

AGENDA REPORT

TO: Mayor & City Commissioners
FROM: Ken Hibl, City Manager
DATE: December 16, 2009
RE: *Communications



For the Agenda December 21, 2009

***Note: This is a Consent Agenda item and is considered as routine by the City Commission. As such, this matter shall be automatically enacted by one motion with all other Consent Agenda items unless a Commissioner or citizen requests this item be individually discussed, in which event it shall be removed from the Consent Agenda and considered and acted upon in its designated sequence on the approved Clare City Commission agenda of December 21, 2009.**

The following major items of correspondence were either received by or transmitted by the City since the last regularly scheduled City Commission meeting:

MAC 3 Correspondence. MAC 3 TV has issued the attached notice related to the recent channel realignment by Charter Communications for local cable TV subscribers.

Airport T-Hangar Project Meeting Report. A record of the referenced meeting is attached for the City Commission's information.

City Treasurer Correspondence. Our City Treasurer forwarded the enclosed correspondence to one of our neighboring governmental entities related to an invoice received by the City.

USDA Correspondence. We received the enclosed correspondence from the USDA related to our pending loan for sanitary sewer system improvements.

Tax Tribunal Consent Judgment. The Tax Tribunal has formally issued the attached Consent Judgment, thereby approving the proposed agreement between the City of Clare and the Doherty Hotel.

Attachments. As noted above.



*Have
you
noticed
something?*

**MID MICHIGAN AREA
CABLE CONSORTIUM**

NOTICE TO CHARTER CABLE SUBSCRIBERS

Effective December 1st, your Public, Educational and Governmental , community access channels were moved into the 90's channel locations in a corporate action initiated by Charter Communications Inc. .

You will now find your access programming as follows:

- ◇ ***Channel 3 is now found on channel 99***
- ◇ Educational access for all schools and parents, formerly on 18 or 17, now found on channel 98
- ◇ Central Michigan University, in Isabella County, formerly channel 23 is now found on channel 97
- ◇ Governmental access for Gratiot, Isabella & Clare counties, formerly on channel 26 is now found on Channel 96

If you are experiencing any difficulties in locating, or receiving the signal to, any of these channels, please contact us so that we can best continue to ensure that you are receiving the quality programming that you have come to expect from your community public access television network.

Mac3TV Central Office: 989-773-9730

Gratiot Public Access: 989-463-5883

www.mac3tv.com or info@mac3tv.com



Project Meeting Report

Meeting Date: **December 4, 2009**
Time: **1:00 p.m.**
Location: **Terminal Building**
From: **William M. Malinowski, P.E.**
Subject: **Project Progress Meeting**

Client: **City Of Clare**
Project Name: **Clare Municipal Airport
Seven-Unit T-Hangar**
Location: **Clare, Michigan 48617**
URS Project No.: **12941630**
Project No.: **B-26-0020-2109**
Contract No.: **FM 18-2-C21**
Issue Date: **December 7, 2009**

Attendees:

J.R. Heineman Construction
Dale Johnson, Mike Gaffke
Smith Electric
Gary Smith
URS Corporation
Bill Malinowski

Distribution: **Clare Municipal Airport**
Ken Hibl / Richard Acker, Airport Manager
MDOT Aviation Division
Laura Wise, PE
J.R. Heineman
Mike Gaffke
URS Corporation
Bill Malinowski

This report will confirm those items discussed and/or decisions reached.

1. URS requested a status report on the Electrical work to be performed on the hangar project. Gary Smith advised that he has the permit and intends to complete the work in accordance with the URS e-mail of November 20, 2009.(copy attached) His only variance will be that he will use THHN wire instead of TW or THW that was specified.
2. URS advised that the electrical inspector visited the site and advised Dick Acker that the materials to be used were not as specified and would not approve them.
3. A site inspection of material on site revealed that they were as submitted in shop drawings and outlined in the URS e-mail of November 20, 2009. Load center was a 125Amp main frame with lugs. Each panel will have a 60 amp main as specified.
4. Gary Smith advised he will abandon the underground plastic conduit and use EMT conduit. Abandoned conduit will be plugged.
5. The building service will be mounted to the West side of the hangar, come through the wall and go overhead to each of the distribution panels in the hangar units. Nothing will be installed in the Class I Division 2 area. Outlets will be at 42" above floor.

