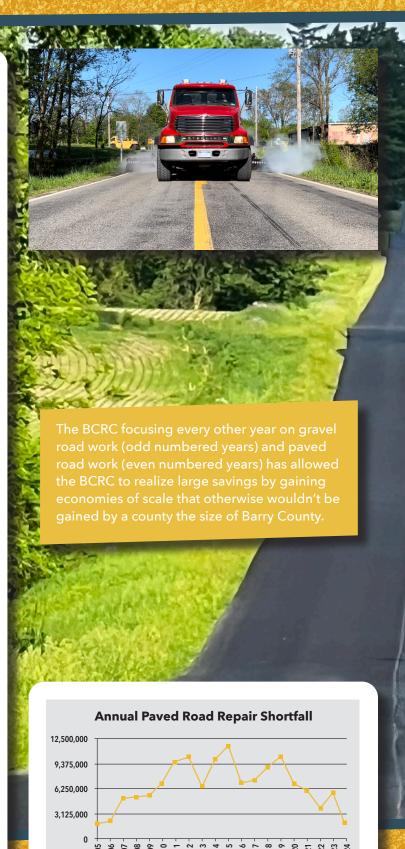
EXPENDITURES

ROAD WORK - Continued

The road work completed in 2024 was focused on paved roads. One unique way that the BCRC maximizes its limited resources is by gaining economies of scale by focusing their operations based on a two-year cycle. Odd numbered years are gravel road focused and even numbered years are paved road focused. Routine maintenance occurs on each type of roadway annually but preventative maintenance and larger construction projects are primarily completed for the roads type focus year. This allows the BCRC to complete twice as much work every other year keeping their crews and contractors attention on maximizing efficiency and lowering costs. For instance, the BCRC completes a similar amount of chip seal work as Kent County every other year, therefore emulsion and slag (chip seal aggregate) pricing has been one of the lowest bids in the State for decades. Likewise, the gravel processing operations occur in even numbered years in preparation for the upcoming gravel hauling season. This allows the processing contractor ample time to complete their work and garners a very low unit rate cost

Paved Roads: Paved road maintenance such as patching, crack seal, and drainage repairs are completed annually, and often Special Assessment Districts are completed in both even and odd numbered years, however, focusing the BCRC's efforts every other year has gained great economies of scale. 310.78 miles of roadway were either, crack sealed, chip sealed, or paved in 2024. The bar chart below shows that break down.







Gravel Roads: Gravel road maintenance occurs every year. The BCRC spends about \$1.3 million dollars annually on maintaining gravel road surfaces. In odd numbered years the BCRC coordinates with the Township partners in the County to process, haul, place, and compact an average of 50,000 - 100,000 cubic years of road gravel on about 473 miles of gravel roadways. However, with a focus in 2024 on paved road work, gravel road work continues with a maintenance focus in mind. While roadworkers grade gravel roads smaller amount of gravel are placed in areas of need. The below chart shows the amount of gravel placed in each Township.

COUNTYWIDE GRAVEL								
GRAVEL (CYD)								
TOWNSHIP	TOTAL	TOTAL						
Assyria	1,463	Johnstown	2,164					
Baltimore	3,012	Maple Grove	1,206					
Barry	2,045	Orangville	825					
Carlton	1,290	Prairieville	855					
Castleton	1,810	Rutland	978					
Hastings	566	Thornapple	916					
Норе	1,361	Woodland	169					
Irving	Irving 769 Yankee Springs 801							
TOTAL 20,230								



The 2025 construction season is sure to be another success and continue to keep Barry Counties road system as one of the best in the State. This upcoming "Gravel Road Work Year" plans to consist of:

- 58,032 cubic yards of township gravel
- 69.19 miles of crack seal
- 9.94 miles of asphalt paving & chip seal
- Pavement markings

Projects highlighted in these figures include:

 7.91 miles of 3 ft shoulder widening and full width overlay on Briggs Rd from Bass Rd to M-179, Irving Rd from Rutland Twp line to Thornapple Twp line, McCann Rd from M-37 to W. State Rd

Projects for 2026 "Paved Road Work Year":

- 1.99 miles of Cedar Creek Rd from Brogan Rd to Cook Rd being repaved
- 3.18 miles of Kingsbury Rd from M-43 Hwy to Orchard Rd being repaved
- 2.91 miles of North Ave from Butler Rd to Maple Grove Rd being repayed
- 0.43 miles of Loehrs Landing Dr off M-43 Hwy being repaved
- 0.35 miles of Podunk Lake Dr off M-43 Hwy being repayed
- 0.36 miles of Ackers Point Rd off M-43 Hwy being repayed

The BCRC will continue road maintenance and complete dust control operation in the Townships that chose to do so. Drainage work will continue throughout the year, the sign department will undoubtedly stay busy, and routine maintenance will continue countywide.

EXPENDITURES

WINTER MAINTENANCE EXPENSES

Safe driving conditions during winter months is often the #1 bellwether used by residents regarding success or failure of the Road Commission. Our decision makers constantly monitor weather patterns, gather real-time information from the National Weather Service, and monitor on-road driving conditions to determine effective winter maintenance plans. This occurs all hours day and night. Barry County is uniquely positioned adjacent to Lake Michigan where lake effect snow frequently impacts the western half of the county differently than the eastern half. This puts greater emphasis on actual road conditions and decision makers working together to assure all areas of the county are appropriately maintained. Crews are dispatched generally around 4am during weather events. The BCRC does not have the staff to operate two full snow removal crews therefore, starting at 4am often has the best benefit for the greater traveling public. During extended events a smaller night crew may be dispatched to run high volume roadways. Winter Maintenance is one of the largest expenses annually for the BCRC but certainly one of the largest benefits to the community as well.

WINTER MAINTENANCE QUANITIES						
	2022	2022	2024			
Salt Purchased (yards)	4703.99	3,196.99	4,947.52			
Price Per Yard	\$69.74	\$70.77	\$72.49			
Sand/Salt Mixtures Used (yards)	13,642.40	6,816.12	10,929.93			
Snow Fall Totals (inches)	118.8	46.3	75.3			
Total Winter Maintenance Cost	\$1,691,536.04	\$1,017,123.61	\$1,408,582.14			

Note that snowfall totals do not include all forms of precipitation, like freezing rain, therefore totals do not directly correlate to cost savings. Smaller quantities of snow fall often lead to more frequent mixed precipitation events. These types of events often require additional attention based on differing travel conditions.

Service requests can directly be submitted through our website (www.barrycrc.org), by messaging us on social media (Facebook & Instagram), or by calling our office @ (269) 945-3449

SERVICE REQUESTS

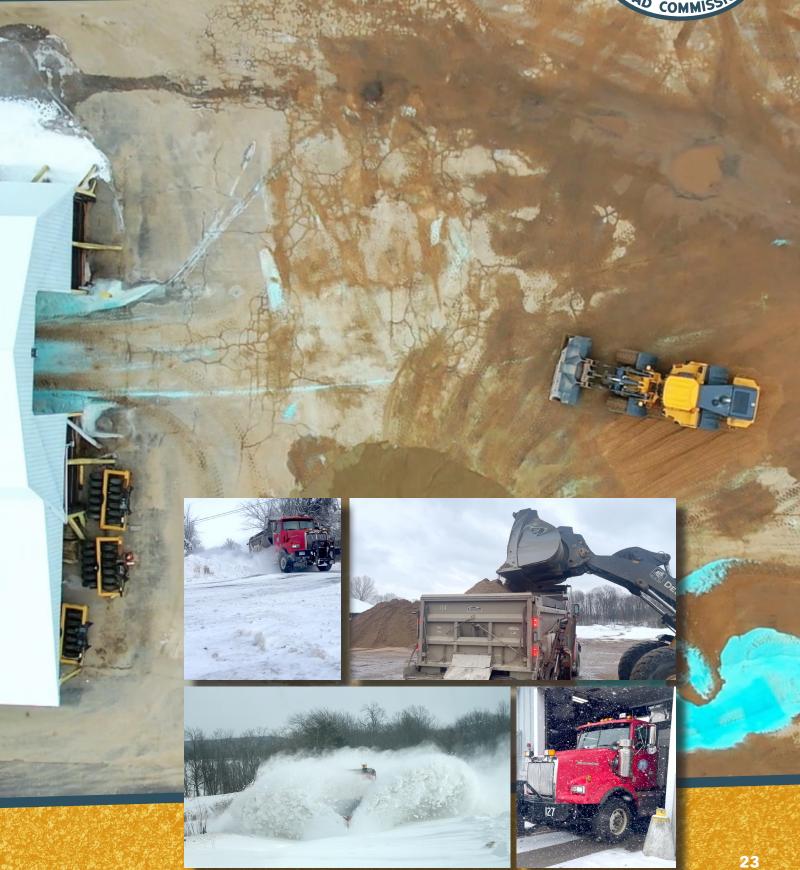
In addition to our regularly scheduled projects and maintenance, daily the BCRC receives numerous phone calls, messages on social media, and communications through our website. These interactions include administrative functions, safety concerns, service requests, and even the occasional "Thank You!"

Many communications that come in are handled in real-time. Those that make it to becoming a service request for our crews to include in future scheduling, often involve the management team meeting with residents, planning a repair, and incorporating it into future daily work.

You can see all of the service requests created in 2024 in the provided chart, ordered from most to least received by reason.

SERVICE REQUESTS						
REASON	# OF REQUESTS	REASON	# OF REQUESTS			
Complaint	79	Mowing	1			
Const. Proj. Complaints	6	Pot Holes	78			
Cross Culverts	3	Right of Way	4			
Culvert	43	Scraped	141			
Ditching	33	Shoulder	7			
Drainage	85	Signs	66			
Driveway	27	Sink Hole	2			
Dust Control	2	Snow Plowing	18			
Engineering	11	Sweeping	12			
Flooding	3	Thank You	7			
Grading	33	Trees & Brush	138			
Guardrail	6	Washout	68			
Mailboxes	15	Yard Cleanup from Winter	12			
	TOTAL	900				





EXPENDITURES

NON-MOTORIZED EXPENSES

Section 10K of PA 51 requires that a minimum of 1% of annual MTF distributions shall be spent on nonmotorized facilities. This can sometimes be very difficult in a rural community where non-motorized use is most frequently recreational in nature and spread throughout the county. The BCRC is committed to supporting and improving transportation for all users. Often these funds are dedicated to widening paved shoulders and maintenance of those areas. Widened shoulders help farm vehicles, and non-motorized traffic so it is a bit of a win-win in areas where the landscape allows. Barry County, being blessed with so many bodies of water and rolling elevation change, can make widening roads in certain areas of the County quite costly and impactful to surrounding habitat and properties. The BCRC is always willing to partner with organizations in need of a PA 51 agency. Many grants require a PA 51 agency be the grant applicant. Section 10K also requires road agencies to create and update a 5-year non-motorized spending plan. On the following pages, the BCRC's plan can be found. Forecasted work that qualifies for Section 10K spending as well as past expenditures can be seen on a project by project basis. The BCRC Board reviews and approved this plan annually and includes it into their Annual Report.



