

CASS CITY CHRONICLE

Complete coverage of the Cass City community and surrounding areas since 1899

VOLUME 113, NUMBER 21

CASS CITY, MICHIGAN - WEDNESDAY, JULY 31, 2019

.75 CENTS - 16 PAGES

Cass City attorney Bitzer new district court judge

by Tom Montgomery
Editor

The search for a new Tuscola County District Court judge has once again led state officials to Cass City.

Gov. Gretchen Whitmer last week announced the appointment of Cass City attorney Jason E. Bitzer to the 71B District Court bench in Tuscola County. He fills a vacancy left by the retirement earlier this year of veteran Judge Kim David Glaspie, also of Cass City.



Jason Bitzer

"Throughout Jason's career, he has worked hard to uphold and defend our justice system," Whitmer said. "His previous experience arguing in criminal, civil and probate matters allows him to seamlessly transition into this new role."

"I'm delighted to get the job. There were a lot of good applicants," commented Bitzer, 38, a partner and litigator with Bidding, Bitzer and Estelle, PLLC. Bitzer indicated he's confident in the experience he'll bring to the bench, including having practiced law in every court in Tuscola, Huron and Sanilac counties over the course of his career. And, he said, that includes every type of case handled by a district court – misdemeanors, civil cases involving \$25,000 or less, civil infractions, landlord/tenant law and land contracts.

Prior to joining his practice,

Bitzer served as a legal intern with the Michigan Attorney General's Alcohol and Gambling Enforcement Division. After joining Bidding in Cass City, he handled a variety of criminal, civil and pro-

bate matters, including serving as a court-appointed attorney representing individuals facing misdemeanor charges.

Bitzer recalled his court-appointed caseload totaled 700 to

900 misdemeanor clients a year, requiring him to be in court three to five days a week.

"I was in front of Judge Glaspie probably more than anyone else in Please turn to page 2.

Cass City officials address past due water utility bills

by Clarke Haire, Publisher

A new policy for non-payment of local water utility bills effective immediately was approved in a 6-0 roll call vote during Monday's regular monthly meeting of the Cass City Village Council.

Gone is the practice of combining past-due totals into the tax rolls of individuals, businesses and other account holders at year end. Instead, users with delinquent bills 45 days past due now face termination of services.

Once a shut-off notice has been issued, water customers have three options to continue their service; pay the outstanding bill, request a hearing to show good cause why the billing is in error, or visit the municipal offices to set up a payment plan.

If a customer's water service is canceled, a charge of \$25 will be assessed. In addition, another \$25 fee, plus the past due amount, will be required to restore service.

Please turn to page 4.

Novesta Township Hall now under construction

by Mary Drier
For the Chronicle

After wrangling with the issue for several months, Novesta Township is finally getting a hall of its own once again.

Bitzer named new assistant principal, AD

by Tom Montgomery
Editor

The Cass City Board of Education didn't have look far to find the local school district's new assistant principal and athletic director.

The board, meeting in special session Monday afternoon, unanimously, approved the hiring of Lindsay M. Bitzer, Cass City, to serve in both positions following the retirement of Assistant Principal and Athletic Director Don Markel after 39 years with the Cass City Public Schools. In addition, Title I Director and para-professional Justin Ketterer was promoted to assistant athletic di-

Please turn to page 5.

Crews are in the process of building a 2,000-square-foot township hall at the corner of Cemetery and Delong roads at an estimated cost of \$282,808.

When the structure is complete, township officials will no longer have to use the Cass City Gun Club building at 2676 N. Englehart Rd. for meetings. The gun club has served as the township's meeting place since August 2010, when officials left the former hall outside of Deford due to a number of issues.

During a recent meeting, two audience members expressed concerns about the amount of fill being brought in and compaction for the base of the new hall.

Township Supervisor Chad Daniels explained the builder is following the architect's plans.

In other matters, the board learned an employee of the township cannot serve on the planning commission. Clerk Pennie Rienas spoke to a Michigan Township Association (MTA) Attorney on the matter.

Beth Mellendorf turned in her letter of resignation on the planning commission and the zoning board of appeals, but she will remain as an employee of the cemetery.

Daniels thanked Mellendorf for her service to the township.

Please turn to page 2.

Pay day at the Tuscola County Fair



TUSCOLA COUNTY Fair veteran Caiden Parker, Uby, brought home the gold this year with his Grand Champion Market Beef. Parker, the son of Kate DeLong and Jeremy Parker and a member of the Cass City Livestock 4-H Club, sold his 1,427-pound steer to Cass City Oil and Gas for \$3,200 during Thursday's annual 4-H and FFA livestock auctions at the fairgrounds in Caro. Parker also took home Reserve Champion Overall Showman and Grand Champion Intermediate Showman honors. See more photos, pages 10 and 11.



THE auctions kicked off with the Osentoski Realty and Auctioneering crew, including veteran auctioneer David Osentoski (pointing), handling the small livestock sales. At right, former Thumb lawmakers (from left) Terry Brown (84th District state representative) and Mike Green, (former 31st District state senator) visit along with Mike's son, current 84th District state Rep. Phil Green, in the stands.



Huron youth vie for ambassador titles

Nearly a dozen youths took part in this year's Huron County 4-H Ambassador interviews, held earlier this month at the Huron Expo Center (fairgrounds) in Bad Axe.

Patricia Errer, Huron County 4-H program coordinator, reported five of the participating youths are Cloverbuds. They are:

*Sofie Kolar, daughter of Bryan and Krystal Kolar of Ubyly. She is six years old, attends Ubyly Elementary School and is a member of Ivanhoe Crop Hoppers 4-H Club.

*Lainey and Thomas Miller, both five years of age. They attend North Huron School and are members of the North Huron 4-H Club.

*Kynzie Morell, daughter of Darren and Jaelyn Morell of Ubyly. She is five years old, attends Adams School and is a member of Growing Go-ers 4-H Club, and

*Allison Yackle, daughter of Kyle and Vicki Yackle of Pigeon. She is five years old, attends Cross Lutheran School and is a member of the Country Kids 4-H Club.

Three youth applied and were interviewed at the Intermediate 4-H Ambassador tier. They are:

*Ava Morell, daughter of Darren and Jaelyn Morell of Ubyly, and Ed and Shelda Crosby. She is nine years old, attends Laker Elementary School and is a member of Growing Go-ers 4-H Club.

*Sydney Protzman, daughter of Carrie and Matt Lewis of Elkton and Nick Protzman of Caseville. She is also nine years old, attends Laker Elementary School and is a member of the Laker 4-H Club, and

*Eliannah Shupe, daughter of Christopher and Angelique Shupe of Elkton. She is eight years old, is homeschooled and is a member of Boots and Bling 4-H Club.

In addition, two teens applied and were interviewed at the Junior 4-H Ambassador tier. They are:

*Dori Battel, daughter of Bob and Sue Battel of Cass City. She is 12 years old, is homeschooled and is a member of Boots and Bling 4-H Club as well as the Cows-N-Clovers 4-H Club, and

*Evelyn Daskam, daughter of Michael and Tami Daskam of Ubyly. She is 13 years old, is homeschooled and is also a member of Boots and Bling 4-H Club.

Finally, one teen applied and was interviewed at the Senior 4-H Ambassador tier. She is Makaylie Gilbert, daughter of Chad and

Theresa Gilbert of Fillion. She is 15, attends Bad Axe High School and is a member of 4B's 4-H Club.

The announcement of the 2019-20 Huron County 4-H Ambassadors was scheduled to take place Monday night during the Huron Community Fair.



Makaylie Gilbert



Sydney Protzman



Dori Battel



Ava Morell



Evelyn Daskam



Eliannah Shupe



THIS YEAR'S Huron County Cloverbud 4-H Ambassador candidates are (from left) Kynzie Morell, Allison Yackle, Thomas and Lainey Miller, and Sofie Kolar.

New hall under construction

Continued from page one.

The board then approved Joe Boscaglia as zoning administrator and his wife, Sherry, as a planning commission member.

Also, David Robinson was appointed to the board of review to fill a vacancy created by the recent death of Ron Voss. Rienas pointed out that there should also be an alternate on the board, and Rochelle Robinson was named to the post.

Turning to other matters, although the township doesn't expect to host any elections this year, officials approved the purchase of equipment.

Rienas explained that Tuscola County Clerk Jodi Fetting is placing a mass order for the Voting Assist Terminals, and suggested the township purchase one from the election's account. The purchase of one was approved.

In other matters, the board approved several ordinances: the prohibition of marijuana establishments in the township, the governing of solar power, the wording to use wind energy harvest sites, and wording in the cemetery ordinance (replacing the word "vault" with burial container).

Cass City attorney Bitzer new district judge

Continued from page one.

the last 11, 12 years," he said. "I've got big shoes to fill, but when he stepped down, I knew that was a job I wanted."

The path to making that dream come true included two interviews, with the first taking place in front of 25 to 30 members of the Michigan State Bar. The second interview, Bitzer noted, was less formal and took place with the governor's chief legal counsel, two deputy legal counsels and her director of appointments.

Bitzer acknowledged there will be a transition from the role of advocating for a client to serving on the bench as a neutral party charged with ensuring both fairness and justice in each case that comes before him. However, he expects extensive experience in the mediation of various cases will serve him well as he takes on his new job starting Aug. 8.

"It's a lot of responsibility, (but) the staff at district court is fantastic - they're absolutely top-notch," he said. "I know they're going to help me transition into (my) new role."

Bitzer will serve the balance of Glaspie's term, which will expire Jan. 1, 2021. He will run as the incumbent in the November 2020 election for a full six-year term.

His appointment was welcomed by Tuscola County Chief and Circuit Court Judge Amy Grace Gierhart.

"I am elated to hear of Gov. Whitmer's decision to appoint local attorney Jason Bitzer to the district court bench," she commented last week.

"He has been raised in this community, and his knowledge, qualifications and demeanor will be a profound asset to the Tuscola County courts and this community for years to come," Gierhart added. "I could not be more pleased. I would also like to thank the governor and her staff for their careful, thorough and timely decision in this matter."

A graduate of Caro High School, Bitzer earned his Bachelor of Science Degree in communications and public law and government

from Eastern Michigan University, and his Juris Doctor Degree from the Thomas M. Cooley Law School. He has been in private practice with Biddinger and Bitzer since 2008.

Bitzer is a member of the Hills and Dales General Hospital Board of Directors, the Rotary Club of Cass City, and the United Way of Tuscola County Board of Directors. Bitzer is also a 2015 LEAD

Tuscola graduate.

He resides in Cass City with his wife, Lindsay Maharg Bitzer, and their daughter, Blair.

Glaspie, 63, a Cass City native and 1973 Cass City High School graduate, earned the distinction of being Tuscola County's longest-serving district court judge. He stepped down in the spring after serving nearly 30 years on the bench.

Name in chamber ad incorrect

A Cass City Chamber of Commerce "thank you" advertisement printed in the July 24 edition of the Chronicle incorrectly spelled the name of a platinum sponsor. The names Steve and Janet Auvil should have read Steve and Jane Auvil.

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In Our OPINION...

Clarke Haire
Publisher

Tom Montgomery
Editor

Free help available to give up smoking

New Year's is a long ways off, but if you've been thinking about giving up those cigarettes and have been toying with the idea of including quitting on your to-do list this summer, the Michigan Department of Health and Human Services (MDHHS) can help.

MDHHS officials are offering residents free nicotine patches, gum or lozenges through the end of September.

The offer is part of the Centers for Disease Control and Prevention (CDC) Tips From Former Smokers campaign featuring real people who are living with the effects of smoking-related diseases and secondhand smoke exposure.

Up to eight weeks of free nicotine patches, gum or lozenges are available to Michigan residents who call the Quitline at 800-QUIT-NOW (800-784-8669). Enrollment is available 24 hours a day, seven days a week.

"CDC's Tips campaign reminds people of the harmful effects of smoking and connects them with important resources like the Michigan Tobacco Quitline," says Dr. Joneigh Khaldun, MDHHS chief medical executive and chief deputy director for health. "As a physician and public health professional, I know all too well the terrible toll of smoking. MDHHS is committed to helping Michiganders quit tobacco products and reduce their risk of tobacco-related illnesses like cancer and heart disease."

Smoking remains the leading cause of preventable death and disease in the United States, claiming the lives of roughly 480,000 Americans each year.

In fact, tobacco kills more people in our state than AIDS, alcohol, auto accidents, drug overdoses, murders, and suicides combined. The use of cigarettes and other tobacco products is the single, most preventable cause of disease, disability and death, both in Michigan and across the United States.

More than 16 million Americans are living with a disease caused by smoking. For every person who dies because of smoking, at least 30 people live with a serious smoking-related illness. Smoking causes cancer, heart disease, stroke, lung diseases, diabetes, and chronic obstructive pulmonary disease (COPD), which includes emphysema and chronic bronchitis. Smoking also increases the risk for tuberculosis, certain eye diseases, and problems of the immune system, including rheumatoid arthritis.