URS Corporation
3950 Sparks Drive SE
Grand Rapids, MI 49546-2420
T: 616.574.8500
F: 616.574.8542
www.urscorp.com

6. In summary, he advised that everything he intends to do will meet code.
7. We inspected the hangars and found that the internal partitions were about 25% complete. The foreman, Fred Fedak, advised that he expected to have all the internal partitions complete by next week. We looked at the roof perlins and found many of them were warped to some degree. Fred Fedak advised he thought it was due to the slope of the building. He advised that they tried to straighten them as much as possible and the results were the best he could do. URS will contact Erect-A-Tube to see if this is normal.
8. Electrical service was not installed. Mike Gaffke left the contracts with Consumers on Dick Ackers desk for signature and submittal to the utility. The utility has markers where the proposed line will be installed. Gary Smith advised he will cut the concrete apron to allow the utility company conduit to enter the meter sets.
9. Mike asked if he needed to install the two additional bump posts, and if so should the go into the concrete sidewalk adjacent to the meters. URS will request input from Dick Acker before advising the contractor. Dick advised that they will not be necessary.
10. Mike will provide the plastic covers for the bump posts instead of paint. He will use a yellow covering.

Unless information to the contrary is received within five (5) working days, the writer will assume all participants agree with the contents of this memorandum.

Signed: William M. Malinowski, P.E.
URS Corporation



Bill Malinowski/GrandRapids/URSCorp

11/20/2009 11:03 AM

To "bruce keidel" <bkeidel4870@charter.net>

cc dacker@cityofclare.org, smithelectric47@gmail.com,
Mike@jrheineman.com

bcc

Subject Re: AIRPORT ELECTRICAL DRAWINGS 

Mr. Keidel: Thank you for your inquiry regarding data required for issuance of an Electrical Permit. I forwarded it on to the electrical contractor for clarification as to what he intended to furnish, however he has not responded so I am advising what we intended to use and he will be obligated to use this information to order and install equipment.

Light fixtures have been approved they are Guth, Guardtite VP Vapor-Proof Incandescent rated for Class 1, Division 2 use

Exterior fixture is a Cooper Lighting Lumark Wall Pak type, and mounted 2-10" below the top of the upper leaf of the bi-fold door

Wiring inside the building should be either TW or THW rated for 90 degrees Celsius

Conduit would be rigid and mounted above the 18" hazard area.

All outlets are to be mounted 24" above the finish floor and outside of the hazard area.

All switches are mounted 48" above the floor

Door operator on the 6 hangars is mounted 13' above the floor on the truss over the door and is a 3/4 H, 230 volt, 6.9 Amp enclosed motor. On hangar 1 the operator is mounted 14 feet above the finished floor and is a 1 HP, 8 amp 230v enclosed motor.

A NEMA 620 R receptacle is provided at the motor to act as a disconnect.

There is no other equipment to be installed in the hangar

I hope this answers any questions, and if you have further questions, please feel free to contact me.

Bill Malinowski, PE, LEED@AP

Vice President - Air Transportation



3950 Sparks Drive SE

Grand Rapids, MI 49546

Tel: 616.574.8500

[Website](#) | [Map](#)

Direct: 616.574.8513

Mobile: 616.481.6484

Fax: 616.574.8542

Email: Bill_Malinowski@URSCorp.com

Please consider the environment before printing this email.

This e-mail and any attachments contain URS Corporation confidential information that may be proprietary or privileged. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.



CITY OF CLARE

202 West Fifth Street • Clare, Michigan 48617-1490
989/386-7541 • Fax 989/386-4508
www.cityofclare.org

December 4, 2009

CITY HALL

Ph 989/386-7541
Fx 989/386-4508
www.cityofclare.org

DEPARTMENT OF PUBLIC WORKS

Ph 989/386-2182
Fx 989/386-3445

W/WWT PLANT

Ph 989/386-2321
Fx 989/386-2387

POLICE DEPT.