	BCRC Annual Section 10k Non-Motorized Spending								
				2024					
Work Order #	Road Name	Length	Width	Road Segment	Work Type	Total Project Costs	Section 10k Cost		
CS0398	Daisy Lane	0.16	30'	Plat of Daisy Acres off W. State Rd	Crack Seal	\$1,388	\$370.14		
CS0412	Wildflower & Foxglove	0.86	30'	In plat of Prairie Acres N of State Rd	Crack Seal	\$2,959	\$788.98		
CS0397	Autumn Ridge	1.04	30'	Off Barnum Rd	Crack Seal	\$4,098	\$1,092.93		
SO0607	Star School Rd	1.37	30'	M-37 Hwy to City Limits	Slag Seal	\$37,126	\$9,900.14		
SO0671	Ethel Dr	0.52	30'	Off 607 - Barnum Rd	Slag Seal	\$14,472	\$3,859.20		
SO0672	Robertson Rd	0.4	30'	North of Parmalee Rd to Pvt Rd	Slag Seal	\$8,351	\$2,226.81		
SO0716	Corey Dr	0.57	30'	North of Bever Rd	Slag Seal	\$16,544	\$4,411.75		
SO0720	Green St	0.6	34'	West M-37 Hwy to Cook Rd	Slag Seal	\$42,962	\$15,163.06		
SO0707	Whitneyville Rd	3.4	30'	Crane Rd to 108th St	Double Seal	\$181,169	\$48,311.71		
SO0726	Gun Lake Rd	0.97	34'	M-179 to 800' East of State Park	Slag Seal	\$39,175	\$13,826.47		
	7	F 10 7			2024	Section 10k Eligible	\$99,951.21		



BCRC PA51 Section 10 Non-Motorized Spending Plan 2025-2029

Purpose

The Barry County Road Commission (BCRC) is required by section 10k of PA 51 of 1951 as amended and codified in MCL Section 247.660k to spend 1% of its Michigan Transportation Fund (MTF) receipts on non-motorize facilities on a 10-year rolling average. It also requires the BCRC to annually produce a 5-year non-motorized spending plan. This document as well as any exhibits shall fulfil those requirements and will be updated annually and included in the BCRC Annual Report.

Objective

The objective of the BCRC's "PA 51 Section 10k Non-motorized Spending Plan" intends to show currently planned non-motorized facility expansions, upgrades, and maintenance to satisfy the 5-year spending plan requirement. Also, to facilitate input and planning from other interested parties.

Delegation of Authority

The BCRC Engineering Department staff will put together a list of the following 5 years anticipated roadwork that qualifies under Section 10k for non-motorized spending. Annually the Barry County Board of Road Commissioners will choose to add to the proposed repairs or approve the spending plan as presented by resolution.

Considerations & Community Input

The BCRC will prioritize qualifying work that benefits the largest possible number of transportation facility users for non-motorized spending. Townships and community groups wishing to submit funding requests for non-motorized projects shall do so in writing to the BCRC Engineering Department. Non-motorized facility locations targeted by community groups that coincide with road projects that minimize cost and maximize economies of scale will be prioritized higher than other locations. The BCRC reserves the right to make the best decision for all transportation users when utilizing the minimum 1% of MTF monies dedicated to non-motorized facilities.

Cooperative Funding Applications

The BCRC is willing to serve as a qualifying Act 51 agency conduit for funding opportunities. Funding applications and paperwork maybe be required to be filled out by the requesting party.

In 2025 the BCRC will complete a widening and overlay project on McCann Rd & Irving Rd for a total cost of approximately \$600,000. This projects assists motor vehicle road users and fit a key goal laid out in the "Barry County Trails Master Plan."

5-YEAR PROJECT PLAN - EXHIBIT A

Road Name	Length (miles)	Width (feet)	Distance	Surface	Total Project Costs	Section 10 Costs
Thornbird Rd	0.50	30'	In plat of Prairie Acres Solomon Rd to Grange Rd	Crack Seal	\$2,500	\$666.67
Auburn Ln & Onyx Ct	0.37	30'	Smith's Lakeview Plat @Airport Rd & W. State Rd	Crack Seal	\$2,035	\$542.67
Big Pine Dr, Pine Hill Dr, Pine Knoll Dr, Pinecone Dr	1.0	30'	North of M-37 Hwy Section #6	Crack Seal	\$5,500	\$1,466.67
Hathaway Crl	0.32	30'	Plat off Swan Hollow & M-37 Hwy & Irving Rd	Crack Seal	\$1,760	\$469.33
Pineridge Dr & Pine Bluff Dr	0.49	30′	Pine Haven Est. off Pinedale Dr	Crack Seal	\$2,695	\$718.67
Scenic Trail	0.3	30'	Clearview Lake Est. Section #10	Crack Seal	\$1,650	\$440.00
Thornapple Valley Pines #2	0.53	30′	Plat off McCann Rd Section #6	Crack Seal	\$2,915	\$777.33
Briggs Rd	3.95	8′	Chief Noonday Rd to Bass Rd	Paved Shoulder Widening	\$125,000	\$125.000.00
Briggs Rd	3.95	30'	Chief Noonday Rd to Bass Rd	HMA Overlay & Slag Seal	\$460,000	\$122,666.67
Irving & McCann Rd	4.04	8′	Irving Twp	Paved Shoulder Widening	\$135,000	\$135,000.00
Irving & McCann Rd	4.04	30'	Irving Twp	HMA Overlay & Slag Seal	\$465,000	\$124,000.00
				2025	Section 10k Eligible Costs	\$512,026.00

2026						
Yankee Springs Rd	1.22	30'	Wildwood Rd to Gun Lake Rd	Slag Seal	\$43,420	\$11,578.67
Kathryn Dr	0.19	30'	West of Tanner Lake Rd Section #14	Slag Seal	\$7,889	\$2,103.73
Autumn Ridge	1.04	30'	Off Barnum Rd	Slag Seal	\$43,183	\$11,515.47
Daisey Lane	0.16	30'	Plat of Daisey Acres off E. State Rd	Slag Seal	\$6,643	\$1,771.47
Thornbird Rd	0.5	30'	In Plat of Prairie Acres Solomon Rd to Grange Rd	Slag Seal	\$20,761	\$5,536.27
Wildflower & Foxglove	0.86	30'	In Plat of Prairie Acres N of State Rd	Slag Seal	\$35,709	\$9,522.40
Finkbeiner Rd	2.0	42'	Patterson Ave to Cherry Valley Rd	Slag Seal	\$99,654	\$47,454.29
Finkbeiner Rd	1.52	42'	Cherry Valley Rd to M-37 Hwy	Slag Seal	\$75,737	\$36,065.24
Lawrence Rd	0.75	32'	Charlton Park Rd to Ickles Rd	Slag Seal	\$28,472	\$8,897.50
				2026	Section 10k Eligible Costs	\$146,445.02

2027						
Gun Lake Rd	0.97	34′	M-179 to 800' East of State Park	Slag Seal	\$35.000	\$12,352.94
Green St	0.06	34'	West M-37 Hwy to Cook Rd	Slag Seal	\$18,000	\$6,352.94
				2027	Section 10k Eligible Costs	\$18,705.88

2028						
Norris Rd	.57	34'	Delton Rd to Pine Lake Rd	Slag Seal	\$24,000	\$8,470.59
Thornapple Valley Pines #2	.53	30′	Plat off McCann Rd Section #6	Slag Seal	\$20,000	\$5,333.33
				2028	Section 10k Eligible Costs	\$13,803.92

2029

2028 Section 10k \$0.00 Eligible Costs



EXPENDITURES





Board of County Road Commissioners

David Solmes Chairman Jim C. James Vice Chairman Jamie Knight Member

Jake Welch Managing Director Christine BeBeau Secretary

Past Expenditures

2020 - \$190,916.11

2021 - \$107,548.71

2022 - \$497,564.58

2023 - \$5,670.64

2024 - \$99,951.21

Planned Expenditures

2025 - \$512,026.67

2026 - \$146,445.02

2027 - \$18,705.88

2028 - \$13,803.92

2029 - \$0.00

Total	\$1,592,632.74
Current MTF	\$9,530,161.45
10/ V 10	¢052.046.45

RESOLUTION 2025 - 01

EXHIBIT B

BOARD RESOLUTION the following resolution is offered and moved for adoption:

Motion was made by Commissioner James and seconded WHEREAS, the Barry County Road Commission recognizes the value of non-motorized transportation facilities;

WHEREAS, the Barry County Road Commission spends a minimum of 1% of their current MTF distributions on qualifying non-motorized transportation facilities;

WHEREAS, the Barry County Road Commission intends to maintain a current 5-year plan in accordance with MCL 247.660k Section 10k of Act 51 of 1951 as amended;

NOW THEREFORE BE IT RESOLVED; that the Board of County Road Commissioners for Barry County adopt the 2025 Barry County Road Commission Non-motorized Spending 5-year Plan.

ROLL CALL: Yeas, Solmes, James, & Knight Nays, None Motion Carried

I hereby certify that the foregoing is a true and correct copy of the resolution made and adopted at the Regular Board meeting of the Barry County Road Commission on May 20, 2025.