In 2016, 20.4 percent of Michigan adults smoked, compared to a national rate of 17.1 percent. Both of those figures have been gradually shrinking.

According to CDC statistics, the adult smoking rate in the United States fell from 15.5 percent to 14 percent in 2017. The smoking rate in Michigan topped more than 23 percent in 2011.

Nearly 68 percent of smokers say they want to quit. Tobacco users interested in quitting are urged to call 800-QUIT-NOW (784-8669) or to visit Cdc.gov/tips for free help quitting and to view the personal stories from the campaign.

The Michigan Tobacco Quitline is an evidence-based service providing free telephone and online coaching and text messaging. More than 140,000 Michigan residents have used the quitline or the online coaching program to help them in their journey towards a tobacco-free life.

You can learn more by calling 800-QUIT-NOW or by visiting the website Michigan.gov/tobacco.

Drier Humor

by Mary Drier

What are they thinking?



As a journalist for more than three decades, I have often thought that thought about some of the area happenings I have reported on.

The expression "see you later alligator, after-while crocodile" took on a whole new meaning in one Tuscola County township, which was my most recent, "what the heck are they thinking" moment.

And, I think it was the same reaction of two Tuscola County deputies and a Dayton Township man when an alligator was killed in the Shay Lake area (see related story in this week's issue of the Chronicle).

When I heard an alligator had been shot in the southern part of the county, at first I thought it was a joke, but being a reporter I had to go check it out for myself.

Shay Lake is a pretty big area with several ponds and winding roads. I talked to a few people. Most didn't know anything about the alligator incident or said it was just a hoax.

All the while I was in the area, I was thinking about those "Lake Placid" movies that were popular a few years ago with the giant alligators fed by actress Betty White.

Because I have to use a wheel walker to get around, I kept scanning the area to make sure there was no other alligator lurking, and I had to work to clamp down a childhood fear of once again having to run from an alligator.

That is right. I came face to face with an alligator when I was a child and survived.

During my younger years, we lived part-time in Florida. Because it was just beginning to be a hot spot for snowbirds in the 1950s, the camp where my parents had their trailer was next to a swamp. There was a deep cement drainage ditch that kept the swamp critters out of the camp. The ditch did a good job of that, but it was not a deterrent to my adventurous older brother and his band of equally adventurous friends.

When my parents were gone, the guys decided they wanted to play in the swamp area. The cement barrier ditch wasn't very wide, so they could easily jump over it with their long legs.

At only about three-feet tall, I couldn't do that, so my brother would toss me across for one of his buddies to catch me or he would jump across it carrying me. The method of my transfer seemed to depend on how annoying I was as a little sister who had to be watched. I guess if I wasn't too annoying, I was carried over, otherwise I was tossed

to one of the guys on the other side with threats of being dropped.

While they explored the swamp, I was told to sit on a log, play with my doll and not to move. I was good. I did as I was told, I played for a long time and didn't move.

After a while, I noticed an odd looking log moving that suddenly had eyes, hissed and had teeth.

My screams brought the guys running and got the attention of a second log — alligator. In their hurry to get back to the park side of the cement ditch, I got dropped in the slimy, smelly water in that ditch.

My favorite dress had to be thrown away and I was washed down with cold water from a garden hose.

That cement ditch was put there for a reason... so what the heck were they thinking?



Rabbit Tracks

by Clarke Haire

(And anyone else he can get to help)

Cass City Boy Scout Peyton Bock has submitted his Eagle Scout project.

He plans to make improvements to the village walking trail by putting benches and distance markers along the path, starting near the Hospital Drive access site, crossing M-81 and ending at the Cass River.

Village Manager Debbie Powell says the project is scheduled to be completed this summer.

"I am very excited that the walking trail will have seating and directional markings for distance to the river as the FIT (First Impression Tourism) reviewers stated that we have the beautiful Cass River on our website, but asked "how do you get to the Cass River?" This is a start for the village to promote the Cass River, a picturesque and beautiful community asset," she said.

The Mt. Moriah Lodge No. 226, Caro, continues to support the educational efforts of area high school graduates.

Sunday during the Mason's annual award ceremony, 24 individuals were named to receive the group's 2019 Scholarship Award, each in the amount of \$500.

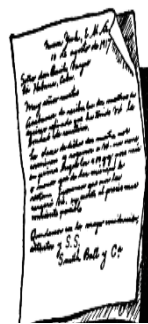
Gary Jones, Worshipful Master, proudly stated that this year marked the 19th year for the Michigan Masonic Charitable Foundation donations that have now totaled more than \$220,000.

Cass City grads that received the financial support include: Jesse Joseph Goniwicha, Kacey Jane Haire, Brittany Lynn Hamilton, Layna Mathewson, Brianna Lynn Mester, Anthony Michael Pawloski and Race Anthony Woloshen, while from Kingston Gerilyn Jade Carpenter, Camryn MacGuire, Carley May Smith, Morgan Leigh Talieu, Amira Renne Varvel and Emily Rose Warrington were among those receiving an award.

Kingston Schools is naming the Cardinals' football field after Hall of Fame Head Coach Mike Rea Thursday, Aug. 29, at the first home football game.

Officials say there will be a tailgate party before the game, followed by a ceremony to honor the former long-time coach.

All of Coach Rea's former players and coaches are invited to this special event, please help spread the news.



The Cass City Chronicle welcomes letters to the editor.

Letters must include the writer's name, address and telephone number. The latter is in case it is necessary to call for verification, but won't be used in the newspaper. Names will be withheld from publication upon request, for an adequate reason. The Chronicle reserves the right to edit letters for length and clarity.

We will not publish thank you letters of a specific nature, for instance, from a club thanking merchants who donated prizes for a raffle.

CASS CITY CHRONICLE

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CALENDAR EVENTS

Deadline for submitting items in the calendar is the Friday noon before publication. Please send calendar items to:
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Phone: (989)872-2010 Fax: (989)872-3810 chronicle@ccchronicle.net

Wednesday, July 31

- Spoonfuls of Plenty Free Community Meal, 3:30-6 p.m., Humand Development Commission at 429 Montague Ave., Caro. Open to anyone wanting a hot, home-style meal.
- Cass City Chamber meeting, 8 a.m., Rawson Memorial District Library.

Thursday, August 1

- AA meeting, 7-8 p.m., Good Shepherd Lutheran Church, Cass City. For more information, call (989) 553-5932.

Saturday, August 3

- Al-Anon meeting, 11 a.m., Cakima Serenity Home, Mayville. Call 989-912-5478 for more information.
- Suicide Survivor Grief Support Group, 1 p.m., Thumb Area Psychological Services 6627 Rose St., Cass City. For more information Lisa Schoettle, MA LPC NCC at 989-872-1800.

Sunday, August 4

- Hillside Community Brunch, 11 a.m. to 1 p.m., All you can eat. Free will offering.

Monday, August 5

- Alcoholics Anonymous, "Monday at a Time," 8 p.m., Parkside Cafe, 2031 Main St., Ubyly. For more information, call Angela R. at (989) 658-2319.
- AA meeting, 7-8 p.m., Good Shepherd Lutheran Church, Cass City. For more information, call (989) 553-5932.
- Novesta Township Board meeting, 7:30 p.m.
- Shabbona Outreach Baby Pantry, 10 a.m. to 3 p.m., Shabbona Outreach 5448 Shabbona Rd. Decker, MI. Gently used clothing and equipment, diapers, bottles, toys, formula, baby food. For more information contact Judy Doerr (989) 658-8625.

Tuesday, August 6

- Crafty Ladies Group, 1-4 p.m., Common Grounds (next to Revive). Bring a crafting project to work on. Call 989-551-7803 for more information.
- AA Meeting, 7-8 p.m., St. Joseph Church, 4960 N. Argyle Rd. (Meeting will be held in the hall next to the little stone church.)
- Al-Anon meeting, 7 p.m., Cakima Serenity Home, Mayville. Call 989-912-5478 for more information.

Village accepting bids for installation of new roof

Continued from page one.

The new policy outlines the procedures for nonpayment of water utilities. If utility payment is not received or satisfactory arrangements made within 30 days of the due date on a bill, a termination notice will be sent by first-class mail to inform the user that failure to pay the past due amount, including any penalties, within 15 days may result in termination of service.

The notice will also inform the user that they may request a hearing before the village manager prior to any termination of service. At the hearing, users will be given an opportunity to explain why the billing is in error or other reasons that the amounts billed are not owed and why service should not be terminated.

Village Manager Debbie Powell explained that, as the new ordinance is initially enforced, many customers owe for 12 to 18 months of utility service. For those customers with a balance of \$1,000 or less, payment plans for up to six months are available, while customers with a balance exceeding \$1,000 may sign up for payment plans spanning up to nine months.

Powell, who noted the village's account receivable balance for unpaid utility bills now totals more than \$100,000, said DPW personnel will place notification cards on the front doors of the delinquent properties prior to shut-off. The warnings will include the date water service will be terminated.

"Shut-offs will not take place on a Friday or within two days of any village of Cass City recognized holidays," she added.

SEEGER STREET UPGRADES

Aging water mains, lack of redundancy and potentially reduced pressures in some parts of the village has officials seeking \$1.3 million in funding from USDA Rural Development.

Although plans for repaving North and South Seeger Street, Third Street and Bulen Drive are already in place, the Seeger Street water and sewer system improvements are slated to begin in the spring of 2021, with completion expected in the fall of 2022.

"Now is the best time for infrastructure improvements below the street, before new pavement is installed," Powell said.

Those improvements will involve replacing undersized and aged water mains, creating a loop eliminating a dead-end main and potentially improving water pressure, and the replacement of sewer crossings across south Seeger Street that will eliminate failures.

OTHER BUSINESS

Also during Monday's 55-minute gathering, the council:

*Approved a motion to accept bids for the installation of a new roof on the cold storage barn in the park. Officials have budgeted \$25,000 to cover the repair.

Trustee Jenny Zawilinski reported that, during the winter of 2018, it was discovered that snow entered the cold storage barn through the roof peak. The barn is used to store a number of pieces of village equipment and also serves as the office area for the grounds crew department.

The storage building was constructed in the early 1970's and still has the original roof. Bids and specifications to replace the 2,400-square-foot roof are available at the municipal building at 6506 Main St.

*Approved the purchase and installation of four windows from Dave's Glass, Caro, at the municipal building in the amount of \$5,700.

In a written report, Chief of Police Craig Haynes noted three windows in the police offices are leaking, causing water damage to the interior and exterior of the building. Also included in the proposal is replacement of the window in the village manager's office that has a broken gasket and is no longer insulated.

*Learned that the village now accepts debit and credit card payments at the "point of sale" counter at the municipal building. The processing company, Point and Pay, assesses a three-percent fee at time of payment. This fee goes directly to Point and Pay, not to the village.

*Learned that the village has lost a total of \$1,416,366 in statutory revenue sharing since 2002.

Powell explained that there are two forms of state revenue sharing — statutory and constitutional. The statutory revenue to local governments has been cut annually and to such a degree that essential services — public safety, etc. — is now impacted in most communities, she reported. More information is available by visiting the website www.savemichigan.org.

Huron County man drowns

by Tom Montgomery
Editor

A Huron County man lost his life in a drowning accident early last week.

Huron County Sheriff Kelly J. Hanson identified the victim as Gordon W. Lasceski, 30, of Kinde.

According to reports, sheriff's deputies along with multiple emergency response agencies were dispatched to a beach off the Bay Drive residential area, just east of McGraw County Park in Hume Township Monday at 8:48 p.m.

Hanson said reports indicated the victim had been pulled into deeper water by wave current.

"Unfortunately, he ended up underneath the surface and never came back up," Hanson said, noting the victim had been in the water with his fiancé and her children, who were also taken by surprise by the strength of the current.

"Fortunately, the children were able to be brought back to shore by their mother, who in turn called 911," the sheriff reported. "Arriving first responders consisting of deputies, Caseville Police, Port Austin Fire and Caseville Fire organized and began a water search, assisted by family and bystanders."

"Just over 20 minutes later, the victim was found and brought to shore, where police EMTs, a responding paramedic and a regis-

tered nurse anesthetist who lives nearby began life-saving efforts. This effort continued over 40 minutes on the beach, as well as in (an ambulance) on the way to McLaren Thumb Region Hospital in Bad Axe," Hanson said. "However, doctors ended up pronouncing the victim dead shortly after 10:30 p.m."

"Even though the outcome was certainly not what any of us wanted, from what I witnessed on scene, I can attest to several fireman, police officers and ambulance personnel genuinely trying their best to overcome what unfortunately happened," he added.

Hanson urged beach goers to exercise extreme caution when swimming in rough water.

Sheriff: female inmate smuggles drugs into jail, suffers overdose

by Tom Montgomery
Editor

A Cass City woman facing a jail term following her conviction on a charge of retail fraud barely started serving her sentence Thursday night in the Tuscola County Jail when she was rushed to a hospital following an apparent drug overdose.

Now, she's expected to face additional criminal charges for al-

legedly smuggling drugs into a correctional facility.