Non-emergency
Ph 989/386-2121
Fx 989/386-0440

FIRE DEPT. NON-EMERGENCY

Ph 989/386-2151
Fx 989/386-3020

PARKS & RECREATION

Ph 989/386-7541
Fx 989/386-4508

AIRPORT

Ph 989/386-0445
Fx 989/386-4508

MAIN STREET MANAGER

Ph 989/386-9190
Fx 989/386-9190

Mrs. Tammy L. Shea
Grant Township Treasurer
4760 E. Beaverton Road
Clare, Michigan 48617

Dear Tammy,

Enclosed you will find a winter tax bill in the amount of \$95.00 that we received from Grant Township for parcel number 18-015-036-100-05. The charge on the tax bill indicates that it is for rubbish service, however, as you aware this property is not occupied and does not receive or need any refuse service.

This is the second year that we have received a tax bill for this property even though we have previously corresponded with yourself and also Ms. Gentz concerning this issue. A copy of our previous correspondence is attached for your reference and use in this matter.

Please take whatever action is required to remove this charge from this parcel for this tax year and all future tax years. Since this billing is on the tax roll please also send us a written confirmation of this action for our records.

If you have any questions let us know.

Thanks,

Steven J. Kingsbury
Treasurer, Finance Director and
Director of Information Technology
City of Clare

*Ken,
FYI copy since
you attend the
Grant Twp board
meetings.
Steve*

GRANT TOWNSHIP
 TAMMY L SHEA, TREASURER
 4760 E BEAVERTON RD
 CLARE, MI 48617

Bill #
 1186

Property #
 18-015-036-100-05

MAKE CHECKS PAYABLE TO:
 GRANT TOWNSHIP
 PHONE: 989-386-3717

Please enter any name or mailing address corrections.

MAIL TO 18-015-036-100-05 Seq # 000421 Bill # 1186

CITY OF CLARE
 202 W FIFTH ST
 CLARE MI 48617

RETURN THIS PORTION WITH YOUR CHECK

2009 WINTER TAX

Total Amount Due: \$ 95.00



OWNER CITY OF CLARE
 202 W FIFTH ST
 CLARE MI 48617

NOT A RECEIPT UNTIL STAMPED OR SIGNED BY THE TREASURER. NOT RESPONSIBLE IF PAID ON THE WRONG DESCRIPTION. APPLICATION TO PAY THE YEARS TAX OR ITEM OF TAX APPEARING ON THE RECEIPT AND NO OTHER.

01186015409

SIGNED: _____ TREASURER.

=====
 ===== Detach along the perforation and keep the bottom portion as your receipt =====

Property # 18-015-036-100-05

2009 WINTER TAX RECEIPT

GRANT TOWNSHIP

DOG TAGS ARE ONLY AVAILABLE AT THE COUNTY TREASURER'S OFFICE. PAYABLE TO TOWNSHIP TREASURER DEC 1 THRU FEB 28 NO FEE. 3/4 MILE EAST OF 27. PHONE: 989-386-3717 SELF ADDRESSED ENVELOPE ENCLOSED.

MAKE CHECKS PAYABLE TO:
 GRANT TOWNSHIP
 PHONE: 989-386-3717

MAIL TO CITY OF CLARE
 OWNER CITY OF CLARE

Taxable Value 0	Bill Number 1186
Assessed Value 0	School District 18020 CLARE SCHOOL DISTRICT
State Equalized Value 0	Property Class 090 TAX EXEMPT
Percent Declared as PRE, QA, QF, CP or IP Exemption 0%	

An Exemption as Homeowner's Principal Residence (PRE), Qualified Agriculture (QA), Qualified Forest (QF), or Industrial Personal (IP) exempts that % from School Operating Millage. Commercial Personal (CP) is exempt from 12 mills of Local School Operating Millage only.

Property Description:

5190 E WASHINGTON RDT17N R4W SEC 36 5198 E WASHINGTON RD THE W 250 FT OF E 365 FT OF NW 1/4 OF NW 1/4 N OF TOBACCO RIVER.

Taxing Unit	Mills	Code	Tax
COUNTY SENIORS	.4800		
COUNTY TRANSIT	.2953		
COUNTY 911	.3500		
TOWNSHIP OPERATI	.7515		
TOWNSHIP FIRE	1.1000		
PERE MAR DIST LIB	.9931		
MIC MICH COM COLL	1.2232		
RESD OPERATIN	.4075		
RESD SPEC ED	1.6310		
CLARE SCH DEBT	3.3000		
CLARE SCH OPER	18.0000	N	
RUBBISH		1R2	95.00

NOT RESPONSIBLE IF PAID ON THE WRONG DESCRIPTION

MARCH 1 TAXES GO DELINQUENT TO COUNTY TREASURER, BOX 564, HARRISON, MI 48625. CALL AFTER MAR 15 FOR AMOUNT DUE.