Resolution Declared Adopted

Chris BeBeau

Board of County Road Commissioners of the County of Barry

💡 1725 W. M-43 Hwy, P.O. Box 158, Hastings, MI 49058

(269) 945-3449

www.barrycrc.org

ROAD CONDITIONS

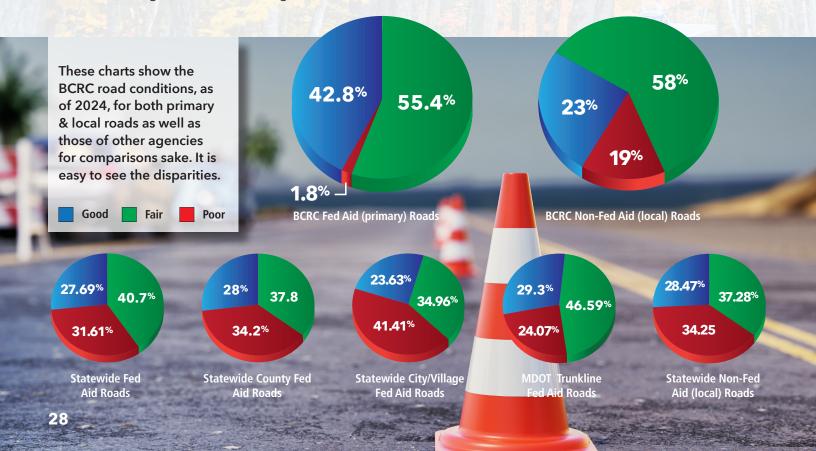
ASSET MANAGEMENT & ROAD CONDITIONS

In 2018, the scope of the Transportation Asset Management Council (TAMC), which had been in existence since 2002, was adjusted to include requirements to address local agencies creating and maintaining asset management plans. Beginning in 2020, local road agencies certifying more than 100 miles of roadway are required to have an asset management plan and update it on a three-year cycle. You can find the BCRC Compliance, Pavement and Bridge plan on the BCRC website (www.barrycrc.org) under the "Asset Management" tab, which was updated in 2022 and will be again in 2025.

Infrastructure is a valuable asset within Barry County. Efficiency in maintaining these assets in the most conservative way possible is imperative to the BCRC. The road surface data collection process uses the Pavement Surface Evaluation and Rating (PASER) system. This system is used statewide to maintain consistence in rating road conditions between agencies. As preservation and construction projects occur, ratings increase, as roads deteriorate, ratings follow. PASER rating is based on a

1-10 numbering scale based on the road deterioration. PASER ratings have been grouped into three categories, **Good: 8-10, Fair: 5-7 & Poor: 1-4** for simplicity purposes. This data assists in decision making to assure the "right" repair is completed at the "right" time.

In 2024, the BCRC maintains the lowest percentage of poorly rated Federal-aid eligible (primary) roads of any county in the State of Michigan (1.8%). The local roads within Barry County aren't far behind. Even with much more limited access to funding assistance, the BCRC and their Township partners have been able to maintain and slightly improve road conditions on both primary and local roads. There are still road needs that go unfunded each year, showing the need for additional funding. However, the success is due to the BCRC's long history of cooperation with their Township partners and utilizing every dollar in the most efficient way possible. The common refrain of government spending frivolously has been rooted out of the BCRC for decades. BCRC staff prides themselves on being good stewards of taxpayer dollars.





BRIDGE ASSETS & CONDITIONS

Barry County is blessed with hundreds of lakes, wetlands, waterways, and rivers. While these feature make Barry County a beautiful place to live, they do create challenges with interaction between roadways and water features. The BCRC maintains 2,500+ culverts in the right-ofway as well as 48 structures that require inclusion in the National Bridge Inventory (NBI) system. These larger crossings are either bridges or culverts that span a minimum of twenty feet.

Inspection and inventory on this large of a structure quantity is time consuming, costly, and imperative to assure safe travel throughout the County. NBI structures are required to be inspected and rated at minimum of every two-years. Non-NBI structures are inspected at varying frequencies based on their size and risk of catastrophic failure.

Funding for bridge and culvert assets are broken down into two groups:

NBI Eligible Funding - NBI structures are eligible for Critical Bridge Funds (CBF) through the State of Michigan, which use a combination of State and Federal dollars. Receipt of these funds are based off of a competitive grant application process which the BCRC applies for annually. The BCRC has been successful with award of these funds for the following projects:



- 2013 Structure Replacements:
 Charlton Park Rd (Thornapple River) & Lawrence Rd (High Banks Creek)
- 2016 Preventative Maintenance: Brown Rd (Little Thornapple River) Irving Rd (Thornapple River)
 Parmalee Rd (Thornapple River)
- 2019 Structure Replacement: Charlton Park Rd (Little Thornapple River) North Ave (Waubascon Creek)
- 2023 Preventative Maintenance: Airport Rd (Thornapple River)
 McKeown Rd (Thornapple River)
- Approved 2026 Structure Replacement:
 Barger Rd (Mud Creek)
 Quaker Brook Ln (Quaker Brook)

Local Funding - Structures that are not eligible for CBF can occasionally be funded through other grants, however, the vast majority of work completed on bridges and culvert outside of the CBF is directly funded through the BCRC budget. Through Act 51, road commissions are funded based on various metrics: population, vehicle registrations, miles of primary road, and miles of local road. Unfortunately, number of bridges and culverts is not in the formula. Bridge and culvert assets are by far the most expensive asset that services the smallest length of roadway. A bridge may span 30' of road length and cost \$2 million to replace. With a system of over 5-million feet of roadway, the numbers clearly don't add up.

DATA - NBI BRIDGE CONDITIONS

Good/Fair - 33 • Poor - 10 • Serious/Critical - 5

FACTS & FIGURES

BARRY COUNTY
RESIDENTS: 60,000+



BCRC EMPLOYEES:

36





PRIMARY ROADS: 349.38 Miles

LOCAL ROADS: 713.82 Miles

PAVED ROADS: 593.09 Miles

SUBDIVISION/PLAT ROADS: 76.17 Miles

GRAVEL ROADS: 470.11 Miles

ALL SEASON ROADS: 68.01 Miles

SEASONAL MAINTENANCE ROADS: 7.69 Miles

NATURAL BEAUTY ROADS: 10.73 Miles

TOTAL BRIDGES: 48

NO THRU TRUCK ROADS: 18



6-2

FACTS



2024 ROAD WORK

ASPHALT PAVING: 14.92 Miles

CHIP SEAL: 172.59 Miles
CRACK SEAL: 63.91 Miles

TOTAL GRAVEL PLACED: 21,826 Cubic Yards

SALT USED: 4,827 Tons



CONTACT US

STAY CONNECTED WITH US!

The BCRC hopes that this annual report has granted the reader a better understanding of the work involved in maintaining an asset used by every resident that is largely available 365 days per year 24 hours per day. The BCRC is proud to serve the residents of Barry County and holds the utmost regard for residents being able to freely communicate with the BCRC. Below is information on how to best stay in direct contact with the BCRC and follow along for road work updates in real-time.

Website: <u>www.barrycrc.org</u> Phone (269) 945-3449 1725 W. M-43 Hwy Hastings, MI 49058

Regular Business Hours: M-F 6AM-4PM

If residents have road emergencies outside of these hours you are asked to call Barry County Central Dispatch to assure road dangers are dealt with as quickly as possible.















BARRY COUNTY ROAD COMMISSION

Phone (269) 945-3449 1725 W. M-43 Hwy Hastings, MI 49058



Alternative Funding for Trial Courts Workgroup

Preliminary Recommendations
June 2025

Operational Costs Funding Model Recommendations

Recommendation 1.1: Establish a "Maintenance of Effort" (MOE) fiscal requirement for local governments to maintain their current court spending.

- a) To calculate an official MOE, local funding units should set up a special revenue fund now to track court operational expenses and revenues, with the state dictating what qualifies as a court operational expense. (Note: Tentative may change to a retrospective calculation.)
- b) MOE should be adjusted annually (up or down) based on a three-year rolling average of the change in the funding unit's local taxable value or 3%, whichever is lower.

Recommendation 1.2: Use the Court Operating Resources Report (CORR), an objective assessment of staffing needs for courts across the state, to help determine court operating costs.

- a) The SCAO should conduct the CORR on a six-year cycle, with the ability for courts to petition for staffing changes in off years based on caseload increases or decreases.
- b) Any staff positions recommended by the CORR above current levels should be funded by legislatively appropriated state dollars.
- c) Courts should work with their local funding unit and the SCAO to fund innovative programs or new services, with the goal of expanding successful pilots statewide through legislative appropriations.

Recommendation 1.3: Develop a formula for sharing facilities costs, facility debt, and other indirect costs between the state and the local unit.

- a) The SCAO should establish a set of guidelines for court facilities, prioritizing security, accessibility, and safety, and should require facilities to be reviewed on a six-year cycle to be eligible for state cost-sharing on capital improvements.
- b) The SCAO should develop a state-funded grant program allocated by size of court to help financially support court facility capital improvements or new buildings as they are necessary.
 - For capital improvements or construction of a new building, the local funding unit should contribute up to 1% of its general fund and then apply to the grant program to share any additional costs 50-50 with the state.
 - For leasing new space, the state and the local funding unit should share the cost of additional space 50-50, funded through the grant program.
- c) The state should not be responsible for paying for any debt on bonded buildings incurred before the rollout of the grant program above.
- d) In the case of any funding disputes, the SCAO should appoint a mediator.
- e) Routine facility maintenance should be funded like other court operations through the MOE and state appropriations, with local funding units responsible for unexpected facility maintenance.

Funding Distribution Recommendations

Recommendation 2.1: Establish a state-managed Trial Court Fund for receipt and redistribution of most court-generated revenue towards court operating costs.

- a) The Trial Court Fund should be created within the Department of Treasury, and revenue from court assessments should be deposited into this fund as it is received except as noted below.
- b) The following assessments, upon collection, should not be deposited into the Trial Court Fund, and should be distributed instead to their intended recipients:
 - Restitution to local funding units and Crime Victim's Rights Assessments to the Crime Victim's Rights Fund for distribution to individual victims, and

- Order of Filiation Fees to the Michigan Department of Health and Human Services.
- Note: Discussions continue on if and how to pay local governments for non-court operations currently reimbursed from court-generated revenue, as in MCL 769.1k, 769.1f, and 257.907.
- c) The following functions currently funded by court-generated revenue <u>should be</u> considered court operations and therefore continue to receive funding from the Trial Court Fund:
 - Community Dispute Resolution Fund (Note: tentative), Drug Treatment Court Fund, Friend of the Court Fund, Indigent Civil Legal Assistance (Note: tentative), Judges' Retirement and Reserve for Health Benefits, Judicial Electronic Filing Fund, Judicial Technology Improvement Fund, and Juror Compensation Reimbursement Fund.
- d) The following functions currently funded by court-generated revenue <u>should not be</u> considered court operations and should instead be funded from other sources:
 - Attorney General's Operation Fund, Children's Advocacy Center Fund, Game and Fish Protection Account, Highway Safety Fund, Jail Reimbursement Program Fund, Legislative Retirement System, Michigan Justice Training Fund, Secretary of State, Sexual Assault Victims' Prevention and Treatment Fund, and State Forensic Laboratory Fund.