Tuscola County Sheriff Glen Skrent initially released few details, but reported the 33-year-old woman began to exhibit symptoms of an overdose shortly after she entered the jail.

"(She) was immediately transported to the McLaren Caro Hospital," he said. "Investigation revealed she had brought drugs into the jail hidden in a body cavity."

Skrent said additional information will be released after the prosecutor's office authorizes charges and the defendant is formally arraigned.

He added the incident underscores a very real substance abuse epidemic that continues to unfold both locally and across the nation.

"Make no mistake about it," Skrent said, "this is a growing problem in our community and everywhere else."

Woman suffers injuries in Sanilac crash

by Tom Montgomery
Editor

A Sterling Heights woman suffered injuries in a two-vehicle collision Saturday morning in Sanilac County's Greenleaf Township.

Sanilac County Sheriff's deputies say the accident was reported shortly after 11 a.m. at the intersection of Cass City and Germania roads.

"Deputies arrived on scene and determined that a 2014 Chrysler

Town and Country minivan being driven by 47-year-old Mariana Jajou of Sterling Heights was traveling southbound on Cass City Road and stopped at the stop sign at Germania Road. The minivan had three passengers; a 15-year-old male, a 14-year-old female and a 13-year-old male, also all from Sterling Heights," Undersheriff Brad Roff said.

"The driver of the minivan pulled out and struck a 2003 Chevrolet Silverado on the driver's side that was being driven eastbound by

43-year-old Jared Heilig of Ubyly.

"The driver of the minivan was treated on scene by Sanilac EMS and transported to Hills and Dales General Hospital in Cass City for further treatment of her injuries," Roff said, noting airbags deployed in the minivan and all of the occupants reported wearing their seatbelts.

Alcohol was not a factor in the accident, according to the undersheriff, who said Bingham Township Fire-Rescue assisted deputies at the scene.

Four hurt in two-vehicle collision last week

Sanilac County Sheriff's deputies say four people were injured in a two-vehicle collision last week in Fremont Township.

Sgt. Ron DuBois reported the crash occurred shortly before 11:55 a.m. July 23 at the intersection of Todd and Galbraith Line roads.

"The investigation by Sanilac County Sheriff's deputies determined that a 53-year-old Caro man was driving a 2002 Chevrolet Trailblazer, along with a passenger, 66-year-old Dorothy Janowiak of Sandusky. They were

southbound on Todd Road and stopped at the stop sign at Galbraith Road," he said. "At the same time, 18-year-old Tyler Evans of Melvin was driving a 1999 Honda Civic westbound on Galbraith Road, traveling with his passenger, 49-year-old Lawrence Evans, also of Melvin."

"The driver of the Trailblazer thought the intersection was a four-way stop and pulled into the path of the westbound car," DuBois added.

Croswell EMS and Croswell fire fighters were dispatched to the

scene. Three people were treated and released, and the fourth was transported to McLaren Port Huron for further treatment.

DuBois did not release details regarding which driver or passenger was taken to the hospital, nor did he identify the Caro driver, saying the name was being withheld pending completion of the investigation.

All of the occupants reported wearing seatbelts, and alcohol was not a factor in the accident, he said.

Circuit court proceedings

Several appear on felony charges

The following people appeared in Tuscola County Circuit Court last week on various criminal charges:

*Frederick R. Colosky, Jr., 51, Vassar, was sentenced to 365 days in the county jail, with work release and worksite privileges, following his pleas of guilty to operating a motor vehicle with the presence of a controlled substance in his body, third offense, possession of marijuana or a synthetic equivalent, and driving with a suspended or revoked license, subsequent offense. He was also convicted of being an habitual offender (three or more prior felony convictions).

In addition to jail time, he was placed on probation for 60 months and ordered to complete 480 hours of community service and pay court costs and fines totaling \$1,558.

*Zachary T. Adamczyk, 23, Caro, was sentenced to 180 days in jail, with worksite privileges, following his pleas of guilty to re-

ceiving and concealing a stolen firearm and possession of a firearm in the commission of a felony between March 5 and March 15 in Dayton Township.

He was also placed on probation for 36 months and ordered to pay costs and fines totaling \$576.

*Cassandra L. Clark, 34, Marion, was placed on probation for 24 months following her pleas of no contest to two counts of attempted interfering with electronic communications between Nov. 14, 2015, and Sept. 30, 2016, in Vassar.

She was also ordered to pay costs and fines totaling \$685 plus restitution of \$4,719 to the state of Michigan.

*Anthony E. Putman, 30, Caro, was sentenced to 90 days in jail following his plea of guilty to operating a motor vehicle while under the influence of liquor, third offense, March 4 in Indianfields Township.

He was also placed on probation for 60 months and ordered to pay costs and fines totaling \$1,258.

*Brittini F. Barette, 28, Vassar, pleaded guilty to charges of possession of methamphetamine or Ecstasy and operating a motor vehicle with the presence of a controlled substance in her body June 30, 2018, in Caro. She was also convicted of being an habitual offender (three or more prior felony convictions).

A pre-sentence investigation was ordered and bond was continued at \$1,500. Sentencing is to be scheduled.

*Jane E. Williams, 48, Cass City, pleaded guilty to charges of operating a motor vehicle while under the influence of liquor, third offense, and assaulting, resisting or obstructing a police officer April 24 in Kingston Township. She was also convicted of being an habitual offender (two prior felony convictions).

A pre-sentence investigation was ordered, bond was continued at \$15,000 and the defendant was remanded to the custody of the sheriff's department. Sentencing is to be scheduled.

Reporter's notebook

Distracted by toilet talk...

by Tom Montgomery
Editor



Ever walk into a room on a mission, determined to grab something so you can complete a task you've been wanting to get around to, only to become completely distracted by something you don't even have on your to-do list?

Me, too. And I run the same risk of not crossing out something on my endless to-do list every time I search for information on the Internet.

I was recently conducting a bit of research on pond management — improving water quality, reducing algae, etc. — when a brief article on toilets caught my eye. I have no idea why.

But it was interesting. Adriana Miller, product manager at the time at Mansfield Plumbing, a longtime plumbing manufacturer in Ohio, was serving up some history on what we know by a number of names, including the porcelain throne, water closet, potty and, that old classic, the john.

"The modern toilet came about in 1596 when Sir John Harrington created a new type of water closet that involved a raised cistern," Miller explained. "He designed a small pipe from the cistern. Water ran down that pipe when released by a valve. From that time on people have been trying to improve on the toilet."

In case you're wondering, Mansfield Plumbing joined the toilet manufacturing scene in 1929, and today turns out more than a million toilets a year at its Perrysville facility.

"When you start talking about toilets there is quite an evolution that has taken place," says Miller. "Tanks used to be very large and wasted a good amount of water. Until a few decades ago they used 3.5 gallons per flush (Gpf) or more. Today there are extremely efficient toilets... that operate on just one Gpf."

Whether it's called the can, the potty or the throne, there are two "external factors" that make a toilet function — a person and toilet paper.

According to Toilet Paper Encyclopedia (an online source of endless fun facts), the average person spends three years during his or her lifetime on the toilet. And on average, consumers use 8.6 sheets of toilet paper per bathroom visit. Fast figuring computes this at 57 sheets per day, or a total annual average use of 20,805 sheets of toilet paper per year per person.

"There are so many unique facts about toilets," says Miller. "Many people don't know there are both one- and two-piece toilets. Others are clueless about pressure-assist versus gravity toilets. But no matter how much education we offer, it still comes down to one key factor in many households — should the toilet seat be left up or down? I think we've partly solved this dilemma by offering the SmartClose toilet seat. With a single touch this smart seat lid closes gently and quietly, which is a great compromise for everyone in the house!"

As long as I was digressing, I took my search a bit farther out of the way by reading a brief article on luxury smart toilets.

Did you know that the Japanese plumbing manufacturer Toto has been selling a line of toilet seats that double as bidets to American customers since the late 1980s? Not just a bidet, but a seat that sprays clean, warm water and provides a gentle drying with warm air. A bargain at \$4,500 and up.

If you think that's fancy, how about one that comes with Bluetooth, speakers and ambient colored lighting? Well, it exists in the Kohler Numi, priced at around \$6,000 (without the remote).

That tidbit left me far from flush with excitement. In fact, I quickly poo poed that pricey loo and vowed to get back on track with my research on bottled water.

Bitzer named assistant principal

Continued from page one.

rector.

Bitzer, who will earn \$65,000, was one of seven individuals originally selected to interview for the positions last week.

Two of the applicants did not interview, including Josh Stern, a Cass City sixth grade math teacher and coach who has accepted a position as assistant principal in the Deckerville Community Schools. Cass City physical education teacher and varsity football coach Scott Cuthrell, meanwhile, withdrew.

The other Cass City candidates vying for Markel's job were Ketterer, physical education/health teacher Adam Dorland and civics/social studies teacher Bill Hartzell. Also interviewing was Kelli McIntyre, physical education/health teacher in the Caro Schools.

Bitzer has recently worked for the Unionville-Sebewaing Area (USA) Schools, where she has been a school counselor since August 2010.

She was previously employed as an outpatient therapist for List Psychological Services, Caro, from February 2010 through July 2010. She has also worked as a therapist for Wolverine Human Services, Vassar, as a clinical case manager for Lincoln Center in Highland Park, and as a school-based therapist at the Valley Child Guidance Center in Palm-dale, Calif.

Bitzer has a bachelor's degree in social work and psychology from Hope College and a Master of Social Work Degree from the University of Michigan, and is currently working towards a master's in education leadership through Central Michigan University. She anticipates completing her studies and receiving her principal certification in 2020.

Cass City School Supt. Jeff Hartel noted officials are in the process of searching for a new sixth grade math teacher to fill the vacancy left by Stern's resignation, as well as a new high school special education teacher/para-professional to fill a vacancy left by the resignation of Stacey Markel, who is retiring along with her husband, Don. Stacey Markel served the Cass City Schools for 27 years.

Have a concern? A complaint? Just want to voice your opinion?

The Cass City Chronicle welcomes letters to the editor.

Letters must include the writer's name, address and telephone number. The latter is in case it is necessary to call for verification, but won't be used in the newspaper. Names will be withheld from publication upon request, for an adequate reason. The Chronicle reserves the right to edit letters for length and clarity.

We will not publish thank you letters of a specific nature, for instance, from a club thanking merchants who donated prizes for a raffle.

Down Memory Lane

by Tina Pallas



5 YEARS AGO (2014)

Cheryl Stephens spends some one-on-one time with Kingston Elementary School students Alex Yoe and Klaryssa Kratz last fall. Human Development Commission (HDC) officials are looking for more individuals like Stephens to serve as foster grandparents in area schools.

The 2014 Buckley Open 9-and-under Girls' Division winners at Rolling Hills Golf Course are Sydney Schefka and Braylon Gutierrez-Lenda.

The 2014 Buckley Open 9-and-under Boys' Division winners at Rolling Hills Golf Course are Grady Seltz, Drew Lowman and Trent Patrick.

The 2014 Buckley Open 16-18 Boys' Division winner at Rolling Hills Golf Course is Wyatt House.

The 2014 Buckley Open 10-12 Boys' Division winners at Rolling Hills Golf Course are Mitch Benson, Brady Krohn and Jacob Nichols.

Grand Champion Pen at the Tuscola County Fair livestock sales was awarded to Dominic Prezzato, son of Nick Prezzato. His market ducks were purchased by Sam and Susan Prezzato.

Paige Wood, daughter of Mike and Sabrina Wood, was awarded Grand Champion Pen. Her chickens went to Turner Equine and Equipment and Tom Turner.

10 YEARS AGO (2009)

Jennifer Marston recently graduated with a Doctor of Physical Therapy Degree from Central Michigan University. She is the daughter of Gary and Betty Marston, and the granddaughter of Jim and Marie Brown, all of Snover, and the great-granddaughter of the late Glen and Jenny Churchill of Cass City.

Joseph and Kayla DeLong of Ubyly announce the birth of their daughter, Breslyn Laurie. Breslyn was born at 11:24 a.m., July 5, 2009 at Huron Medical Center, Bad Axe. She weighed 8 pounds, 13 ounces and was 21 1/2 inches long. Her grandparents are Robert and Kathy DeLong, the late Laurie McRae, Max and Irene Morrish and Sandy and Bernie Wolny, all of Cass City. Great-grandparents are Laura and the late Ken McRae of Ubyly, Tom and Nora-jean Little, Roberta Darr and the late Brownie Morrish, all of Cass City, and Jean Moss of Mt. Pleasant. She is the great-great-granddaughter of Jean Boyl of Kingston.

25 YEARS AGO (1994)

Marine Cpl. Steven E. Pfaff, son of Edward J. and Ellen K. Pfaff of Snover, recently reported for duty with 2nd Assault Amphibious Battalion, 2nd Marine Division, Marine Corps, Camp, Lejeune, N.C. He joined the Marine Corps in May 1991.