Total	95.00
Interest/Penalty	

Fiscal Years:			
County	10/01/2009 - 09/30/2010	TWP	04/01/2009 03/31/2010
State	10/01/2009 - 09/30/2010	School	07/01/2009 - 06/30/2010

Amount Due



CITY OF CLARE

202 WEST FIFTH STREET • CLARE, MICHIGAN 48617-1490
989/386-7541 • FAX 989/386-4508

AN EQUAL OPPORTUNITY EMPLOYER

December 4, 2008

Mrs. Tammy L. Shea
Grant Township Treasurer
4760 E. Beaverton Road
Clare, Michigan 48617

CITY HALL

PH 989/386-7541
FX 989/386-4508
WWW.CITYOFCLARE.ORG

DEPARTMENT OF PUBLIC WORKS

PH 989/386-2182
FX 989/386-3445

W/WWT PLANT

PH 989/386-2321
FX 989/386-2387

POLICE DEPT.

NON-EMERGENCY
PH 989/386-2121
FX 989/386-0440

FIRE DEPT. NON-EMERGENCY

PH 989/386-2151
FX 989/386-3020

AIRPORT

PH 989/386-0445
FX 989/386-4508

MAIN STREET MANAGER

PH 989/386-9190
FX 989/386-9190

Dear Tammy,

Enclosed you will find a winter tax bill in the amount of \$85.00 that we received from Grant Township for parcel number 18-015-036-100-05. The charge on the tax bill indicates that it is for rubbish service, however, as you aware this property is not occupied and does not receive or need any refuse service. A copy of our August 9, 2007 correspondence to the Grant Township Assessor is also attached for your reference and use in this matter.

Please take whatever action is required to remove this charge from this parcel for this tax year and all future tax years. Since this billing is on the tax roll please also send us a written confirmation of this action for our records.

If you have any questions let us know.

Thanks,

Steven J. Kingsbury
Treasurer and Finance Director
City of Clare

GRANT TOWNSHIP
 TAMMY L SHEA, TREASURER
 4760 E BEAVERTON RD
 CLARE, MI 48617

Bill #
 1186

Property #
 18-015-036-100-05

Please enter any name or mailing address corrections.

MAIL TO 18-015-036-100-05 Seq # 000431 Bill # 1186

CITY OF CLARE
 202 W FIFTH ST
 CLARE MI 48617

MAKE CHECKS PAYABLE TO:
 GRANT TOWNSHIP
 PHONE: 989-386-3717
 HRS: TUES 10:00AM-5:00PM

RETURN THIS PORTION WITH YOUR CHECK

2008 WINTER TAX

Total Amount Due: \$ 85.00



OWNER CITY OF CLARE
 202 W FIFTH ST
 CLARE MI 48617

NOT A RECEIPT UNTIL STAMPED OR SIGNED BY THE TREASURER. NOT RESPONSIBLE IF PAID ON THE WRONG DESCRIPTION. APPLICATION TO PAY THE YEARS TAX OR ITEM OF TAX APPEARING ON THE RECEIPT AND NO OTHER.

01186015408

SIGNED: _____ TREASURER.

Detach along the perforation and keep the bottom portion as your receipt

Property # 18-015-036-100-05

2008 WINTER TAX RECEIPT

GRANT TOWNSHIP

DOG TAGS ARE ONLY AVAILABLE AT THE COUNTY TREASURER'S OFFICE. PAYABLE TO TOWNSHIP TREASURER DEC 1 THRU FEB 28 NO FEE. WINTER OFFICE HOURS: TUESDAYS 10:00 AM TO 5:00 PM. 3/4 MILE EAST OF 27. PHONE: 989-386-3717 SELF ADDRESSED ENVELOPE ENCLOSED.