Recommendation 2.2: Implement a process for determining legislative appropriation requests, distributing money based on court operational needs, and monitoring spending.

- a) The SCAO should hire twelve additional full-time staff members to their Finance Team (two per region) to annually determine each court's operational needs, approve budget requests, monitor expenditures, and determine an appropriate request to the legislature.
- b) Decisions on how to spend money should remain at the local level, with courts communicating regularly with their funding units and the SCAO Finance Team in anticipation of increased needs.
- c) The funding request to the executive and legislative branches should be equal to the aggregate of all courts' approved budgets, minus the aggregate of local funding units' maintenance of effort and total federal grants. The appropriation may include state grants and payments, court-generated revenue from the Trial Court Fund, and state general fund dollars.
- d) If the state's appropriation is less than what is requested, the SCAO must communicate to courts and funding units the amount appropriated and how much courts will need to cut their expenditures for the following fiscal year.
- e) Local funding units should create a special revenue fund to receive funding from the MOE and legislative appropriations. (*Note: Discussions continue on how to build and maintain fund balances.*)
 - Per the recommendation for a special revenue fund, courts should work with their local funding unit and SCAO to determine an appropriate minimum fund balance.
 - If a court goes under budget for a fiscal year, unused funds should be retained in the special revenue fund to help reach the minimum fund balance.
 - If a court expects to go over budget, the court should cut their expenditures to stay within budget or request money from the special revenue fund's fund balance.
- f) Treasury should distribute funding into each local funding units' special revenue fund every two months, using money from the Trial Court Fund before the state general fund appropriation.
- g) Courts should submit a quarterly report to the SCAO with basic information on money they received and spent in that period, using official local funding unit financial reports where available.

Uniform Assessments & Indigency Determination Recommendations

Recommendation 3.1: Develop standardized court cost calculations, to remove the pressure on judges to use the court as a revenue generator for local funding units.

- a) The state should calculate total assessments for people convicted of a criminal case (or found responsible for a civil infraction) as follows:
 - Total Assessments = Restitution + Fine + Costs + Fees
 - Restitution and fines, which serve a compensatory and/or punitive function, are categorized as "accountability" assessments, and are not recommended to change.
 - Costs and fees, which serve a revenue-generating function, are categorized as "tax" assessments and changes are discussed below.

- b) To calculate the court costs attributable to different categories of cases, the SCAO should:
 - By funding unit, calculate the share of total court costs (using time spent by judges as reported on the JRR and by other court staff as reported on the CORR) attributable to each category of case: felonies, misdemeanors, and civil infractions.
 - Divide total costs for each case category by the number of dispositions of each case category, producing an estimate of the average total cost of each case type by funding unit.
- c) Most existing fees should be eliminated (e.g., Minimum State Cost, Justice System Assessment) as duplicative with total court costs.
- d) Note: Discussion to continue on how to determine appropriate costs to the plaintiff attributable to MCL 769.1f offenses (e.g., operating while intoxicated (OWI)) and civil infractions.

Recommendation 3.2: Establish a process, with uniform standards, for determining ability to pay at sentencing before court assessments are referred to Treasury for collections.

- a) The court should make a finding of indigency when the person being sentenced meets one or more of the following criteria:
 - Receives needs-based, means-tested public benefits,
 - Has income at or below the "Very Low" level identified by the Department of Housing and Urban Development for the county of sentencing, or
 - The judge determines, pursuant to a multi-factor judicial review test, that indigency should apply for another reason.
- b) Courts should handle ability to pay for different kinds of assessments as follows:
 - Restitution should be ordered in all applicable cases as in current practice,
 - Fines, based on statutory ranges, should be ordered in the judge's sole discretion, and
 - All other assessments should not be ordered if the person is found indigent.
- c) Once assessments are ordered, they should be referred to Treasury for collections (see below). The court should retain discretion to subsequently waive the fine, while Treasury should follow its internal procedures as to subsequent relief for the collection of fees and costs.

Collections Systems Recommendations

Recommendation 4.1: Implement a uniform statewide collection system for court debt.

- a) The collection system should designate Treasury as the entity responsible for collecting court assessments, and should include:
 - Integration of Judicial Information Services (JIS) and Treasury software, including nearimmediate exchange of information between systems,
 - Online and in-person options for making payments and setting up payment plans, and
 - Regular plain-language communication between Treasury and people who owe court debt.
- b) The implementation of the collections system should be a phased approach, including:
 - A pilot that includes a minimum of two courts for at least six months,
 - Integration of cohorts of counties into the statewide collection system at different times, aligning with the ongoing statewide rollout of JIS,
 - A new system for collecting debt that is in default (older than 56 days) but not yet delinquent,
 - Training for local court staff to ensure they understand the new process and how to inform people who owe court debt about their payment options, and
 - Transferring debts to Treasury only if they were incurred or had activity within the past year.
- c) Treasury should continue many of its existing practices around debt collection, including:
 - Initiating delinquent debt collections for debt older than 180 days if the person owing is not in good standing on a payment plan,
 - Writing off debt as best practices indicated, currently after six to seven years based on the limited likelihood of subsequent collection,
 - Allocating undesignated payments to older debts first, and
 - Maintaining quality assurance through internal metrics, work standards, and adherence to the Michigan Fair Debt Collection Practices Act.

Alternative Funding for Trial Courts – FAQ

Background and questions on preliminary trial court funding recommendations following a webinar for the Michigan Municipal League and Michigan Townships Association on April 22, 2025. Recommendations are not yet final, and we welcome feedback on them.

Background

This project is being run by the Michigan Judicial Council, a project of the Michigan Supreme Court. The work is guided by Public Act 47 of 2024 (PA 47) and seeks to develop a plan for implementing the recommendations in the 2019 Trial Court Funding Commission report, which identified three key challenges with the current trial court funding system:

- 1. A real or perceived conflict of interest between judges' impartiality and their obligation to use the courts to generate operating revenue.
- 2. Inadequate court funding from all sources due to over-reliance on local government funding.
- 3. Unequal access to justice for court users, harming the most vulnerable who have the least access to financial resources.

This document details the key components of the implementation plan and answers the questions raised in the MML/MTA webinar pertaining to each.

Questions and Answers

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Proposed New Funding Model

Maintenance		State &		Statewide		State General		Total
of Effort	+	Federal	+	Collections of Court	+	Fund	=	Operational
OT ETTORT		Grants		Assessments		Appropriation		Costs

Under the new funding model, pictured above, the key changes to the way trial courts will be funded are as follows:

- Maintenance of Effort (MOE): To fund operational costs of the court, local funding units will be responsible for an MOE, set at the amount they currently spend on trial court operations from their own general fund, described further below.¹
- **State & Federal Grants:** Current state and federal grant funding to the trial courts will not be affected under the new trial court funding model.
- **Statewide Collections:** Court assessments will be centrally collected by the Department of Treasury, go into a state Trial Court Fund, and then be redistributed to local funding units based on their need operational costs.
- **State Appropriation:** The state will appropriate any additional funding needed to fully fund trial court operational costs and distribute that to local funding units along with court assessments from the Trial Court Fund.
- **Total Operational Costs:** Total court operational costs will be calculated in part from current spending, and informed by the Court Operations Resource Report (CORR), which will determine appropriate levels of staffing, discussed further below.
- Facility Maintenance & Capital Funding: Capital facility improvements will be funded separately, discussed further below.

Question: What is the total dollar cost figure for court operations statewide?

• **Answer:** We are still reviewing and finalizing data, but we anticipate the total cost to run probate, circuit, and district courts will be approximately \$1 billion.

Maintenance of Effort (MOE)

Per the requirements of PA 47, MOE is defined as the average of a local funding unit's annual expenditures on trial courts *from its own general fund* for the three years prior to the creation of the Trial Court Fund. MOE does not include funds from court-generated revenue or payments from the state (e.g., grants, judges' salaries, Court Equity Fund payments, etc.). For multi-jurisdictional courts, it *does* include payments from all contributing localities.

For the purposes of the upcoming report and recommendations, Maner Costerisan (the accounting firm SCAO contracted with for this work) calculated the amount of each local funding unit's MOE using 2022

¹ Note that capital facility improvements and debt are not included in MOE.

and 2023 data obtained from the courts and local funding units. More than 99% of courts and local funding units provided this financial data. The calculated MOE is a very good estimate, but it is not intended to be the final MOE used for project implementation.

Question: Is the three-year lookback locked in? We used to get excess from the court but have suffered gross deficits in recent years. Three years will have us paying going forward when we have not had to in the past. Also, the three-year lookback includes a post-pandemic timeframe which may have dramatically changed the cost allocation and is not reflective of court operations moving forward?

• Answer: The three-year period is required by statute, but the specific years being used will depend on the implementation timeline. We anticipate if the legislature takes up the recommendations in 2026, the years used for the calculation will be 2023, 2024, and 2025. We recognize that COVID and other factors may have changed MOE over the past several years, but the goal is to memorialize current spending, not historical spending.

Question: What is the total amount across the state that local funding units are expected to continue to pay? Is the trial court budget the \$1.1-\$1.4 billion plus that amount? What is that additional amount that local government is being asked to continue to contribute from their general funds and is that included in the \$1.1 billion?

• Answer: First, the numbers referenced in this question are an estimate from the 2019 Trial Court Funding Commission report, and we will have updated and more exact numbers soon. But the total budget (likely to be around \$1 billion) will include 1) the local contribution (MOE), 2) court-generated revenue (centralized at the state and redistributed), 3) existing state and federal grants, and 4) a state general fund contribution to make up any shortfall. For court operations (not including capital improvements, discussed below), local funding units will not be asked to contribute anything from their general fund that they aren't already spending or responsible for – the MOE memorializes that amount and locks it into place (absent adjustments, discussed below) and does not require an additional contribution from local funding units.