Navy Petty Officer 1st Class Stephen L. Agar, son of William J. and Joann F. Agar of Decker, was recently selected as Sailor of the Quarter at Naval Hospital, Guantanamo Bay. Agar was chosen as the top performer from among all the sailors assigned to the command and was cited for outstanding professional accomplishment, proficiency, leadership, initiative and military bearing. He joined the Navy in December 1979.

35 YEARS AGO (1984)

Army Sgt. Kenneth L. Guilds, son of Charlotte Kitchin of Shabbona Road, Deford, has arrived for duty at Fort Benning, Ga. Guilds, an infantryman with the 197th Infantry Brigade, was previously assigned in Kitzingen, West Germany.

Ubyly school bus driver Leonard J. Schumacher's trip to Alaska was worth it. The 10-year driver finished 18th of 71 or 73 drivers in the national school bus driving championships July 16-17 in Anchorage. Although not as well as he did last year, when he finished 15th, he still scored enough points, 473 of a possible 600, to

qualify for next year's national competition, regardless of how he does in regional and state competition. A minimum of 450 points was needed.

Navy Petty Officer 1st Class Daniel T. Kubiak, son of Sylvester and Helen Kubiak of Notter Road, Gageton, is one of more than 50,000 sailors and marines from five nations taking part in a major maritime exercise called "Rimpac '84." He is a crew member aboard the amphibious assault ship USS Peleliu, homeported in Long Beach, Calif.

40 YEARS AGO (1979)

Mr. and Mrs. Charles Tuckey announce the birth of their first grandchild, a seven-pound, 11 ounce boy, Charles Matthew, born July 28 to their son and daughter-in-law, Mr. and Mrs. Charles Tuckey of Ann Arbor.

Navy Gunner's Mate Seaman Kevin D. Hunt, son of Harriette I. Hunt of 4291 West Street, Cass City, is currently participating in exercise "Unitas XX" in the Southern Hemisphere. He is a crewmember aboard the guided missile destroyer USS Dewey, homeported in Charleston, S.C. This marks the 20th consecutive year for the series of combined U.S. and South American naval exercises called "Unitas." Participating U.S. forces will circumnavigate South America and join with the Navies of Venezuela, Brazil, Uruguay, Argentina, Chile, Peru, Ecuador and Colombia for the scheduled training. Units will visit some 20 cities in eight different countries during the 4%-month deployment. A 1976 graduate of Caro High School, Hunt joined the Navy in September of that year.

Colleen Whittaker of Cass City, riding Heza Big 1014, earned the most points in the 4-H horse show at the Tuscola County Fair, thus qualifying her to compete in the state 4-H horse show later this month at Michigan State University.

50 YEARS AGO (1969)

Specialist Four Robert R. Bukoski, 21, son of Mr. and Mrs. Clarence Bukoski, of Ubyly received his second award, the Army Commendation Medal June 23, in Vietnam. Spec. 4 Bukoski received the award for heroism in action while engaged in military operations against a hostile force in Vietnam. His first award was a Purple Heart for injuries sustained when a personnel carrier in which he was riding struck a buried mine touching off an explosion which killed several American soldiers. He is a rifleman assigned with Company D, 2nd Battalion of the 9th Infantry Division's 60th Infantry near Tan Tru. He expects to complete his tenure in two-and-

one-half months.

Sergeant David L. Burk and Specialist Four Alvin R. Burk II have received citations for "meritorious service" in support of military operations against community aggression, in the Republic of Vietnam. Sergeant Burk is presently stationed at Fort Jackson in South Carolina. Specialist Four Burk is in Vietnam. Sergeant David Burk has received the Army commendation medal for his "exceptionally meritorious" performance through the period April 3, 1968, to March 17, 1969. SP-4 Alvin Burk H has received "The Air Medal", for meritorious achievement while participating in aerial flight. The award is certified by the president. They are the sons of Mr. and Mrs. Alvin Burk of Decker.

75 YEARS AGO (1944)

John Arnold Reagh, pilot of a bomber in England, has been the recipient of air medals. He is the son of Mr. and Mrs. Ira Reagh of Branch, Michigan, former residents of Cass City.

Mr. and Mrs. George Willard received the Purple Heart from their son, Pfc. Thomas Willard, who was awarded the Purple Heart for wounds received in action in France for the battle for Normandy. This is the second Purple Heart received by Mr. and Mrs. Willard. The first one was received when their son, Pvt. George Willard, was killed in action in New Guinea, Aug. 1, 1943.

Returning from Camp Pendleton, Oceanside, Calif., with Sgt. Carson S. O'Dell were his wife of Wyandotte and his mother, Mrs. Warren O'Dell of Cass City. The two women had gone to visit him and later returned with him after he had received a furlough. Carson's furlough was very timely as Pvt. Bernard A. O'Dell, brother of Carson, who had not been home since his induction 15 months ago, was also home on furlough along with his wife and son, Philip, who have been staying with him in South Dakota. Bernard has been made radio instructor at the Army Air base at Sioux Falls, S. D.

100 YEARS AGO (1919)

L. I. Wood is enjoying several days' visit with his brother, Cassius I. H. Wood, who has just returned from overseas where he spent over a year in the work of the Y. M. C. A. Mr. Wood is on his way west to join his family at Pt. Townsend, Wash.

C. D. Striffler shipped a carload of cattle to Detroit Saturday. On Sunday, he accompanied F. A. Bliss and family on their motor trip, stopping at Detroit, while the party continued their journey to Chardon, Ohio. He sold the cattle Monday and came home Tuesday morning.

Cass City United Methodist Church

5100 Cemetery Rd, Cass City, Church Phone: (989) 872-3422

Rev. Robert Paul Demyanovich, Pastor
All Are Welcome Here!

Mark your Event Calendars!

From the church that provides your Dorcas Meals. Dorcas Next Meal is on Wednesday, August 14th at 12:00 noon. Our meal is chicken. Take-out orders call (989) 872-4604. All are welcome!

July Events:

We need Arts, Crafts & Jewelry Vendors to share your wares in our Parking Lot or inside our fellowship hall on Sat. July 27th 10:00 am - 4:00 pm Thumb Arts, Music, Food & Fun. Bouncy House 4 Kids, Food, Fun and Music and vendors selling lots of items. CALL JULIE JANIK @ (989) 872-3422 to Register by Friday, July 26th.

August Events

Community Picnic Sat. August 3rd 10:00 am - 4:00 pm Kids Fly a Kite or Teens/Parents Fly a Drone. Picnic at the church grounds. Prizes. In case of rain - Sat. August 17th.

Sat. August 17th 10:00 am - 4:00 pm Classic Car, Tractor & Motorcycle Show Salute to our Veterans Sponsored by the Cass City UMC - Progressive Group Music, Food & Fun. Bouncy House 4 Kids, Food, Fun and Music. Box Lunches & Drinks available for purchase.

UMW Rummage Sale - Wednesday August 21 6:30 - 8:30 pm Thursday, August 22 9:00 - 5:00 pm and Friday, August 23rd at 9:30 am Big Sales - Big Savings - Lots of Fun.

September Events FISH FRY'S ARE BACK!

After our successful Lenten Fish Fry's, they are back on the Friday, September 27th @ 6:00 pm and on Friday, October 18th @ 6:00 pm. Come and share good food and fellowship.

Upcoming events in October 2019

Godspell the Musical 4th & 5th & 6th Seating & Refreshments start at 6:00 pm

Annual Church Bazaar 26th 9:00-5pm Trunk & Treat Sunday, 27th 2pm

Sunday Worship 9:30 am

Web site: www.casscityumc.org Find us on Facebook



TUSCOLA COUNTY Sheriff's deputies say a county man recently shot and killed an alligator in the Shay Lake area after he stumbled upon the large reptile – which had escaped from a nearby residence — while catching minnows near his home.

Loose alligator case in Tuscola Co. referred to the prosecutor's office

by Tom Montgomery
Editor

Michigan's summer weather hasn't been unlike the heat and humidity Floridians are used to, but at least local residents don't have to worry about crossing paths with an alligator.

Or do they?

Tuscola County Sheriff's deputies say a county man recently stumbled upon and killed an alligator that had escaped captivity.

Deputies were dispatched to Silverwood (Dayton Township) in the Shay Lake area for a reported loose animal July 20 just before noon, according to Tuscola County Undersheriff Bob Baxter.

"The caller reported that he had just shot an alligator in a creek near Shay Lake," Baxter said. "(He) reported that he was in the ditch to collect minnows to go fishing in his pond when he heard

a 'hissing' sound, then an alligator lunged at him. The caller was carrying a pistol at the time (and) drew and shot the alligator.

"Upon inspection, you could see where the alligator had slid down the bank towards the water," added Baxter, who estimated the reptile was five to six feet in length and weighed roughly 50 to 60 pounds.

"The investigation lead to a neighbor's house, where it was discovered the property contained Emus, tortoises, turtles and two additional alligators," Baxter said. "The animals were housed in fenced-in enclosures, but it was determined that one alligator had gotten out.

"The property owner indicated that he has an exotic animal rescue and conducts educational seminars with the animals at local schools as well as outdoor expos. Along with the (other) animals... he also has six different rattle

snakes in the residence."

Baxter noted the case has been referred over to the Tuscola County Prosecutor's Office for review of the circumstances.

Although alligators aren't native to Michigan, an estimated 3,000 to 5,000 are being kept as pets in the state. It's legal to own a pet alligator in Michigan, but many counties and cities have ordinances and restrictions against them.

Over the last few months, there have been several reports of pet alligators escaping in various parts of the state, including Jackson and Milford and Delta counties.

Depending on their size and age, an alligator can swim and run between 10 to 15 mph. When fully grown, they can reach 16 feet in length and weigh nearly 1,000 pounds. They can live between 80 to 100 years.

Mary Drier contributed to this story.

**DEPRESSION IS REAL
YOU ARE NOT ALONE -
16 million Americans are
affected each year**

TBHS 989.673.6191

People of all ages and all racial, ethnic and socioeconomic backgrounds experience depression.

SYMPTOMS Depression can present different symptoms, depending on the person. But for most people, depressive disorder changes how they function day-to-day, and typically for more than two weeks. Common symptoms include:

- ~ Changes in sleep ~ Changes in appetite ~ Lack of concentration
- ~ Suicidal thoughts ~ Loss of energy ~ Lack of interest in activities
- ~ Hopelessness or guilty thoughts ~ Physical aches and pains
- ~ Changes in movement (less activity or agitation)

CAUSES Depression does not have a single cause. It can be triggered by a life crisis, physical illness or something else - but it can also occur spontaneously. Several factors may contribute to depression:

- ~ **Trauma.** When people experience trauma at an early age, it can cause long-term changes in how their brains respond to fear and stress. These changes may lead to depression.
- ~ **Genetics.** Mood disorders, such as depression, tend to run in families.
- ~ **Life circumstances.** Marital status, relationship changes, financial standing and where a person lives influence whether a person develops depression.
- ~ **Brain changes.** Imaging studies have shown that the frontal lobe of the brain becomes less active when a person is depressed. Depression is also associated with changes in how the pituitary gland and hypothalamus respond to hormone stimulation.
- ~ **Other medical conditions.** People who have a history of sleep disturbances, medical illness, chronic pain, anxiety and attention-deficit hyperactivity disorder (ADHD) are more likely to develop depression. Some medical syndromes (like hypothyroidism) can mimic depressive disorder. Some medications can also cause symptoms of depression.
- ~ **Drug and alcohol abuse.** Approximately 30% of people with substance abuse problems also have depression. *Source: NAMI*

Tuscola Behavioral Health Systems
989.673.6191 or 1.800.462.6814
Emergency Services available 24/7

County controller hiring still in limbo following meeting

by Mary Drier
For the Chronicle

Some Tuscola County commissioners continue to express doubts about the recent filling of a key staff position.

Commission Chairman Thom Bardwell says he has fielded several concerns regarding hiring a person to serve as the county's new controller-administrator when the candidate does not have a college degree, proven leadership skills, and is charged with managing a \$14 million budget.

In early May, commissioners approved hiring Tuscola County Chief Accountant Clayette Zechmeister to fill a vacancy left by the retirement of longtime Controller-Administrator Mike Hoagland. The motion narrowly passed on a vote of three to two, with Bardwell and Commissioner Daniel Grimshaw casting the "no" votes. Commissioners Tom Young, Kim Vaughan and Mark Jensen all supported the hiring.

Members of the normally cohesive board have since remained at odds over selection of Zechmeister for the job.

Bardwell and Grimshaw feel former county Commissioner Matthew Bierlein is the better candidate, and they tried to secure his hiring during a meeting Thursday.

Grimshaw made a motion, which Bardwell supported, to have a separate controller and a separate administrator rather than the combined position, and to split duties between Bierlein and Zechmeister. Bardwell and Grimshaw voted "yes" on the motion, but their fellow commissioners rejected the measure.

During the 90-minute discussion on the employment issue, Bardwell and Grimshaw chastised Vaughan for seeking legal clarification on some issues regarding Zechmeister's situation.

"Doing that is challenging my position as chair," Bardwell told Vaughan.

Jensen, meanwhile, said he regrets becoming a commissioner, because he thought he could serve the county and do some good.