MAKE CHECKS PAYABLE TO:
 GRANT TOWNSHIP
 PHONE: 989-386-3717
 HRS: TUES 10:00AM-5:00PM

MAIL TO CITY OF CLARE
 OWNER CITY OF CLARE

Taxable Value	Bill Number
0	1186
Assessed Value	School District
0	18020 CLARE SCHOOL DISTRICT
State Equalized Value	Property Class
0	090 TAX EXEMPT

Percent Declared as PRE, QA, QF, CP or IP Exemption
 0%

An Exemption as Homeowner's Principal Residence (PRE), Qualified Agriculture (QA), Qualified Forest (QF), or Industrial Personal (IP) exempts that % from School Operating Millage. Commercial Personal (CP) is exempt from 12 mills of Local School Operating Millage only.

Property Description:

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RESD SPEC ED	1.6310		
CLARE SCH DEBT	3.4500		
CLARE SCH OPER	17.7354	N	
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NOT RESPONSIBLE IF PAID ON THE WRONG DESCRIPTION

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Fiscal Years:			
County	10/01/2008 - 09/30/2009	TWP	04/01/2008 03/31/2009
State	10/01/2008 - 09/30/2009	School	07/01/2008 - 06/30/2009

Total	85.00
Interest/Penalty	
Amount Due	



CITY OF CLARE

202 WEST FIFTH STREET • CLARE, MICHIGAN 48617-1490
989/386-7541 • FAX 989/386-4508

AN EQUAL OPPORTUNITY EMPLOYER

August 9, 2007

Ms Dawn Gentz
Grant Township Assessor
PO Box 352
St Helen, Michigan 48656

CITY HALL

PH 989/386-7541
FX 989/386-4508
WWW.CITYOFCLARE.ORG

DEPARTMENT OF PUBLIC WORKS

PH 989/386-2182
FX 989/386-3445

W/WWT PLANT

PH 989/386-2321
FX 989/386-2387

POLICE DEPT.

NON-EMERGENCY
PH 989/386-2121
FX 989/386-0440

FIRE DEPT. NON-EMERGENCY

PH 989/386-2151
FX 989/386-3020

AIRPORT

PH 989/386-0445
FX 989/386-4508

MAIN STREET MANAGER

PH 989/386-9190
FX 989/386-9190

Dear Dawn,

As we discussed yesterday the City of Clare purchased a piece of property that is contiguous to the Clare City Airport in June 2006 and it therefore should have come off the tax roll as an exempt property. The background on this purchase is that after consider negotiations with the former property owner the city purchased the property rather than simply paying to remove numerous tall trees that were causing a displaced threshold to our airport runway.

Enclosed for your use in taking this matter to the December Board of Review you will find a copy of the summer 2007 tax bill that we received from Grant Township for this property (parcel number 18-015-036-100-05).

If you should have any questions concerning this matter please feel encouraged to contact us at your convenience.

Sincerely,

Steven J. Kingsbury
Treasurer and Finance Director
City of Clare

encl.
SJK/s



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

December 2, 2009

Pat Humphrey, City Manager
City of Clare
202 West Fifth Street
Clare, MI 48617-1490

Re: Sewer System Improvements Project

Dear Mr. Humphrey:

We are enclosing a copy of Form RD 1940-1, Request for Obligation of Funds, indicating that a loan in the amount of \$3,081,000 will be obligated on December 2, 2009. USDA, Rural Development reserved these funds for delivery upon fulfillment of all final conditions.

Also, enclosed is a copy of Form RD 1942-46, Letter of Intent to Meet Conditions, which you signed on November 20, 2009.

If you have any questions regarding the completion of all final conditions, please do not hesitate to contact Rural Development Specialist, Christine Maxwell in Caro, Michigan, at (989) 673-8173 extension 6.

Sincerely,

A handwritten signature in black ink that reads "James J. Turner".