Question: What happens when a local unit cannot maintain their maintenance of effort? Does the state general fund then pay the difference? **Question:** How is the state going to financially handle communities who have right-sized courts but are struggling to pay for them?

• Answer: The MOE is the amount the local funding unit is already contributing. It will increase (or decrease) annually only based on changes to a rolling average of the last three years' local taxable value. Local taxable value accounts for changing property tax values, which are a significant revenue source for local funding units and therefore an accurate gauge of the ability to support the local trial court. Factoring in those adjustments, the local funding unit will be expected to maintain its MOE. But importantly, if there are increasing trial court costs, including for additional staffing, the state general fund will pay the increase, relieving the burden on the local funding unit. We anticipate recommending that both the local funding unit and the State Court Administrative Office (SCAO) have a say in approving trial court budgets.

Question: Taxable value has nothing to do with court revenues and expenditures. Will the system consider Headlee rollback and reduction of millages when calculating property tax value increases and

how it relates to actual increase in tax revenues? Additionally, if a city is proactive in building out and redeveloping properties, hence increasing taxable value, we then will be "punished" by paying more in maintenance of effort costs?

• Answer: Taxable value increases reflect a local funding unit's capacity to support public services. We believe tying MOE to taxable value is more accurate and locally responsive than using a general Consumer Price Index (CPI) adjustment, which does not reflect a specific community's actual fiscal changes. While the Headlee Amendment does slow the growth of tax revenues relative to taxable value, local units retain the ability to seek a Headlee override if needed. After evaluating alternative models, we believe this approach strikes the fairest balance — aligning contributions with local fiscal capacity while maintaining flexibility and responsiveness to local conditions.

Question: Won't the maintenance of effort vary widely from place to place?

• Answer: Yes. It could be considered a drawback of this model that local funding units that are overly reliant on court-generated revenue and other funding sources will have much lower MOEs than local funding units that fund primarily with their general funds. But it's an important ideal that all local funding units are "held harmless" and don't have to pick up additional costs they aren't already responsible for and have built into their existing budgets. The MOE memorializes the financial support local funding units are currently paying toward court operations from their general fund and establishes certainty of the local funding unit's financial obligation to the court going forward (with annual adjustment described above).

Question: If a local funding unit has approved increased costs in the last three years for one-time purchases, won't that have an impact on the required contribution?

Answer: Yes, assuming the increase was paid for with local general fund revenues. But once the
MOE is locked into place, the local funding unit will no longer be responsible for one-time
purchases above its MOE – the state will cover those costs. The model trusts that local funding
units and courts worked together to agree on the need to incur past expenditures. Additionally,
using an average of three years of expenditures helps "smooth" the impact of one year having
higher then normal expenditures.

Question: But those of us with bonds will have those costs drop in the future when the bonds are paid off, right? Will our figure be adjusted at that point?

Answer: Bonded debt is accounted for separately from MOE (see Facilities section below). So
when a bond is paid off, the MOE will not change (because the bond isn't included), but the local
funding unit's total financial responsibility related to the trial court will be lower, because it's no
longer making bond payments.

Question: So going forward, will obligations of locals [in multi-jurisdictional courts] be a hard dollar number or weighted by caseload? If caseload weighting between us is different in the future, will we still be locked in to sharing ratios of the past?

• **Answer:** Because all multi-jurisdictional courts have different arrangements, there will just be one MOE calculated for each of those courts, attributable to the host funding unit. It is up to the

localities that contribute to decide how to share costs going forward. We anticipate recommending an updated memorandum of understanding between localities but not requiring any one method of coordination, as that is up to the local units.

Assessments, Collections, and the State Contribution

Currently, a portion of court assessments are sent to the local funding unit, and the rest are sent to various funds. As aforementioned, this results in unpredictable funding, creates a conflict of interest by requiring courts to generate their own revenue, and poses significant barriers to access to justice, particularly for Michigan's most vulnerable populations.

Under the new model, proposed by the Trial Court Funding Commission Report, the Michigan Department of Treasury will centralize collections and transmit these revenues into a to-be-created Trial Court Fund. Money from the Trial Court Fund will be distributed along with legislatively appropriated state general fund dollars to augment local contributions and adequately fund local trial courts according to their operational needs.

Question: I understand how indigency can impact equality, but I think court assessments should be handled more like health care: Everyone is treated fairly regardless of ability to pay, but if you CAN pay court costs, why should the general public pay for costs associated with a citizen who has incurred costs due to violating the law and has the ability to pay?

• Answer: In People v. Cunningham (2014), the Michigan Supreme Court ruled that MCL 769.1k, allowing the imposition of court costs, did not provide courts with the independent authority to impose costs if they were not separately authorized by statute. But the Trial Court Funding Commission's recommendation was not to eliminate the imposition of these costs, but to specify them. We do not anticipate significant changes to financial penalties as part of this project. But one of the goals is to strengthen our system of determining indigency to ensure assessments are fair and equitable. And another is to separate the administration of justice (including the imposition of financial penalties) from the business of funding the court, so that government units are not incentivized to increase costs to generate revenue.

Question: A major problem for many funding units in terms of funding their courts has been the limitations that have been placed on the generation of revenue in recent years at the state level. If you go back prior to COVID, the amount of revenue able to be generated by the courts was vastly greater. The last three years are not necessarily a good indicator of what funding units have experienced over the long-term.

Answer: Addressing this challenge is one of the key goals of the Trial Court Funding Commission.
Because local funding units have been required to fund most of the cost of the trial courts, they
often rely heavily on court assessments, even when such assessments are overly burdensome or
inequitable. As the state has sought to restrict court assessments in some cases, however, it has
not compensated for this lost revenue at the local level. By centralizing court collections and
redistributing assessments and state appropriations to local funding units based on the

operational costs of their courts, the new model will eliminate the conflict of interest inherent in requiring judges to impose assessments to fund their courts <u>and</u> will reduce the overall burden on local funding units by increasing the state contribution.

Question: What is the estimate of the added cost for the state to centralize collection efforts?

• **Answer:** We are working with Treasury to estimate this cost. But evidence from other states suggests that centralizing collections results in <u>lower</u> overall costs and higher rates of collection. This is because the current cost of collections to localities, including judiciary time addressing delinquent payments on dockets and law enforcement costs for enforcing payment, will be eliminated under the new funding model.

Question: What about legacy costs (pension and other post-employment benefits)? **Question:** How is it fair that local units of government are responsible for legacy pension costs, when the state takes court revenues?

• Answer: Court employee benefits (for current and past employees) were nearly all aligned with other local unit employee groups and negotiated locally, and they have been an obligation of the local funding unit. Under the new model, these costs, including the amortized cost of any unfunded liability, are included in total operational costs. So the local funding unit is only responsible for them to the level of its MOE. The impact of rising costs is primarily the responsibility of the state, which will redistribute court revenues, and any necessary state appropriation, to the local units.

Court Operations Resources Report (CORR) - Staffing

The Court Operations Resources Report (CORR) establishes the appropriate staffing level required for Michigan trial courts by using a time/workload study and qualitative adjustments to determine the personnel necessary to manage each court's current caseload. It provides an objective assessment of staffing needs statewide to ensure court cases are processed timely, efficiently, and effectively. The CORR is being conducted for the first time as part of this project, but it expands the constitutionally mandated Judicial Resources Report (JRR), which uses a weighted caseload methodology to determine the number of judges needed, to include all non-judicial court staff who handle cases. We anticipate recommending that the CORR be conducted on the same schedule as the JRR, every six years.

Question: Courts have different caseloads, staff sizes, numbers of judges, etc. How will decisions be made on right-sizing that are tailored to each community?

• **Answer:** The CORR consisted of a time study in each court statewide, which identified court staff time spent processing different types of cases and handling other court business, and determined the adequacy of the time they had to perform their tasks. In addition, staff of all types from a variety of different courts provided qualitative input on the quantitative findings.

Question: How will you address reducing the size of courts or the inequities that exist in staffing levels?

• **Answer:** This is exactly the goal of the CORR – to balance staffing and address staffing inequities between courts based on court case workloads. For courts that are determined to be overstaffed,

we anticipate recommending reductions in staffing via attrition or reassignment, not force reduction.

Question: Will all of these individual evaluations of each court be done between the Teams and the Court or between the Teams and the sponsoring local entities who are bearing the cost?

• Answer: The CORR is being conducted by the State Court Administrative Office (SCAO), with support from the National Center for State Courts. Court personnel have the opportunity to weigh in and provide feedback on staffing levels, but the goal is for an independent and objective evaluation of staffing that is removed from cost considerations, particularly since under the new model, the state will cover the cost of any increased staffing needs.

Question: How often are conclusions revisited? If case filings drop or increase, are figures revisited annually?

• **Answer:** We anticipate a recommendation that the CORR be conducted every six years, on the same schedule as the existing JRR. However, if a court experiences significant changes in case filings, they may request an interim adjustment in staffing levels, which would be reviewed and approved by the SCAO. Should additional staffing be required to match increased court caseloads, this staff cost would be a responsibility of the state under this new model.

Question: Will there be additional conversations regarding court consolidation in order to maximize efficiencies?

• **Answer:** We do not anticipate discussion about closing or consolidating courts as part of this project. However, that conversation sometimes arises as part of the JRR, and may do so again as part of the CORR depending on the final results.

Question: Are staff going to be staff of locals or the state?

 Answer: Court staff will remain local court employees. While the Trial Court Funding Commission recommended a long-term goal of making all court staff state employees, the recommendations of this project will <u>not</u> include moving court staff to state employment (except for judges, which are currently state employees and will continue to be).

Facility Improvements

To address the costs of facilities, this project draws a distinction between facility maintenance and capital improvements. Facility maintenance is the continued, ongoing upkeep of a facility to provide a safe and reliable work environment and will continue to be financed through the funding of regular court operations.

A "capital improvement" is defined by cost and scope. Specifically, a project qualifies as a capital improvement when its cost, including engineering and architectural fees, is at least 1% of the average of a local funding unit's general fund revenues from the prior three years, and the project represents a

significant enhancement to the facility. There are three kinds of capital improvements: 1) Undertaking a significant renovation or upgrade, 2) Leasing new space for the court, and 3) Building a new facility.