"We appointed Clayette. We've spent hours talking about nuances of that and too long rehashing it. If you want two separate positions, do that the next time around. We are not getting anything done," Jensen said.

"The key to good government is good employees."

Over the last two months, Jensen, Vaughan and Young have each at one time or another noted that Zechmeister's more than 30 years of experience with the county balances out not having a degree.

The crux of the disconnect between the commissioners is that an employment agreement has not been reached for Zechmeister, despite Hoagland having given notice six months prior to his June 14 retirement. He also provided a step-by-step timeline to fill the position in order to ensure a smooth transition.

Jensen pointed out problems started when the board stopped following the proposed timeline.

It wasn't until the May 20 meeting — 14 days after Zechmeister had been hired — that Bardwell asked the board to "begin crafting an employment contract" for her as the controller-administrator, and what items to consider in the agreement.

She was offered a salary of \$87,740, and a two-year contract. Then, in mid-June, her employment offer was changed when commissioners added the provision of no automatic pay increases during her first contract.

With her employment terms being offered piecemeal and involving revisions and concerns about some wording, Zechmeister rejected the offer and wanted to consult with her attorney.

At that point, commissioners appointed her as interim controller-administrator going back to midnight June 14, and adjusted her pay.

The advertisement for the position, posted in February, offered a salary of up to \$90,000, commensurate with experience, to continue the position with the title of controller-administrator with the statutory provisions of the Controllers Act, to have ten years of experience in management, accounting, business or finance, preferably in a county or other local government setting, and a degree preferable.

Earlier this month, commissioners met with their attorney in a closed session and then tabled the controller-administrator issue when they returned to open session.

Because Zechmeister didn't accept the revised employment agreement, Bardwell and Grimshaw contend the agreement to hire her can be considered as "null and void."

As such, the board's options are: continuing to negotiate an employment agreement, rescind the as-is contract, amend the employment agreement, have no contract, rescind the decision on hiring Zechmeister, go with one of the other candidates who were originally interviewed, or to start the hiring process over again.

Thumb road work on tap

Road crews will begin upgrades to sections of M-53 and M-25 in Huron and Sanilac counties Monday, Aug. 5.

The Michigan Department of Transportation (MDOT) will invest \$1.7 million to resurface 13 miles of M-25 and M-53, including joint repairs and resurfacing of the M-53-M-46 intersection. The work will take place on M-25 from Canboro Road to Stein Road, and on M-53 from M-46 to Severance Road.

Traffic will be maintained with traffic regulators, according to MDOT officials, who noted the project is weather dependent.

The estimated completion date is Saturday, Oct. 5.

BOOK SALE

August 1 - 3

Most Hard Cover Books - 50¢, Paperbacks - 25¢
Saturday - \$1/Bag

Thursday 9-5:30
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Obituaries

Charlene Garrett

Charlene Frances Paige Garrett, 89, arrived at her Heavenly home on July 17, 2019, with her family by her side.

Charlene was born April 13, 1930, in Jackson, Michigan, to Howard and Jennie (Barnes) Paige.

She grew up in Flint and Saginaw and graduated from Arthur Hill High School.

While attending Ames Methodist Church, she met her future husband, Robert P. Garrett. They married on June 9, 1951, while she was attending Asbury College.



They were married for 64 years until Robert ("The Rev") passed in 2016. Together, they raised four children, served 12 churches, visited the ill and homebound, sang in church choirs, acted in numerous plays with the Port Austin Community Players, and supported each other as a team.

Charlene was also very well known in the community as an Avon representative, team leader, President's Club member and manager.

Charlene loved following Jesus' call to serve through writing poetry, baking, being kind and always smiling. She was also proud of having taught a young man in junior high how to read. Charlene loved spending time with her fam-

ily, including her four children, their spouses, grandchildren and great-grandchildren. She enjoyed playing Skip-Bo, Scrabble and other games, eating ice cream, going to the beach and watching sunsets.

Charlene will be greatly missed by her children Robert (Paula) Garrett Jr., Sue (David) Johnston, Connie (Ken) Smeader and Laura (Dennis) Hill; grandchildren Kelli Garrett, Dr. Mallory Garrett, Allison (Andrew) Carson, Adam Garrett, Megan (James) Clause, Alycia Johnston, Joshua (Jessica) Smeader, Shannon (Jermaine) Morris, Ryan (Bethany) Smeader, Jason (Alexandra) Hill, Bryan (Melissa) Hill and Robyn (Eddie Jr.) Williams; and 13 great-grandchildren.

The family would also like to thank the caregivers at Northwood Meadows in Cass City for their constant care and support for Charlene and beloved Angel.

A Celebration of Life service will be held Saturday, September 21, at the Cass City United Methodist Church, 5100 N Cemetery Rd., Cass City. Visitation, including a light meal, will begin at 11:00 a.m., with the service starting at 1:00 p.m.

Anyone wishing to make a monetary memorial may do so to any of the following: Northwood Meadows Assisted Living, United Methodist Church of either Port Austin, Elkton or Cass City, Port Austin Community Players or Bay Shore Camp.

Vincent Sattelberg

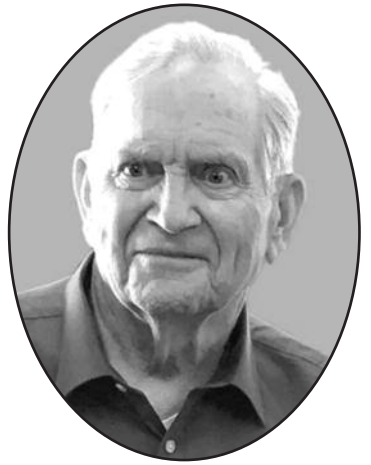
Vincent Sattelberg, 90, of Unionville, passed away Thursday, July 25, 2019 at Heritage Hill Assisted Living in Caro.

Vincent was born May 9, 1929 in Gagetown, the son of the late Benjamin and Lydia (Ewald) Sattelberg.

He was united in marriage with the former Joanne Park on December 22, 1951, and she preceded him in death on June 28, 2000.

He married the former Betty (Copron) Mikkelson on October 6, 2001 and she survives.

Vincent loved the land and farmed his entire life. He was an



active lifelong member of St. Peter Lutheran Church (Columbia Corners) where he was very involved and taught Sunday school. He enjoyed working with stained glass, cars, was very particular about his lawn and landscaping, and also enjoyed winters in Arizona.

Vincent is survived by his wife, Betty Sattelberg of Unionville; three children and their spouses, Margie & Greg Talaski of Filion, Jim & DeAnn Sattelberg of Caro and Richard & Joan Sattelberg of Unionville; Betty's three children and spouses, Harley & Merry Mikkelson of Caro, Bonnie Mikkelson of Saginaw and Linda & Tom Culbert of Caro; 16 grandchildren, 26 great-grandchildren; one sister, Bernice Hass of Kinde; and many nieces and nephews.

In addition to his parents and first wife, Vincent was preceded in death by three siblings, Edna Prime, Beatrice Schulz and Raymond Sattelberg.

Funeral services will be held at

11:00 a.m. on Wednesday, July 31, at St. Peter Lutheran Church (Columbia Corners) with the Rev. Paulette Cummings officiating. Military honors will follow the service under the auspices of the U.S. Army and the Caro American Legion Post #7.

The family will be present to receive friends at the Ransford Collon Funeral Home in Caro on Tuesday from 4:00 p.m. until 8:00 p.m. and at the church on Wednesday from 10:00 a.m. until the time of the service at 11:00 a.m.

Those planning an expression of sympathy may wish to consider memorial contributions to St. Peter Lutheran Church (Columbia Corners).

The family was assisted with these arrangements by the Ransford Collon Funeral Home of Caro. Friends may share memories, thoughts and prayers online at www.RansfordCollon.com.

Ralph Wilke

Ralph Henry Wilke, 82, of Cass City, died peacefully Friday, July 26, 2019 in Covenant Medical Center, Harrison Campus, Saginaw.

He was born April 17, 1937 in Detroit, the youngest of three children born to William Louis and Elizabeth (Lenz) Wilke.

He married Joyce Julia Joslin September 8, 1973 in Redeemer Lutheran Church, St. Clair Shores.

Ralph graduated from Wilbur Wright High School, Detroit with the class of 1956. He served in the U.S. Army during the Cuban Missile Crisis. Ralph worked as a Fells Operator for Chrysler at the Hamtramck plant and later at the Highland Park plant until he was injured in the early 1970's. He enjoyed planting flowers, working jigsaw puzzles, knitting and crocheting, and camping with his family. Ralph loved to load the family in the car and take them on "adventures". He enjoyed spend-

ing time with his grandchildren. Ralph was a member of Good Shepherd Lutheran Church.

Ralph is survived by his wife, Joyce; children: Ralph Wilke II of Cass City and Darlene (Billy) Johnson of Caro; grandchildren: Melonise Johnson and Cassidy Johnson; cousins, nieces and nephews including, Pamela (John) Rank and Janet Szczygiel. He will also be remembered by Joyce's family.



He was preceded in death by his parents; sister and brother-in-law, Lucille and Phillip Szczygiel; brother and sister-in-law, William and Mildred Wilke.

A funeral service was held at 11:00 a.m. Tuesday, July 30, in Good Shepherd Lutheran Church with the Rev. Steve Bagnall officiating.

Memorials may be made to Good Shepherd Lutheran Church.

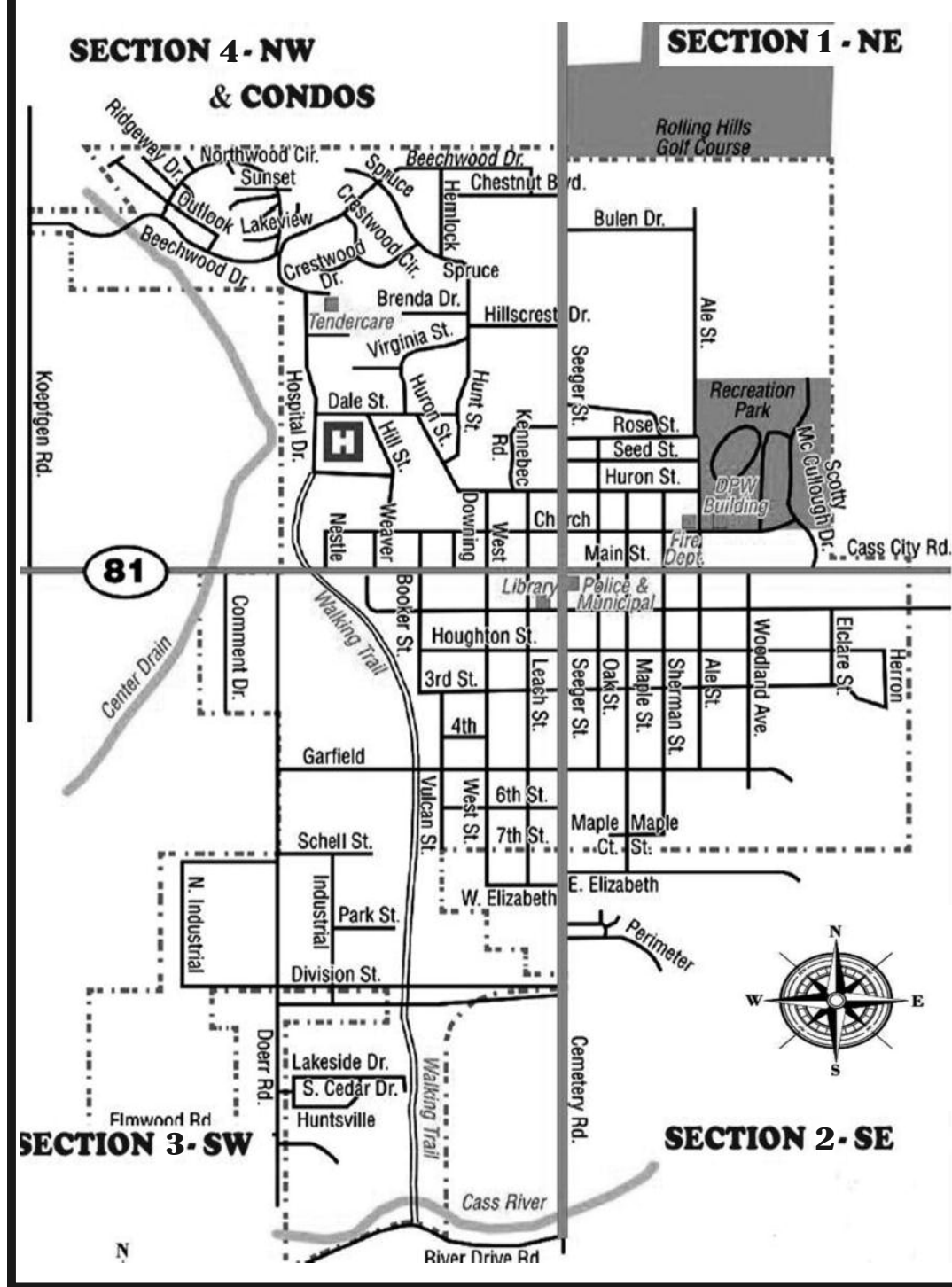
Ralph will be interred with his family in Forest Lawn Cemetery, Detroit at 1:00 p.m. Wednesday, July 31. Pallbearers for Mr. Wilke are: Ralph Wilke II, Billy Johnson, John Rank, Mark Walters, Michael Walters and Dan Maliskey.