James J. Turner
State Director

Enclosure

cc: Area Director, Caro

REQUEST FOR OBLIGATION OF FUNDS

INSTRUCTIONS-TYPE IN CAPITALIZED ELITE TYPE IN SPACES MARKED Complete Items 1 through 30 and applicable Items 31 through 43. See FMI.			
1. CASE NUMBER ST CO BORROWER ID 26 018 *****4529		LOAN NUMBER	FISCAL YEAR
2. BORROWER NAME CLARE CITY OF		3. NUMBER NAME FIELDS 1 1, 2, or 3 from Item 2)	
		4. STATE NAME Michigan	
		5. COUNTY NAME 018 Clare	
GENERAL BORROWER/LOAN INFORMATION			
6. RACE/ETHNIC CLASSIFICATION 1 - WHITE 4 - HISPANIC 2 - BLACK 5 - A/PI 3 - A/AN	7. TYPE OF APPLICANT 4 - PUBLIC BODY 5 - ASSOC. OF FARMERS 6 - ORG. OF FARM WORKERS 7 - OTHER 4	8. COLLATERAL CODE 1 - REAL ESTATE SECURED 2 - REAL ESTATE AND CHATTEL 3 - NOTE ONLY OR CHATTEL ONLY 7	9. EMPLOYEE RELATIONSHIP CODE 4 - MACHINERY ONI 5 - LIVESTOCK ONI 6 - CROPS ONLY 7 - SECURED BY BONDS 0
10. SEX CODE 3 - FAMILY UNIT 4 - ORGAN. MALE OWNED 5 - ORGAN. FEMALE OWNED 6 - PUBLIC BODY 6	11. MARITAL STATUS 1 - MARRIED 3 - UNMARRIED (INCLUDES WIDOWED/DIVORCED) 2 - SEPARATE 7	12. VETERAN CODE 1 - YES 2 - NO 2	13. CREDIT REPORT 1 - YES 2 - NO 2
14. DIRECT PAYMENT 3 (See FMI)	15. TYPE OF PAYMENT 1 - MONTHLY 3 - SEMI-ANNUALLY 2 - ANNUALLY 4 - QUARTERLY 3	16. FEE INSPECTION 1 - YES 2 - NO 2	17. INTEREST CREDIT 1 - YES (FRO SFH ONLY) 2 - NO 2
18. COMMUNITY SIZE 1 - 10,000 OR LESS (FOR SFH AND HPG ONLY) 2 - OVER 10,000		19. DWELLING TYPE/USE OF FUNDS CODE (See FMI)	
COMPLETE FOR OBLIGATION OF FUNDS			
20. TYPE OF ASSISTANCE 539 (See FMI)	21. PURPOSE CODE 3	22. SOURCE OF FUNDS 2	23. TYPE OF ACTION 1 - OBLIGATION ONLY 2 - OBLIGATION/CHECK REQUEST 3 - CORRECTION OF OBLIGATION 1
24. TYPE OF SUBMISSION 1 - INITIAL 2 - SUBSEQUENT 1	25. AMOUNT OF LOAN \$ 3,081,000.00		26. AMOUNT OF GRANT \$ 0.00
27. AMOUNT OF IMMEDIATE ADVANCE \$ 0.00	28. DATE OF APPROVAL MO DA YR 12 -- 02 -- 09	29. INTEREST RATE 2.5000%	30. REPAYMENT TERMS 40
COMPLETE FOR SINGLE FAMILY HOUSING ONLY			
31. INCOME CATEGORY CODES 1 - VERY LOW 3 - MODERATE 2 - LOW 4 - ABOVE MODERATE		32. LOW INCOME LIMIT-MAX.	33. ADJUSTED FAMILY INCOME
34. R.E.INSURANCE	35. R.E.TAXES 1st year	36. R.E. TAXES 2nd year	37. NOTE INSTALLMENT INELIGIBLE
38. TYPE OF UNIT 1 - FARM TRACT 2 - NON-FARM TRACT			
COMPLETE FOR COMMUNITY PROGRAM AND CERTAIN MULTIPLE-FAMILY HOUSING LOANS			
39. PROFIT TYPE 1 - FULL PROFIT 2 - LIMITED PROFIT 3 - NONPROFIT			
COMPLETE FOR EM LOANS ONLY		COMPLETE FOR CREDIT SALE-ASSUMPTION	
40. DISASTER DESIGNATION NUMBER (See FMI)		41. TYPE OF SALE 1 - CREDIT SALE ONLY 2 - ASSUMPTION ONLY 3 - CREDIT SALE WITH SUB LOA 4 - ASSUMPTION WIT SUBSEQUENT LOAN	
FINANCE OFFICE USE ONLY		COMPLETE FOR FP LOANS ONLY	
42. OBLIGATION DATE MO DA YR 11 -- 12 -- 01 -- 09		43. BEGINNING FARMER/RANCHER (See FMI)	

If the decision contained above in this form results in denial, reduction or cancellation of USDA assistance, you may appeal this decision and have a hearing or you may request a review in lieu of a hearing. Please use the form we have included for this purpose.