Going forward, we anticipate recommending a cost sharing model between the local funding unit and the state to fund capital improvements. To enable this, the state should 1) establish clear and concise guidelines for facilities focused on functional use and condition; 2) create a competitive grant program for local trial courts and funding units to apply to when significant facility upgrades are needed; and 3) prioritize grants based on identified needs and the established guidelines and fiscal resources. We anticipate recommending that this cost sharing begin when money is appropriated to make grant awards for capital facility improvements and the state can be an equal partner in facility decision-making. We are still finalizing the details for the grant program including anticipating building capital projects being managed at the local level.

Question: Are building upgrades etc. included in the \$1.1 billion budget currently and how much is allocated to the capital improvement plan if so?

• **Answer:** Regular facility maintenance is included in the total budget, but capital improvements are not (see definitions of each above). We anticipate recommending that the state initially appropriate funding for capital improvements based on the facility condition assessment collected as part of Maner's efforts in this project.

Question: Any info on how locals will be compensated for buildings (old vs. new facilities)? We are still paying on bonds for a newer facility. **Question:** We have bonded for a building. Who owns it going forward? Who maintains it going forward? This cost will vary greatly from town to town.

• Answer: The building will continue to be owned and maintained by the locality. Going forward, facility improvements will require a partnership between the state, local funding unit, SCAO, and the court. If all decisions (e.g., a referendum to build a new facility or capital bonds issued) have already been made by the locality and they have secured local funding, it cannot be a partnership. However, as the new building ages, it will be eligible for capital improvement support from the state as described above.

Question: Some places have modern courts and others are using shared space. Does that create an uneven maintenance of effort that could result in them getting subsidized more than another court?

 Answer: Outside of regular facility maintenance, facility improvement costs are not included in total operational costs, and therefore not covered by MOE. It is true that courts that have built or updated their buildings recently will not benefit immediately from support from the state. However, this model will create more equity in the long-term, as lower-resourced localities will be financially supported to upgrade their facilities to create more uniform court facilities statewide.

Question: I have a question regarding paying for a newly built court. We have a multi-Municipal District. The Host community that houses the court has backed a bond to pay for the court's new courthouse. The other communities did not get a say in this decision. The court pays for this through a building fee

on tickets. Any shortfall is paid by the Host community as the backer of the bonds. So how is the state going to pay half and the other half is paid by the host or the combined district?

• **Answer:** In this situation, the arrangement would not change and the existing debt would still be the responsibility of the unit that issued the debt. Going forward, we anticipate recommending that intergovernmental agreements be updated to cover facility upgrades. If a facility improvement meets the requirements, it would be eligible for cost sharing with the state, reducing the burden on the local units. But it would still be up to the local units to coordinate how they would allocate the local portion of the costs.

Question: For courts that occupy a building owned by the local, however rental costs were not enforced due to the funding just not being available, how are these scenarios being accounted for in the Maner study? Total overhead of the court is being understated in this situation.

• **Answer:** The determination of MOE is based on actual reported expenditures. If rental costs were not charged and recorded, then they would be omitted from the MOE. However, the cost allocation plan may also pick up some building costs as part of the MOE.

Question: Will the state pay rent to the local government who owns the court building?

• **Answer:** If rent on the building is currently part of total operational costs, the state will cover any portion of that (via court assessments and general fund appropriations) that isn't already covered by MOE. For a new lease going forward, we anticipate recommending that the state and the local funding unit split the cost of the lease 50-50.

Stakeholder Engagement

Local government input and buy-in are essential to making sure the data collected and analyzed is accurate and the recommendations will work for all stakeholders. In addition to many other stakeholder groups, we have tried hard to engage with MML, MTA, and MAC throughout the process. The original Trial Court Funding Commission that developed these recommendations included members from MML, MTA, and MAC, all of whom approved the recommendations at that time. Maner connected with every court and local funding unit as part of their data collection and received data from over 99% of them. Maner will also provide an opportunity to further review data soon (see below). And MML, MTA, and MAC all have representatives on the current Alternative Funding for Trial Courts Workgroup and implementation teams. We encourage you to reach out to those representatives to share your perspectives further. You are also always welcome to connect with our team.

We recognize that for local funding units, accurate calculation of MOE is a particularly important part of this process. For purposes of informing and drafting legislative proposals, Maner Costerisan estimated the MOE using fiscal years 2022 and 2023. Per the requirements of Public Act 47 of 2024, the official MOE will need to be recalculated after the Trial Court Fund is created through legislation, using the three preceding years. When the time comes for this calculation, the local funding units and the courts will both be provided extensive opportunity to review their financial information and the calculation and ensure that it is correct.

Question: It sounds like we will continue to have most of the funding responsibility, but someone else will be making decisions that impact our costs. Given that the conversations have largely been with the courts, not the units of government footing the bill, this is a bit concerning. No one has been in contact with our local government.

• Answer: Courts and local funding units have had equal engagement during this process – see above for details. However, one of the key tenets of the original Trial Court Funding Commission recommendations was that control of the courts remain local. The goal of this project is to contain costs at the local level and increase the partnership with the state for cost sharing. As the state contributes more funding, it may have more say over the approval of budgets and other decisions than it currently does. But local governments are still an essential partner in decisions made about the courts.

Question: As Maner is analyzing the financial data, can there be a final review/confirmation of financial data by the funding units/courts to make sure everything seems reasonable related to their respective units?

• Answer: Yes! This is coming very soon. All courts and funding units will have the opportunity to review data that was submitted, including the estimate of MOE using total revenues and expenditures, the cost allocation plan information used, and facility information. Keep an eye out for an email from Maner Costerisan and reach out if you didn't receive it and would like to review the information.

Question: Has there been a date established where input from communities will no longer be accepted?

 Answer: We anticipate conducting additional rounds of stakeholder engagement and feedback through June and July. Our goal is to submit final recommendations and legislative proposals to the legislature in early October. At that time, the legislature will hopefully consider the recommendations, solicit additional stakeholder feedback, and make their own decisions about passage and implementation. 10:37AM

Document Totals by Fund Credits Net **Debits** Fund 101 General 98,170.67 33.25 98,137.42 215 Friend of Court 3,000.00 0.00 3,000.00 261 Indigent Defense 65,893.72 65,893.72 0.00 264 CPL 0.00 819.80 819.80 517 Foreclosure 608.00 0.00 608.00 637 Data Processing 5,733.00 0.00 5,733.00 661 Vehicle 4,460.48 0.00 4,460.48 33.25 178,652.42 **Grand Total:** 178,685.67

BARRY COUNTY CI S LIST COMMISSION MEETING OF 07/22/2025

Account	Vendor	Description	Invoice	Amount	PO Num
101-101	COMMISSIONERS				
807-000	MICHIGAN ASSOC. OF COUNTIES	COMMISSIONERS/COUNTY DUES	m3147	11,175.14	
		Sub Total 101-101	COMMISSIONERS	11,175.14	
101-148	TRIAL COURT FAMILY DIV.				
801-000	SPITZLEY TRANSCRIBING, TANYA SPITZLEY	FAMILY COURT/TRANSCRIPTS	20013199	567.30	
806-000	STORRS, STEVEN G.	FAMILY COURT/LEGAL FEES	20013204	85.00	
806-000	RUSSELL, KATHRYN	FAMILY COURT/LEGAL FEE	2007606	2,443.50	
806-000	SALISBURY ATTY, STACI	FAMILY COURT/LEGAL FEES	2007599	32.50	
806-000	WOOLLEY LYONEL, THE WOOLLEY LAW FIRM	FAMILY COURT/LEGAL FEES	20013210	1,584.00	
806-000	WOOLLEY LYONEL, THE WOOLLEY LAW FIRM	FAMILY COURT/LEGAL FEES	2007607	1,836.00	
806-000	KINNEY, JAMES M ATTY	FAMILY COURT/LEGAL FEES	2007604	495.00	
806-000	KINNEY, JAMES M ATTY	FAMILY COURT/LEGAL FEES	20013207	2,979.00	
806-000	O'CONNOR ATTY, KELLY	FAMILY COURT/LEGAL FEES	2007600	195.00	
806-000	POULSON BARRY, POULSON & ASSOC PLLC	FAMILY COURT/LEGAL FEES	20013209	1,863.00	
806-000	APPLE STREET LAW OFFICE PLC	FAMILY COURT/KY1377/KM963	20013197	2,340.00	
806-000	BAKER, JACKIE	FAMILY COURT/LEGAL FEES	2007603	216.00	
806-000	BAKER, JACKIE	FAMILY COURT/LEGAL FEES	20013206	3,330.00	
835-000	REDWOOD TOXICOLOGY LAB, INC.	FAMILY COURT/HEALTH SERVICES	00043620255	21.00	
861-000	DOHERTY, WILLIAM	FAMILY COURT/TRAVEL	2007596	981.91	
933-000	WILDER TIRE & AUTO LLC	FAMILY COURT/VEHICLE MAINT	17650	61.75	
957-000	DOHERTY, WILLIAM	TRAINING	2007596	487.00	
982-000	WEST PAYMENT CENTER	FAMILY COURT/BOOKS	852227903	37.43	
		Sub Total 101-148 TRIAL	COURT FAMILY DIV.	19,555.39	•
101-151	ADULT PROBATION				
980-000	CULLIGAN WATER CONDITIONING	ADULT PROBATION/WATER	7/3/25	47.00	l
		Sub Total 101-151	ADULT PROBATION	47.00	•
101-215	CLERK				
727-000	RR DONNELLEY	CLERK/VRHS11	586350501	790.00	
727-000	STAPLES	CLERK/MICR TONER	6035494539	302.20)
		Sub To	tal 101-215 CLERK	1,092.20	. I
101-236	REGISTER OF DEEDS				

Page:

BARRY COUNTY CLAIMS LIST COMMISSION MEETING OF 07/22/2025

07/14/2025 10:56:42AM

\$ 150

Account	Vendor	Description	Invoice	Amount	PO Num
101-236	REGISTER OF DEEDS	(Continued)			
727-000	QUILL CORP., C/O REGISTER OF DEEDS	REG. OF DEEDS/SUPPLIES	44695462	321.18	
727-000	QUILL CORP., C/O REGISTER OF DEEDS	REG. OF DEEDS/OFFICE SIGNS	44690421	23.58	
727-000	GOVERNMENT FORMS & SUPPLIES	REG. OF DEEDS/LCRC BOOKS (2)	0355313	318.03	
		Sub Total 101-236 REGIS	STER OF DEEDS	662.79	
101-253	TREASURER				
727-000	QUILL CORPORATION	TREASURER/OFFICE SUPPLIES	44577716	46.96	
727-000	QUILL CORPORATION	TREASURER/OFFICE SUPPLIES	44588664	15.00	
		Sub Total 101-2	53 TREASURER	61.96	
101-265	BUILDING & GROUNDS				
931-000	GRAINGER	BLDG & GROUNDS/INSULATED TAPE	9565113629	35.40	
931-000	HASTINGS ACE HARDWARE	BLDG & GROUNDS/STATEMENT	JUNE25	1,014.15	
		Sub Total 101-265 BUILDI	NG & GROUNDS	1,049.55	
101-266	HEALTH DEPT BUILDING				
931-000	BARRY COUNTY LUMBER COMPANY	BLDG & GROUNDS/COLD PATCH	7/2/25	199.90	
		Sub Total 101-266 HEALTH	DEPT BUILDING	199.90	
101-301	SHERIFF'S DEPARTMENT				
727-000	CARTRIDGE WORLD	SHERIFF/2 TONERS	1205998	506.98	
727-000	STAPLES	SHERIFF/SUPPLIES	7005875127	305.34	
809-000	TRITECH SOFTWARE SYSTEMS A, CENTRALS	SHERIFF/RECORD SYSTEM MAINT	441229	30,055.92	
809-000	CORE TECHNOLOGY CORP	SHERIFF/ANNUAL MAINT/TALON DESK	CORMN000232	9,420.40	
933-000	ROWERDINK	SHERIFF/REPAIRS #36 #46	01JC0098	323.07	
933-000	LEGACY AUTOMOTIVE AND TOWING	SHERIFF/TIRES/MT/BAL	027966	906.00	
933-000	LEGACY AUTOMOTIVE AND TOWING	SHERIFF/CHARGE AC	027976	240.20	
933-000	LEGACY AUTOMOTIVE AND TOWING	SHERIFF/RADIATOR REPLACE #21	027990	544.51	
933-000	LEGACY AUTOMOTIVE AND TOWING	SHERIFF/OIL CHANGE # 28	027980	84.72	
933-000	LEGACY AUTOMOTIVE AND TOWING	SHERIFF/MT/BAL/DISP 2 TIRES	028023	192.00	
933-000	L & S SERVICE, INC	SHERIFF/TRANS #1	3462	5,307.93	
933-000	LEGACY AUTOMOTIVE AND TOWING	SHERIFF/SHOCKS/TIRES/OIL/BRAKES	028003	3,466.24	
933-000	CEREAL CITY GROUP LLC, NAPA AUTO PARTS	SHERIFF/PARTS - TAHOE 36/42	200287	149.12	
		Sub Total 101-301 SHERIFF	'S DEPARTMENT	51,502.43	

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COMMISSION MEETING 07/22/2025

Account	Vendor	Description		ice	Amount	PO Num
101-351	JAIL					
727-000	OFFICE DEPOT	JAIL/OFFICE SUPPLIES		566797001	194.61	
742-000	GORDON FOOD SERVICE, INC.	JAIL/FOOD		4212030	2,518.79	
742-000	GORDON FOOD SERVICE, INC.	JAIL/FOOD	9024	4212044	206.18	
742-000	GORDON FOOD SERVICE, INC.	JAIL/FOOD		4445949	2,728.68	
742-000	GORDON FOOD SERVICE, INC.	JAIL/FOOD		4445945	199.00	
742-000	GORDON FOOD SERVICE, INC.	JAIL/CREDIT		2550200	-33.25	
742-000	PRAIRIE FARMS DAIRY	JAIL/MILK		4519	201.38	
742-000	PRAIRIE FARMS DAIRY	JAIL/MILKS		8114	192.50	
747-000	GORDON FOOD SERVICE, INC.	JAIL/SUPPLIES		4212045	73.60	
777-000	CINTAS	JAIL/JANITOR	423	5038676	294.25	
777-000	CINTAS	JAIL/MISC		5663399	382.00	
809-000	CINTAS	JAIL/SERVICE CONTRACT	932	7257827	504.00	
835-000	COREWELL HEALTH, JAIL	JAIL/R. BURTTS	101	774702	66.00	
835-000	CENTRAL MICHIGAN CORRECTIONAL, HEALTI	JAIL/DR/NURSE	328		4,390.66	
835-000	COREWELL HEALTH, JAIL	JAIL/L. SHEPARD	102	722842	11.28	
835-000	CHERRY HEALTH	JAIL/D. MYERS	251	819/MYERS		
835-000	CHERRY HEALTH	JAIL/SERVICES	243	144/BARBE		
835-000	ADVANCED RADIOLOGY	JAIL/A. EHLERS	101	5110	41.00	
			Sub Total 10	1-351 JAIL	12,045.88	
101-400	PLANNING					
729-000	CAMPBELL, JUILE	PLANNING & ZONING/POSTAGE	7/10	0/25	13.75	١
861-000	MENNELL, CHRISTOPHER	PLANNING & ZONING/TRAVEL	7-2	025	285,53	i
861-000	KEESLER, JEFF	PLANNING & ZONING/TRAVEL	JUL	NE25	445.90)
	, , , , , , , , , , , , , , , , , , ,	:	Sub Total 101-400	PLANNING	745.18	
	•		Total 101 GENE	ERAL FUND	98,137.42	į
215-143	FRIEND OF THE COURT					
957-000	MGT IMPACT SOLUTIONS, LLC	FOC/APRIL-JUNE/BILLING	640)86	3,000.00)
		Sub Total 21	5-143 FRIEND OF T	THE COURT	3,000.00	<u>, </u>
		Total 215	FRIEND OF THE CO	OURT FUNE	3,000.00	ō
261-150	PUBLIC DEFENDER					
727-000		PUBLIC DEFENDER/REIMBUSE/P	OSTA 7/1	/25	76.1	5

BARRY COUNTY CLAIMS LIST COMMISSION MEETING OF 07/22/2025

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Account	Vendor	Description	Invoice	Amount	PO Num
261-150	PUBLIC DEFENDER	(Continued)			
727-000	KROUSE, ROBERTA	PUBLIC DEFENDER/OFFICE SUPPLIES	6/19/25	63.52	
801-000	SPITZLEY TRANSCRIBING, TANYA SPITZLEY	PUBLIC DEFENDER/PRELIM EXAMS	24-1292/3FY	2,059.05	
816-000	WOOLLEY LYONEL, THE WOOLLEY LAW FIRM	PUBLIC DEFENDER/BILLING	7/7/25	19,335.00	
816-000	BR SERVICES	PUBLIC DEFENDER/SERVICES	7/1/25	980.00	
816-000	BLUE ARROW CONSULTANTS LLC	PUBLIC DEFENDER/ATTY MCNEILL	25-189FY	725.00	
816-000	KINNEY, JAMES M ATTY	PUBLIC DEFENDER/BILLING	7/1/25	7,050.00	
816-000	HOEL, KRISTEN E.	PUBLIC DEFENDER/BILLING	JUNE25	4,837.50	
816-000	JONES-DWYER, CAROL	PUBLIC DEFENDER/BILLING	7/7/25	8,138.25	
816-000	MCNEILL, GORDON S.	PUBLIC DEFENDER/BILLING	JUNE25	5,510.50	
816-000	RUSSELL, KATHRYN	PUBLIC DEFENDER/BILLING	7/1/25	8,016.75	
816-000	APPLE STREET LAW OFFICE PLC	PUBLIC DEFENDER/BILLING	JUNE25/KY	5,067.00	
816-000	APPLE STREET LAW OFFICE PLC	PUBLIC DEFENDER/BILLING	JUNE25/KM	4,035.00	
		Sub Total 261-150	PUBLIC DEFENDER	65,893.72	
		Total 261	INDIGENT DEFENSE	65,893.72	
264-000	DEPT				
727-000	IDENTISYS INC.	CLERK/SMART 31 RIBBON	433499	164.80	
934-000	IDENTISYS INC.	CLERK/SERVICE CONTRACT	724067	655.00	
		Sub	Total 264-000 DEPT	819.80	
		Total 264 CONCEALE	D PISTOL LICENSING	819.80	
517-000	DEPT				
806-000	APPLE STREET LAW OFFICE PLC	TREASURER/SERVICES	14050	608.00	
		Sub	Total 517-000 DEPT	608.00	
		Total 517 F	ORECLOSURE FUND	608.00	
637-258	DATA PROCESSING				
732-020	LANSWEEPER INC.	IT/SYSTEMS	Q1362634	3,588.00	
732-030	CENTER FOR INTERNET, SECURITY INC	IT/MS-ISAC MEMBERSHIP	INV-250626-00	·	
816-040	TRACE3	IT/ADV OPS JUNE 25	INV1733685	1,150.00	
		Out T-4-1 007 050	DATA PROCESSING	5,733.00	

BARRY COUNTY CI 18 LIST COMMISSION MEETING 07/22/2025

Account	Vendor	Description	Invoice	Amount	PO Num
		Total 637 DATA PRO	CESSING FUND	5,733.00	
661-000 981-030 981-030	DEPT ERGOTECH CONTROLS LLC, DBA INDUSTRIAI MARK'S BODY SHOP	VEHICLE/EQUIPMENT FOR 2025 TAHO VEHICLE/SUPPLIES	INV-1696899 109269	965.58 3,494.90	
		Sub Total	661-000 DEPT	4,460.48	•
		Total 661	VEHICLE FUND	4,460.48	•
			Grand Total	178,652.42	