Family and friends may share memories, prayers and stories with the family at www.kranzfuneralhome.com.

Arrangements were made by Kranz Funeral Home of Cass City.

CASS CITY TOWNWIDE GARAGE SALE WEEKEND

August 1-3, 2019



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SEE ADDITIONAL GARAGE SALE LISTINGS IN THE CASS CITY CHRONICLE 7/31/19 CLASSIFIED SECTION
T=THURSDAY, F=FRIDAY, S=SATURDAY

SECTION 1-NE

- 6674 Huron St. (T, F)
- 4645 Oak St. (T, F, S)

SECTION 2-SE

- 4196 Maple St. (T, F)
- 4223 Maple St. (T, F)
- 4344 Oak St. (T, F, S)

SECTION 3-SW

- 6241 Lakeside Dr. (T)

SECTION 4-NW

- 6391 Beechwood St. (T, F)
- 6369 Beechwood St. (T, F, S)
- 6304 Beechwood St. (F)
- 4845 Spruce St. (T)
- 4863 Spruce St. (T, F, S)
- 4849 Hemlock Lane (T, F)
- 4842 Hemlock Lane (F, S)
- 6300 Brenda Dr. (T, F, S)
- 6201 Dale St. (T, F, S)

Condos

- 4883 Ridgeway Dr (T,F,S)

Northwest of Town

- 4892 Cedar Run Rd. (T, F, S)
- (W on 81, N on Cedar Run)

Teens from Cass City, Ubly among state award recipients

by Tom Montgomery
Editor

Gov. Gretchen Whitmer and the Michigan Community Service Commission (MCSC) Friday announced the 43 winners of the 2019 Governor's Service Awards, and a pair of Thumb teens are among this year's recipients.

The winners are individuals, businesses and nonprofit organizations that were selected for their commitment to volunteerism, service or philanthropy.

Addy Battel, Pearl Daskam will both be awarded 2019 Governor's Service Awards

The honorees include Addy Battel, 16, of Cass City, and Pearl Daskam, 16, of Ubly, both named Youth Volunteers of the Year.

"Our state is lucky to have such outstanding Michiganders who work hard every single day to build a home for opportunity for everyone. Whether it's uplifting our neighborhoods or bringing communities together when tragedy strikes, they do this work even when nobody's looking be-

cause they know that every contribution makes a huge impact," Whitmer said. "I'm proud to present the Governor's Service Awards to this year's recipients as recognition of their sacrifice and dedication throughout our state."

The winners will be honored during a special ceremony hosted by the MCSC Thursday, Sept. 5, at 7 p.m. at the Detroit Opera House. Admission is free, but registration is required. To register, visit <https://2019governorsserviceawards.eventbrite.com>.

the Need for Our Village," MCSC officials said. "The girls recruited additional youth to volunteer and taught workshops to develop an awareness of the issue of hunger and encourage support for their program. They also sought to establish partnerships with food pantries and reached out to donors for help with raising funds."

"Through hard work and inspiring dedication, this program raised \$54,000 for the Cass City community and provided 10,000 pounds of meat and 1,500 gallons of milk to food pantries. Between the two of them, these youth have accumulated an impressive total of 1,812 service hours."

Earlier this year, the pair — both founding members of the Boots and Bling 4-H Club and both past delegates to the World Food Prize Global Youth Institute — organized the first-ever Cass City Hunger Summit in an effort to secure even more community support, with the goal of recruiting other residents to ensure the "meating the need" project remains viable for years to come.

Both Battel and Daskam have traveled across the country, sharing their powerful story and advocating for food security. Their continued efforts have created a broader opportunity for dialogue about hunger in the greater Thumb area of Michigan and beyond.

The Governor's Service Awards ceremony is an annual statewide recognition event acknowledging the contributions made by Michigan volunteers.

The event is coordinated by the MCSC, the state's lead agency on volunteerism. The MCSC strives to engage all Michigan residents in volunteerism to address critical community challenges. For more information, visit Michigan.gov/volunteer.



ADDY BATTEL, 16, of Cass City (right), and Pearl Daskam, 16, Ubly, were named among this year's 43 Governor's Service Awards winners for their efforts to fight hunger in the Thumb and beyond. The award recipients will be honored during a special ceremony hosted by the Michigan Community Service Commission Thursday, Sept. 5, at 7 p.m. at the Detroit Opera House.

Ubly board okays bond construction contracts

by Mary Drier
For the Chronicle

The Ubly Board of Education recently approved contracts for several projects in conjunction with the \$8.7 million bond voters approved in May 2018.

Yeager Asphalt's bid of \$113,300 to complete the teachers' parking lot was approved, as was Gentner Excavation's in bid of \$12,000 for asphalt removal from the lot.

As part of the planned security upgrades, Video Surveillance System's bid of \$41,632 was approved.

And, to address accessibility issues, the board authorized spending \$24,980 for a handicap lift. Another \$30,631 was earmarked for an electronic messaging sign.

A number of construction projects underway since the end of the school year are progressing, according to school officials, including four new classrooms that will add about 6,000 more square feet of educational space, plus a new office and upgrades to several wings of the building.

Some of the other work that will be done are improvements to playgrounds and athletic facilities. The upgrades also involve acquiring and installing instruction technology in school facilities.

Although a lot of work is being done, not all of it will be completed this year, school Supt. Joe Candela noted.

In other business, the school board approved some staffing changes. Brian Nicol resigned as a special education teacher, Alyssa Briolat was hired as a special education teacher, Katie Volmering was hired as an ag science assistant, and Debbie Sadro announced her retirement.

Gruss installed as the new bishop of Saginaw Diocese

by Mary Drier
For the Chronicle

Robert Gruss was recently installed as bishop of the Catholic Diocese of Saginaw.



Bishop Robert Gruss

Gruss comes to Michigan from western South Dakota's Rapid City Diocese, where he developed and implemented a diocesan pastoral priority plan. He opened an institute for catechists and other lay people who want to learn more about the faith, among other initiatives.

He also worked on the Cause for

Canonization of Nicholas Black Elk, an Oglala Lakota holy man who brought more than 400 Native Americans to Catholicism.

During his time in the Rapid City Diocese, Gruss encouraged perpetual adoration and established a diocesan Year of the Eucharist. He was in the process of building a new pastoral center in downtown Rapid City when he received the call.

Gruss was a corporate pilot before entering seminary and was ordained to the priesthood July 2, 1994.

In 2007, Pope Benedict named him a chaplain of his Holiness, giving him the title of monsignor. He was appointed by Pope Benedict as bishop of Rapid City, and consecrated as a bishop July 28, 2011. On May 24, Pope Francis announced he had selected Gruss as the seventh bishop of the Diocese of Saginaw.

The Catholic Diocese of Saginaw was established by Pope Pius XI Feb. 26, 1938. The diocese includes Arenac, Bay, Clare, Gladwin, Gratiot, Huron, Isabella, Midland, Sanilac, Saginaw and Tuscola counties.

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Victoria from Australia, 17 yrs. Enjoys spending time with her family and younger siblings. Victoria plays volleyball and is excited to learn new sports while in America.



Giorgio from Italy, 16 yrs. Loves to play baseball and spend time with his dogs. Giorgio also plays the guitar, and his dream is to join a drama club at his American high school.

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Four Sports Set Records Again as MHSAA Participation Remains Steady in 2018-19

Michigan High School Athletic Association member schools continued to experience a decade-long decline in enrollment in 2018-19, and participation across 28 sports for which the MHSAA sponsors postseason tournaments also decreased slightly. However, while the drop in enrollment was 1.28 percent from the previous school year, participation fell only 1.03 percent as four sports repeated in setting records.

A total of 281,992 participants competed in MHSAA-sponsored sports this past school year. The overall MHSAA participation to-

als count students once for each sport in which they participate, meaning students who are multiple-sport athletes are counted more than once.

Boys participation fell 1.2 percent to 161,614, and for the first time in four years girls participation also decreased, by eight tenths of a percent to 120,378. However, both reductions were smaller than losses in enrollment of 1.36 percent for boys and 1.19 for girls. Since the 2008-09 school year, overall enrollment in MHSAA member high schools is down 12.8 percent. But during

that time, overall participation in MHSAA-sponsored sports is down only 7.3 percent.

Girls lacrosse continued its run of setting a participation record every season since becoming a sponsored tournament sport in 2005, this spring with 3,180 participants – a 9.7-percent increase from a year ago. Boys lacrosse set a record for the third consecutive year, up 5.2 percent with 5,438 participants. Both boys and girls bowling also repeated in breaking participation records – boys bowling participation increased 4.7 percent over 2017-18 with 4,329

participants, while girls bowling was up 1.1 percent with 3,093 athletes. Boys cross country, with 9,588 athletes, just missed last year's record-setting total but still saw its second-largest group of participants since totals first were tracked year-to-year in 1991-92.

Seven more sports saw increases in participation in 2018-19, boys skiing leading the way with 11.2-percent growth – its 6,284 athletes were the sport's most since 2014-15 thanks with an increase of three tenths of a percent over a year ago. Girls and boys tennis both saw increases; girls 1.8 percent to 9,286 athletes, its most since 2011-12, and boys up 1.6 percent to 6,261 athletes, its most since 2014-15.

Girls swimming & diving was up 1.1 percent to 5,794 athletes, its most since 2013-14. Girls track & field had its highest number of participants since 2009-10 with 17,406, with an increase of seven tenths of a percent from last year. Wrestling increased a percent from 2017-18, to 9,494 athletes, ending two years of declines. Boys Golf was up three tenths of a percent to 6,284 athletes, ending three straight years of decreases.

While 17 sports saw decreases in participation, eight saw decreases

by smaller percentages than the loss of enrollment: boys basketball (-1.2 percent), girls competitive cheer (-0.6), boys cross country (-0.7), girls gymnastics (-1.1), girls skiing (-0.5), boys soccer (-0.9), girls soccer (-0.1) and boys track & field (-0.1). Football, despite a decrease in participation of 4.3 percent, remains the most played sport by far with 35,412 participants. Boys track & field is second with 23,548, followed by boys basketball with 21,125. Girls volleyball, despite a 1.8-percent decline from a year ago, remains the most popular girls sport with 19,072 athletes.

The MHSAA is a private, not-for-profit corporation of voluntary membership by more than 1,500 public and private senior high schools and junior high/middle schools which exists to develop common rules for athletic eligibility and competition. No government funds or tax dollars support the MHSAA, which was the first such association nationally to not accept membership dues or tournament entry fees from schools. Member schools which enforce these rules are permitted to participate in MHSAA tournaments, which attract more than 1.4 million spectators each year.

#####

Sport	BOYS		GIRLS	
	Schools (A)	Participants	Schools (A)	Participants (B)
Baseball	639/9	17,211	-	0/23
Basketball	731/2	21,119	693	15,376/6
Bowling	398/13	4,302	370	3,093/27
Competitive Cheer	-	-	347	6,672
Cross Country	634/0	9,588	619	8,144
Football - 11 player	572/82	33,868	-	0/94
8-player	79/10	1,432	-	0/18
Golf	504/74	6,136	337	3,587/148
Gymnastics	-	-	86	694
Ice Hockey	242/10	3,282	-	-/12
Lacrosse	163/8	5,423	120	3,180/15
Skiing	102/0	924	95	763
Soccer	492/16	14,425	476	13,209/67
Softball	-	-	628	13,290
Swimming & Diving	248/18	4,968	262	5,794/35
Tennis	290/17	6,221	330	9,286/40
Track & Field	679/0	23,548	673	17,406
Volleyball	-	-	713	19,072
Wrestling	466/186	9,167	-	-/327

The chart above shows participation figures for the 2018-19 school year from MHSAA member schools for sports in which the Association sponsors a postseason tournament.

(A) The first number is the number of schools reporting sponsorship on the Sports Participation Survey, including primary and secondary schools in cooperative programs as of May 15, 2019. The second number indicates the number of schools that had girls playing on teams consisting primarily of boys.

(B) The second number indicates the number of additional girls playing on teams consisting primarily of boys and entered in boys competition.



The 2019 Western Women's Softball League and Tournament champs are Nicol & Sons Excavating. They won the league title with a 13-1 record and then went undefeated to win the league tournament. They are: (front row, l-r) Jaime Nicol, Megan VanVliet, Sara Ritter, Brittany Hamilton, Kristen Stahl (middle row) Jessica Hahn, Lauren Taylor, Dana Essmacher, Kathy Bouverette, Kelsey Bouverette (back row) Coach Stephanie Hutchinson, Cathy Storm, Kristie Lashbrook, Coach Shirley Woodward, Jennifer Kilbourn and Christie Ferguson-Pavlovics. Missing is Coach Doug Hyatt, Tiffany Mason and Holly Roth-Guza.