American Recovery and Reinvestment Act of 2009 ("Recovery Act")

Recovery Act requirements apply to this financing. You must understand and agree to these following conditions specific to the Recovery Act:

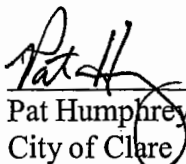
(1) **Certifications.** With respect to Recovery Act funds made available to State or local governments for infrastructure investments, Section 1511 of the Recovery Act requires the Governor, mayor or other chief executive, as appropriate, to certify that the infrastructure investment has been properly approved as required by law and that the chief executive accepts responsibility that the infrastructure investment is an appropriate use of taxpayer dollars. RD Water and Waste personnel will provide specific guidance on the information required in the certification.

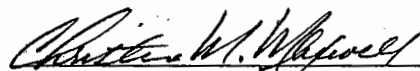
(2) **Reports on Use of Funds.** Section 1512 of the Recovery Act requires each recipient receiving Recovery Act funding to provide specific information to the government on a periodic basis for inclusion in various internal and publicly-available reports. RD Water and Waste Program personnel will provide specific guidance on the type and frequency of information required to assist Recovery Act recipients in complying with this condition.

(3) **Buy American.** Section 1605 of the Recovery Act requires that all projects financed with Recovery Act funds be bid and constructed using only iron, steel and manufactured goods produced in the United States in accordance with Section 1605 of the Recovery Act. Specific guidance, including contract provisions to be included in any construction contracts, is being formulated and drafted as of the date of the Letter of Conditions. RD Water and Waste Program personnel will provide specific guidance related to this condition as soon as it is available.

(4) **Wage Rate Requirements.** Section 1606 of the Recovery Act requires that all laborers and mechanics employed by contractors and subcontractors for the project will be paid wages at rates not less than those prevailing on projects of a character similar in the locality where this project will occur. Specific guidance, including contract provisions to be included in any construction or otherwise related contracts, is being formulated and drafted as of the date of the Letter of Conditions. RD Water and Waste Program personnel will provide specific guidance related to this condition as soon as it is available.

Compliance with the conditions in this section is required for financing under the Recovery Act. We have discussed and understand that we must comply with these conditions specific to the Recovery Act to receive financing for your project.


Pat Humphrey, City Mayor
City of Clare


Christine M. Maxwell, Area Specialist
Rural Development Representative

11/20/09
Date

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT

LETTER OF INTENT TO MEET CONDITIONS

Date 11/20/2009

TO: Rural Development
United States Department of Agriculture
1075 Cleaver Rd
Caro MI 48723

(Office Address)

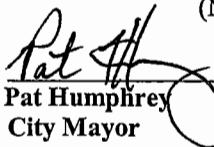
We have reviewed and understand the conditions set forth in your letter dated _____
11/20/2009

It is our intent to meet all of them not later than 6/1/2010

We are also requesting that we be given the interest rate in effect at the time of loan approval or at the time of loan closing, whichever is lower. In other words, we want the lowest interest rate possible.

CLARE CITY OF

(Name of Association)

BY 

Pat Humphrey
City Mayor

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL**

HOTEL DOHERTY, INC.,

Petitioner,

v.

MTT Docket No. 345569

CITY OF CLARE,

Respondent.

CONSENT JUDGMENT

TRIBUNAL JUDGE PRESIDING

Rachel J. Asbury

A stipulation has been entered into between petitioner and respondent, for settlement purposes only and for only the tax years involved and for no other purpose whatsoever. They have agreed to the taxable value(s), true cash value(s) and state equalized valuation(s) of commercial property in the amount shown on the attached schedule and revising the 2008 and 2009 taxable value(s), assessment(s) and state equalized value(s), as shown on the attached schedule, to be entered on the assessment rolls; and

The stipulation has been accepted by the Michigan Tax Tribunal, and

IT IS HEREBY ORDERED AND ADJUDGED that the officer charged with keeping the assessment rolls for the years shown above shall correct or cause the assessment rolls to be corrected to reflect assessment(s), taxable value(s) and state equalized value(s) in the amounts shown on the attached schedule, subject to the process of equalization, within 20 days after entry of this Judgment. The resulting assessment(s), as equalized, shall equal but shall not exceed 50% of the true cash value shown on the attached schedule.