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249698	7/14/2025	053490 ADVANCED RADIOLOGY	1015110		JAIL/A. EHLERS Total:	41.00 41.00
249699	7/14/2025	,	14050 20013197 JUNE25/KM JUNE25/KY		TREASURER/SERVICES FAMILY COURT/KY1377/KM963 PUBLIC DEFENDER/BILLING PUBLIC DEFENDER/BILLING Total:	608.00 2,340.00 4,035.00 5,067.00 12,050.00
249700	7/14/2025		20013206 2007603		FAMILY COURT/LEGAL FEES FAMILY COURT/LEGAL FEES Total:	3,330.00 216.00 3,546.00
249701	7/14/2025	003400 BARRY COUNTY LUMBER COMPANY	7/2/25		BLDG & GROUNDS/COLD PATCH Total:	199.90 199.90
249702	7/14/2025	057071 BLUE ARROW CONSULTANTS LLC	25-189FY		PUBLIC DEFENDER/ATTY MCNEILL Total:	725.00 725.00
249703	7/14/2025	057571 BR SERVICES	7/1/25	•	PUBLIC DEFENDER/SERVICES Total:	980.00 980.00
249704	7/14/2025	055500 CAMPBELL, JUILE	7/10/25		PLANNING & ZONING/POSTAGE Total:	13.75 13.75
249705	7/14/2025	049816 CARTRIDGE WORLD	1205998		SHERIFF/2 TONERS Total:	506.98 506.98
249706	7/14/2025	057809 CENTER FOR INTERNET, SECURITY INC	INV-250626-0067681		IT/MS-ISAC MEMBERSHIP Total:	995.00 995.00
249707	7/14/2025	056209 CENTRAL MICHIGAN CORRECTIONAL, F	328		JAIL/DR/NURSE Total:	4,390.66 4,390.66
249708	7/14/2025	024748 CEREAL CITY GROUP LLC, NAPA AUTO I	200287		SHERIFF/PARTS - TAHOE 36/42 Total :	149.12 149.12

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249709	7/14/2025	052475 CHERRY HEALTH	243144/BARBEE 251819/MYERS		JAIL/SERVICES JAIL/D. MYERS Total :	20.00 55.20 75.20
249710	7/14/2025	048180 CINTAS	4235038676 4235663399 9327257827		JAIL/JANITOR JAIL/MISC JAIL/SERVICE CONTRACT Total :	294.25 382.00 504.00 1,180.25
249711	7/14/2025	008626 CORE TECHNOLOGY CORP	CORMN0002321		SHERIFF/ANNUAL MAINT/TALON DI Total :	9,420.40 9,420.40
249712	7/14/2025	056821 COREWELL HEALTH, JAIL	101774702 102722842		JAIL/R. BURTTS JAIL/L. SHEPARD Total :	66.00 11.28 77.28
249713	7/14/2025	009000 CULLIGAN WATER CONDITIONING	7/3/25		ADULT PROBATION/WATER Total:	47.00 47.00
249714	7/14/2025	039960 DOHERTY, WILLIAM	2007596		FAMILY COURT/TRAVEL Total:	1,468.91 1,468.91
249715	7/14/2025	056715 ERGOTECH CONTROLS LLC, DBA IND	U\$ INV-1696899		VEHICLE/EQUIPMENT FOR 2025 TA Total:	965.58 965.58
249716	7/14/2025	014300 GORDON FOOD SERVICE, INC.	2002550200 9024212030 9024212044 9024212045 9024445945 9024445949		JAIL/CREDIT JAIL/FOOD JAIL/FOOD JAIL/SUPPLIES JAIL/FOOD JAIL/FOOD Total:	-33.25 2,518.79 206.18 73.60 199.00 2,728.68 5,693.00
249717	7/14/2025	052768 GOVERNMENT FORMS & SUPPLIES	0355313		REG. OF DEEDS/LCRC BOOKS (2) Total:	318.03 318.03
249718	7/14/2025	054535 GRAINGER	9565113629	•	BLDG & GROUNDS/INSULATED TAF	35.40

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Voucher	Date	Vendor	Invoice	PO#	Description/Account	Amount
249718	7/14/2025	054535	(Continued)		Total :	35.40
249719	7/14/2025	034865 HASTINGS ACE HARDWARE	JUNE25		BLDG & GROUNDS/STATEMENT Total:	1,014.15 1,014.15
249720	7/14/2025	041730 HOEL, KRISTEN E.	JUNE25		PUBLIC DEFENDER/BILLING Total:	4,837.50 4,837.50
249721	7/14/2025	049772 IDENTISYS INC.	433499 724067		CLERK/SMART 31 RIBBON CLERK/SERVICE CONTRACT Total:	164.80 655.00 819.80
249722	7/14/2025	019364 JONES-DWYER, CAROL	7/7/25		PUBLIC DEFENDER/BILLING Total:	8,138.25 8,138.25
249723	7/14/2025	057563 KEESLER, JEFF	JUNE25		PLANNING & ZONING/TRAVEL Total :	445.90 445.90
249724	7/14/2025	020711 KINNEY, JAMES M ATTY	20013207 2007604 7/1/25		FAMILY COURT/LEGAL FEES FAMILY COURT/LEGAL FEES PUBLIC DEFENDER/BILLING Total:	2,979.00 495.00 7,050.00 10,524.00
249725	7/14/2025	053368 KROUSE, ROBERTA	6/19/25 7/1/25		PUBLIC DEFENDER/OFFICE SUPPL PUBLIC DEFENDER/REIMBUSE/PO Total :	63.52 76.15 139.67
249726	7/14/2025	020930 L & S SERVICE, INC	3462		SHERIFF/TRANS #1 Total:	5,307.93 5,307.93
249727	7/14/2025	057808 LANSWEEPER INC.	Q1362634		IT/SYSTEMS Total:	3,588.00 3,588.00
249728	7/14/2025	057552 LEGACY AUTOMOTIVE AND TOWING	027966 027976 027980 027990 028003		SHERIFF/TIRES/MT/BAL SHERIFF/CHARGE AC SHERIFF/OIL CHANGE # 28 SHERIFF/RADIATOR REPLACE #21 SHERIFF/SHOCKS/TIRES/OIL/BRAK	906.00 240.20 84.72 544.51 3,466.24

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249728	7/14/2025	057552	LEGACY AUTOMOTIVE AND TOWING	(Continued) 028023		SHERIFF/MT/BAL/DISP 2 TIRES Total :	192.00 5,433.67
249729	7/14/2025	041667	MARK'S BODY SHOP	109269		VEHICLE/SUPPLIES Total:	3,494.90 3,494.90
249730	7/14/2025	053248	MCNEILL, GORDON S.	JUNE25		PUBLIC DEFENDER/BILLING Total:	5,510.50 5,510.50
249731	7/14/2025	056988	MENNELL, CHRISTOPHER	7-2025		PLANNING & ZONING/TRAVEL Total:	285.53 285.53
249732	7/14/2025	046612	MGT IMPACT SOLUTIONS, LLC	64086		FOC/APRIL-JUNE/BILLING Total:	3,000.00 3,000.00
249733	7/14/2025	044423	MICHIGAN ASSOC. OF COUNTIES	m3147		COMMISSIONERS/COUNTY DUES Total:	11,175.14 11,175.14
249734	7/14/2025	057031	O'CONNOR ATTY, KELLY	2007600		FAMILY COURT/LEGAL FEES Total:	195.00 195.00
249735	7/14/2025	025967	OFFICE DEPOT	429566797001		JAIL/OFFICE SUPPLIES Total:	194.61 194.61
249736	7/14/2025	055825	POULSON BARRY, POULSON & ASSOC	20013209		FAMILY COURT/LEGAL FEES Total:	1,863.00 1,863.00
249737	7/14/2025	029500	PRAIRIE FARMS DAIRY	9058114 9064519		JAIL/MILKS JAIL/MILK Total :	192.50 201.38 393.88
249738	7/14/2025	050882	QUILL CORP., C/O REGISTER OF DEEDS	44690421 44695462		REG. OF DEEDS/OFFICE SIGNS REG. OF DEEDS/SUPPLIES Total :	23.58 321.18 344.76
249739	7/14/2025	028400	QUILL CORPORATION	44577716 44588664		TREASURER/OFFICE SUPPLIES TREASURER/OFFICE SUPPLIES	46.96 15.00

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249739	7/14/2025	028400	028400 QUILL CORPORATION	(Continued)		Total :	61.96
249740	7/14/2025	028801	REDWOOD TOXICOLOGY LAB, INC.	00043620255		FAMILY COURT/HEALTH SERVICES Total:	21.00 21.00
249741	7/14/2025	055215	ROWERDINK	01JC0098		SHERIFF/REPAIRS #36 #46 Total:	323.07 323.07
249742	7/14/2025	048351	RR DONNELLEY	586350501		CLERK/VRHS11 Total:	790.00 790.00
249743	7/14/2025	030123	RUSSELL, KATHRYN	2007606 7/1/25		FAMILY COURT/LEGAL FEE PUBLIC DEFENDER/BILLING Total:	2,443.50 8,016.75 10,460.25
249744	7/14/2025	053438	SALISBURY ATTY, STACI	2007599		FAMILY COURT/LEGAL FEES Total:	32.50 32.50
249745	7/14/2025	056685	SPITZLEY TRANSCRIBING, TANYA SPITZ	2 20013199 24-1292/3FY		FAMILY COURT/TRANSCRIPTS PUBLIC DEFENDER/PRELIM EXAM: Total:	567.30 2,059.05 2,626.35
249746	7/14/2025	053592	STAPLES	6035494539 7005875127		CLERK/MICR TONER SHERIFF/SUPPLIES Total:	302.20 305.34 607.54
249747	7/14/2025	050976	STORRS, STEVEN G.	20013204		FAMILY COURT/LEGAL FEES Total:	85.00 85.00
249748	7/14/2025	056826	TRACE3	INV1733685		IT/ADV OPS JUNE 25 Total:	1,150.00 1,150.00
249749	7/14/2025	053376	TRITECH SOFTWARE SYSTEMS A, CEN	7 441229		SHERIFF/RECORD SYSTEM MAINT Total:	30,055.92 30,055.92
249750	7/14/2025	036598	WEST PAYMENT CENTER	852227903		FAMILY COURT/BOOKS Total:	37.43 37.43

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249751	7/14/2025	040022 WILDER TIRE & AUTO LLC	17650		FAMILY COURT/VEHICLE MAINT Total:	61.75 61.75
249752	7/14/2025	054672 WOOLLEY LYONEL, THE WOOLLEY	LAW 20013210 2007607 7/7/25		FAMILY COURT/LEGAL FEES FAMILY COURT/LEGAL FEES PUBLIC DEFENDER/BILLING Total:	1,584.00 1,836.00 19,335.00 22,755.00
;	55 Vouchers t	for bank code: 001			Bank total :	178,652.42