I'LL HOLD MY biggin, says Deford's Benjamin Rhyndress while Matt Lynch, Cass City, displays his catch taken from the Cass River recently near Evergreen County Park. Crawfish were the bait of choice said the Thumb anglers.

FREE SWIM
 August 1st 1-4:45 & 7-9 PM
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Local 4-Hers shine at

AARON KOEHLER of the Five Star Livestock Club, Kingston, raised and sold this year's 602-pound Grand Champion Beef Feeder, pictured below, to Thumb Cellular for \$3.50 a pound. He is the son of Jason and Melissa Koehler.

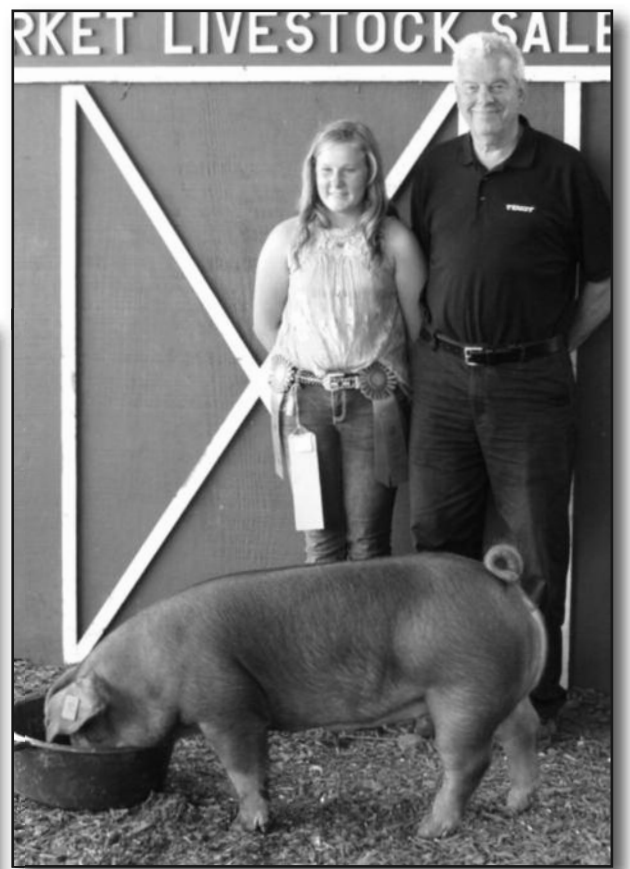
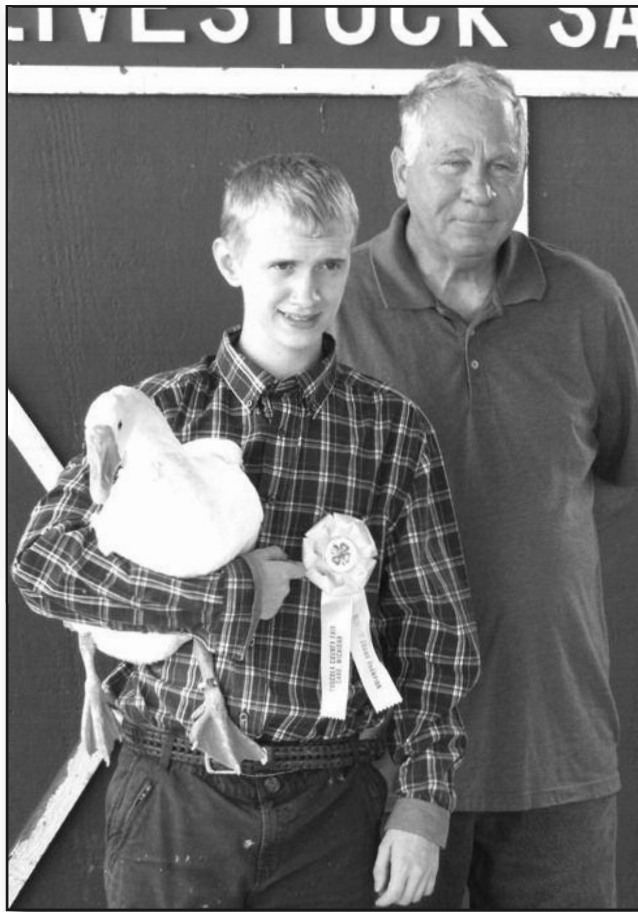


SKYLAR IGNASH, daughter of Reggie and Jane Ignash, sold her 119-pound and 120-pound sheep to Thumb Bank and Trust for \$4.75 a pound. Ignash, pictured above, is a member of the Cass City Kids 4-H Club.



NATHAN KARPOVICH, a member of the Feathers 'n Fun 4-H Club, Cass City, sold his market egg layer chicken pen to POET Biorefining, Caro, for \$100. Karpovich, pictured above, is the son of Tonya Karpovich and David Karpovich.

THE RESERVE Champion Goose raised by Dexter Williams, son of Ed and Robin Williams, was purchased by Turner Equine and Equipment for \$150. Williams, pictured below, is a member of the Silverwood Road Runners 4-H Club.



THE GRAND Champion Gilt raised by Zoe van Rijn, pictured above, sold to Farm Depot for \$4.50 a pound, and the hog weighed in at 248 pounds. A member of the Five Star Livestock 4-H Club, Kingston, van Rijn is the daughter of Dick and Jamie van Rijn.

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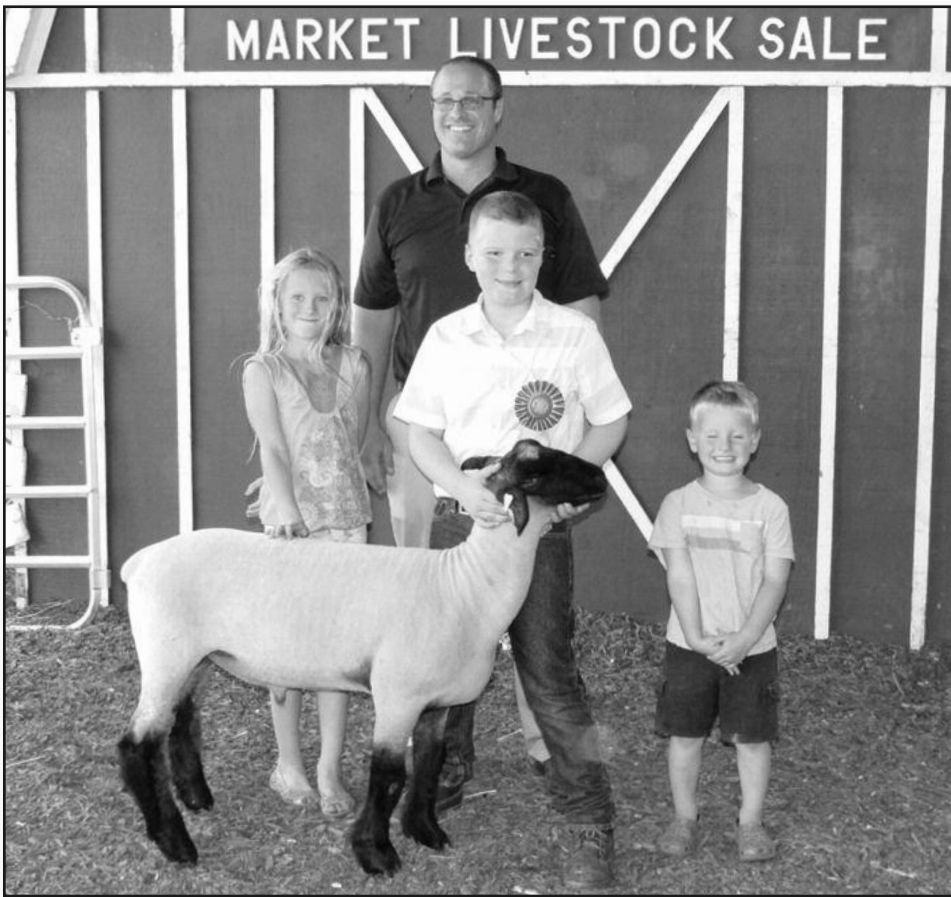
the Tuscola County Fair

KAYLEE BELL, pictured below, daughter of Lance and Jamie Bell, sold her 700-pound market feeder to Mayville State Bank for \$2.10 a pound. She is a member of the Feathers 'n Fun 4-H Club, Cass City.



DRAKE BROWNE, son of Harlan and Davon Browne, sold his 646-pound market feeder to Copeland Insurance Agency for \$2.40 a pound. Browne, pictured above, is a member of the Cass City Livestock 4-H Club.

BELL-WASIK purchased Blake Sweeney's, 133-pound Grand Champion Homegrown sheep, pictured below, for \$4.50 a pound. The son of Matthew and Karen Sweeney, he is a member of the Cass City Livestock 4-H Club.



EVAN FREELAND, son of Jon and Melinda Freeland, won Reserve Champion Homegrown Beef honors along with Best of Show and Rate of Gain. Freeland, pictured above, sold his 1,473-pound steer to United Producers Inc. for \$1,700. Freeland is a member of the Five Star Livestock 4-H Club.

🍀 Congratulations to our area 🍀 4-H CHAMPIONS Brought to you by these local 4-H supporters

🍀 Check out next week's Chronicle for more 4-H photos. 🍀

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Novesta Township, Tuscola County, Michigan Ordinance No. 2018

Novesta Township, Tuscola County, Michigan Ordinance No. 2018
ORDINANCE AMENDING TOWNSHIP ZONING ORDINANCE 12.12 and to ADD SECTION , "WIND ENERGY HARVEST SITE."

NOVESTA TOWNSHIP ORDAINS:

Section 1. Amendment of Zoning Ordinance

Novesta Township hereby amends the Novesta Township Zoning Ordinance to add new Section which shall read as follows.

Section 1. WIND ENERGY HARVEST SITE

1. Introduction: The purpose of this section is to provide regulations for the designation of property suitable for the location, construction and operation of Wind Energy Conversion Facilities in Novesta Township, to protect the health, welfare, safety, and quality of life of the general public and to ensure compatible land uses in the vicinity of the areas affected by Wind Energy Conversion Facilities. Small Turbines exceeding Eighty (80) feet in Total Height but equal to or less than one hundred twenty (120) feet in Total Height, Wind Assessment Sites, and Wind Energy Harvest Sites (commonly referred to as "wind farms") may be approved by the Planning Commission pursuant to Article XVI of the zoning ordinances as "Special Land Uses" in the Agricultural-Residential zoning district, upon compliance with the conditions of this Ordinance.

2. Definitions: For the purposes of this section, the following terms and phrases shall be defined as provided below.

ANSI: The American National Standards Institute.

Applicant: An Owner/Operator that seeks to secure a special land use permit under this Ordinance.

Background Sound (L90): Background sound refers to the sound level present at least 90% of the time. Background sounds are those heard during lulls in the ambient sound environment, that is, when transient sounds from flora, fauna, and wind are not present. Background sound levels vary during different times of the day and night. Background Sound must be measured relative to A-weighting and C-weighting and denoted as LA90 or LC90 respectively.

Blade Reflection: Blade reflection is the intermittent reflection of the sun off the surface of the blades of a Wind Turbine Generator.

Blade Clearance: In reference to a horizontal axis rotor, the distance from grade to the lowest point of the rotor's swept arc.

Front yard: Front yard is defined as the portion of an individual's property that is between the street or road, as defined by Michigan Legislature, and the individual's dwelling on the same property.

Horizontal Axis Wind Turbine (HAWT): A wind turbine generator designed with a rotor mounted on a horizontal axis of rotation. The rotor thus sweeps through a vertical plane perpendicular to the motion of the wind.

IEC: The International Electrotechnical Commission.

Inhabited Structure: Any structure that is, or is likely to be, occupied by any person or livestock. This includes, but is not limited to residential dwellings, places of business, places of worship, schools, and barns.

Low Frequency Noise (LFN): Sound Emission in the lower frequency range of 20 to 200 Hz.

Measurement Points (MP): The location where sound measurements are taken such that no significant obstruction blocks sound from the site.

MET Tower (Meteorological Tower): A tower (either of monopole design or guy-wire supported) containing or supporting instrumentation, including but not limited to anemometers, used to gather data necessary for site evaluation and development of a Wind Energy Harvest Site.

Nacelle: The structure that is mounted on top of the tower and houses the rotor support shaft, mechanical and electrical components, and generator.

Non-participating Property: Any property within the Notification Area other than Participating Property.

Notification Area: All land within Novesta Township.

Owner/Operator: Any person (as defined by this Ordinance), including successors and assigns, with legal ownership or control (by lease, easement or any other agreement) of Participating Property, Wind Energy Conversion Facilities or a Wind Energy Harvest Site, including but not limited to actual or apparent authority and responsibility to operate the Wind Energy Conversion Facilities or Wind Energy Harvest Site on a daily basis.