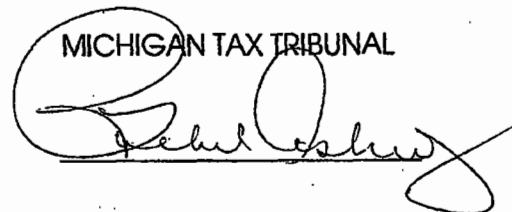
IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with keeping the tax rolls shall correct or cause the tax rolls to be corrected in accordance with the above-ordered correction of assessment.

ADM

IT IS FURTHER ORDERED AND ADJUDGED that the officer charged with collecting or refunding the affected tax shall collect taxes and any applicable interest or issue a refund as required by this judgment within 20 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. A sum determined to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of payment. A sum determined by the Tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Order. As provided in 1994 PA 254 and 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for period after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before January 1, 1996, at an interest rate set monthly at a per annum rate based on the auction rate of the 91-day discount treasury bill rate for the first Monday in each month, plus 1%. After January 1, 1996, interest shall accrue at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995, at the rate of 6.55% for calendar year 1996, (ii) after December 31, 1996, at the rate of 6.11% for calendar year 1997, (iii) after December 31, 1997, at the rate of 6.04% for calendar year 1998, (iv) after December 31, 1998, at the rate of 6.01% for calendar year 1999 and (v) after December 31, 1999, at the rate of 5.49% for calendar year 2000, and (vi) after December 31, 2000, at the rate of 6.56% for calendar year 2001; and (vii) after December 31, 2001, at the rate of 5.56% for calendar year 2002; and (viii) after December 31, 2002, at the rate of 2.78% for calendar year 2003; (ix) after December 31, 2003, at the rate of 2.16% for calendar year 2004; (x) after December 31, 2004, at the rate of 2.07% for calendar year 2005; (xi) after December 31, 2005, at the rate of 3.66 % for calendar year 2006; (xii) after December 31, 2006, at the rate of 5.42% for calendar year 2007; (xiii) after December 31, 2007, at the rate of 5.81% for calendar year 2008; and (xiv) after December 31, 2008, at the rate of 3.31% for calendar year 2009.

Refunds shall be made payable jointly to Petitioner named herein and its counsel Honigman Miller Schwartz and Cohn LLP and sent in care of such counsel. The officer making the refund shall charge back such refund (including interest and collection fee) to all units in the same proportion as it was originally distributed. The chargeback may be made prior to or subsequent to the payment of the refund. However, said refund shall be made within 20 days after entry of this judgment.

The property is located in the City of Clare, Clare County, Clare Public Schools and Clare-Gadwin RESD.

MICHIGAN TAX TRIBUNAL


Entered: DEC 09 2009

DETROIT.3928495.1

**Department of Energy, Labor and Economic Growth
Michigan Tax Tribunal
Schedule for Consent Judgment
Hotel Doherty, Inc. v Clare
MTT Docket # 345569**

<u>Property Tax Code</u>	<u>Year</u>	<u>Original Assessed Value</u>	<u>Original SEV</u>	<u>Original Taxable Value</u>
051-059-001-02	2008	\$ 2,832,100	\$ 2,832,100	\$ 2,605,148
051-059-001-02	2009	\$ 2,832,100	\$ 2,832,100	\$ 2,719,774

<u>Property Tax Code</u>	<u>Year</u>	<u>Settled Assessed Value</u>	<u>Settled SEV</u>	<u>Settled Taxable Value</u>
051-059-001-02	2008	\$ 2,375,000	\$ 2,375,000	\$ 2,375,000
051-059-001-02	2009	\$ 2,375,000	\$ 2,375,000	\$ 2,375,000

This Stipulation constitutes the full agreement between the parties, written or otherwise, as to the property's assessed value(s) for the tax year at issue or any other tax year(s).