Operations & Maintenance Office (hereinafter referred to as "OMO"): A local facility constructed for the purpose of operating and maintaining the Wind Energy Harvest Site or Wind Energy Conversion Facilities, including the storage of spare parts or other materials.

Participating Landowner: The person who owns property on which one or more Wind Turbine Generators is located

Participating Property: Any property or portion thereof in the Agricultural-Residential zoning district owned or under the control (by lease, easement or any other agreement) by the Owner/Operator and proposed for (i) the placement of a Small Turbine Tower in excess of eighty (80) feet, (ii) inclusion by the Applicant to be within a Wind Energy Harvest Site, or (iii) the placement of a MET Tower, transmission line or any other Wind Energy Conversion Facilities or easements which are directly or indirectly related to a Wind Energy Harvest Site.

Project Boundary: The external property boundaries of Participating Property represented on a plot plan view by a continuous line encompassing the area within which all Wind Energy Conversion Facilities and any other related equipment or OMO will be located.

Rotor: An element of a Wind Turbine Generator that acts as a multi-bladed airfoil assembly, thereby extracting through rotation, kinetic energy directly from the wind. Receptor: Inhabited structure affected by or potentially affected by sound levels and sound pressure levels.

SCADA Tower: A tower (either of monopole design or guy-wire supported) containing instrumentation designed to provide present moment wind data for use by the supervisory control and data acquisition system (SCADA).

Setback: The minimal allowable horizontal distance as measured from the Project Boundary to an inhabited structure, property line, county road, or other location, as further described in this Ordinance.

Shadow Flicker: Alternating changes in light intensity caused by the movement of wind turbine generator blades casting shadows on the ground or a stationary object

Shadow Flicker Receptor: An inhabited structure affected by or potentially affected by shadow flicker, plus an additional one hundred (100) foot area surrounding the exterior of the inhabited structure; and the entire outdoor public area surrounding schools, churches, public buildings and public roads within the area affected by or potentially affected by shadow flicker.

Small Turbine or Small Turbine Tower: A single Wind Turbine Generator, including the Tower and Wind Energy Conversion Facilities, that is not directly interconnected to an electrical transmission utility and intended only to service the energy needs of the property upon which the Wind Turbine Generator is located.

Sound Emission: Sound emitted by any Wind Energy Conversion Facilities.

Spectrum: The description of a sound wave's resolution into its components of frequency and amplitude.

Supervisory Control and Data Acquisition (SCADA): A control system designed to acquire data and perform both automatic and manual control function to the Wind Energy Harvest Site.

Total Height: The height from grade to the highest vertical point of the swept rotor arc. In the case of Wind Turbine Generator with horizontal axis rotor, the total height includes the distance from grade to the rotor axis of rotation within the nacelle plus one-half the swept rotor diameter.

In the case of a MET Tower, the height from grade to the highest vertical point of any equipment or instrumentation attached to the MET Tower.

Tower: The tubular structure, above grade, that supports the nacelle, including the Wind Turbine Generator, and rotor assembly.

Wind Energy Conversion Facilities: Equipment that converts and then stores or transfers energy from the wind into usable forms of energy and includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, turbine, vane, wire, or other components used in the conversion of wind into usable forms of energy.

Wind Energy Harvest Site (Wind Farm): A Wind Energy Harvest Site is a location where any number of commercial Wind Turbine Generators are sited for the purpose of extracting kinetic energy from the wind, generating electricity, and supplying the electricity to an electrical transmission utility ("grid").

Wind Energy Harvest Site Construction Application: An application to the Planning Commission seeking special land use approval to site and construct a Wind Energy Harvest Site.

Wind Site Assessment Application: An application to the Planning Commission seeking special land use approval to erect one or more anemometer towers (MET Towers) on Participating Property.

Wind Turbine Generator (WTG): A device designed to extract energy from the wind and supply it in the form of electrical energy.

3. Small Turbines:

(a) Small Turbines exceeding one hundred twenty (120) feet in Total Height are Prohibited. The height measurement of the Small Turbine as discussed in this Section is determined from the base of the tower to the top of one of the blades in a vertical position.

(b) Small Turbines may be approved in the Agricultural-Residential zoning district as a use permitted by right if the Total Height does not exceed eighty (80) feet and the Tower is set back at least two times its Total Height from adjoining property lines and public road right of ways.

(c) Small Turbines exceeding eighty (80) feet in Total Height but equal to or less than one hundred twenty (120) feet in Total Height may be approved in the Agricultural-Residential zoning district as a Special Land use pursuant to this section. The application for a Special Land use must document that the proposed Small Turbine meets all of the following conditions:

- 1) Installation shall be consistent with the public health, safety and welfare of Novesta Township;
- 2) Small Turbines must comply with all State, Federal, and local laws and regulations, including but not limited to the applicable requirements of the Federal Aviation Administration ("FAA"), the Michigan Airport Zoning Act and the Michigan Tall Structures Act both prior to and after installation. No Small Turbine shall be located on any property in such a manner as to interfere with the safe takeoff, approach and landing of aircraft at any non-publicly owned airport as defined by the Michigan Airport Zoning Act, as amended;
- 3) Small Turbines must minimize the adverse impacts of technological obsolescence of such equipment;
- 4) Small Turbines shall be required to be of a neutral, non-reflective, non-obtrusive color which must be maintained throughout the life of the Small Turbine;
- 5) Small Turbine shall not be artificially lighted except to comply with applicable FAA or other Federal, State or local requirements, or to the extent necessary for the reasonable safety and security thereof;
- 6) No advertising is permitted upon a Small Turbine. Additional items such as banners, streamers, flags and similar items are hereby prohibited from being attached to any Small Turbine;
- 7) Any electrical system components related to a Small Turbine, except necessary wiring from the base of the support structure to the turbine, are required to be placed underground within the boundary of each Participating Parcel at a depth designed to accommodate the existing land use to the maximum extent practical;
- 8) There is a minimal negative visual impact of a Small Turbine on neighborhoods, community landmarks, historic sites and buildings, natural environmentally sensitive areas and public right-of-ways;
- 9) The Rotor diameter shall not exceed thirty-five (35) feet;
- 10) No Small Turbine may produce Sound Emissions in excess of 45 dB(A) at Lmax and leq 1 second Measurement Points at any adjacent property line of a Non-Participating Parcel.

11) A Participating Parcel shall not be occupied by a number of Small Turbines that exceed a combined total potential power output greater than ten (10) kW per hour nor shall the number of Small Turbines on a Participating Parcel exceed two (2) for each whole five (5) acres;

12) Small Turbines shall have a governing,

breaking, feathering or other fail-safe system designed by a certified engineer in order to mitigate and prevent uncontrolled rotation during adverse weather conditions;

13) Small Turbines must possess protection measures from lightning strikes;

14) A structural analysis must be provided demonstrating the structural integrity of the proposed Small Turbine Tower support system in the event of adverse weather conditions;

15) All setbacks required for Small Turbine Towers shall be measured from the outside edge of the base of the Small Turbine Tower at Measurement Points at the nearest adjacent property line of a Non-Participating Parcel;

16) A Small Turbine Tower must be two (2) times the Total Height of the Small Turbine Tower away from a Non-Participating Parcel's property line;

17) A minimum separation distance equal to or greater than a one to one (1:1) ratio to Toted Height is required between multiple Small Turbine Towers;

18) No Small Turbine Tower shall be located in a Participating Parcel's "front yard;"

19) All Small Turbine Towers must be at least two times the Total Height of the Small Turbine Tower away from existing utility easements, power lines, road rights-of-way, or other public infrastructure related items which may exist upon the Participating Parcel;

20) The minimum vertical blade tip clearance from ground level must be at least 20 feet;

21) No collocation of any Wireless Communications Facilities shall be permitted on any Small Turbine Towers.

4. Wind Site Assessments and Wind Energy Harvest Sites: The construction of Wind Energy Harvest Sites involves a two-phased process, whereby the feasibility of a Wind Energy Harvest Site is evaluated by way of a Wind Site Assessment and then, if testing is successful, a Wind Energy Harvest Site is constructed. Accordingly, each of these two phases shall require separate Special Land use applications.

A) Wind Site Assessment Application Requirements: An Applicant seeking special land use approval (special land use permit) for a Wind Site Assessment shall submit a site plan that includes the following information:

- 1) The proposed number, location, size, height and type of all MET Towers intended to assess the wind resource;
- 2) The location of all buildings and any other structures on the proposed site as well as any buildings and dwellings on any Non-Participating Property immediately adjacent to the proposed site;
- 3) The location of public and private roads, wood lots, property lines, and any other property features or characteristics deemed relevant by the Planning Commission;
- 4) The names, addresses, and phone numbers of the Applicant, the owner of all equipment proposed to be installed if different than the Applicant and the recorded owner(s) of the property or properties within the Project Boundary;
- 5) A copy of any and all agreements, leases or other written documentation evidencing the recorded owner's authorization permitting the installation of one or more MET Towers for the purpose of conducting a Wind Site Assessment, which shall include a provision requiring the Applicant to remove all equipment and restore the property to its original condition upon cessation of the Wind Site Assessment;
- 6) Proof of the Applicant's liability insurance for the Wind Site Assessment in a minimum sum of one million dollars (\$1,000,000), naming the recorded property owner and the Township as additional insureds;
- 7) A MET Tower shall not be located on a site in excess of thirty-six (36) months, without the express approval of the Planning Commission;
- 8) An approved Wind Site Assessment application shall not be considered or construed to mean future approval of a Wind Energy Harvest Site construction application.

B) Wind Energy Harvest Site Construction Application Requirements: An applicant seeking special land use approval for the construction of a Wind Energy Harvest Site shall submit a finalized site plan bearing the certifications of all licensed engineering consultants and agencies required by law and shall also include the following detailed information:

- 1) The proposed location of all Wind Energy Conversion Facilities and access roadways (all such roads shall be constructed to no less than Township private road standards);
- 2) The proposed location of the OMO and all substations, permanent MET Towers and/or SCADA Towers in anyway related to the proposed Wind Energy Harvest Site and wherever located in the Township;
- 3) The proposed location of all underground and/or overhead cabling;
- 4) The physical size and electrical production capacity of the proposed Wind Energy Conversion Facilities, including the Total Height and the swept rotor diameter;
- 5) The proposed location, method, materials and color of fencing, if any;
- 6) A lighting plan for each Wind Energy Conversion Facility and Testing Facilities, such plan shall include a description of all lighting that will be used, the planned number and location of lights, light color, and whether any lights will be flashing.
- 7) A visual representation, including scale elevations of the proposed Wind Energy Harvest Site and perspective drawings or photographic representations depicting the Wind Energy Conversion Facilities in relation to the surrounding topography and structures within four hundred (400) feet of the proposed Wind Energy Harvest Site.
- 8) A copy of any and all agreements, leases or other written documentation evidencing the recorded owner's authorization permitting the installation of Wind Energy Conversion Facilities, which shall include a provision requiring the Applicant to remove all equipment to a minimum depth of ten (10) feet from the natural grade and restore the site upon cessation or removal of any Wind Energy Conversion Facilities or Wind Energy Harvest Site operations;
- 9) The Wind Turbine Generator manufacturer's specifications indicating:
 - i. The rated nameplate output, in kilowatts or megawatts, of the Wind Turbine Generators;
 - ii. Safely features and sound characteristics of all Wind Energy Conversion Facilities;
 - iii. Type of materials used in foundation, Tower, blade, and/or rotor construction;

iv. Manufacturer's MSDS (Material Safety Data Sheet) documentation including the type and quantity of the materials, lubricants, and coolants used in the operation of all Wind Energy Conversion Facilities;

v. A discussion of the SCADA system employed to control and operate the Wind Energy Conversion Facilities

10) A sound impact study (noise report) shall be prepared in accordance with subsection 4.c, and shall also include the following:

i. Sound level information, reported in both dBA and dBC, and showing sound level contours in 5 dB increments overlaid on an aerial view and property survey map of property within two (2) miles of the Project Boundary;

ii. Sound predictions shall be made for wind speed, direction and operating mode that would result in the maximum daytime and nighttime Sound Emissions.

11) A shadow flicker study shall be required. The purpose of the shadow flicker study is to examine the duration and location of shadow flicker on non-participating parcels. The model study area shall include all land extending a minimum of 20 rotor diameters in all directions from a wind turbine generator. The model shall be calculated using the following minimum inputs: turbine locations, shadow flicker receptor locations, existing topography, rotor diameter and hub height, joint wind speed and direction distribution (wind rose table, and hours of sunshine (long term monthly references)). The model shall calculate the locations and durations of shadow flicker caused by the proposed Wind Energy Harvest Site within the study area, and the total number of hours anticipated per year of shadow flicker. The application shall include estimates for shadow flicker to the nearest tenth of an hour, on a daily basis for each receptor. Assumptions regarding the percentage of time that shadow flicker is likely to occur shall be clearly explained and subject to approval of the Planning Commission. The shadow flicker study shall include a map that indicates the extent of shadow flicker, participating and non-participating parcels, and all potential shadow flicker receptors.

Mitigation and Mitigation Plan. A shadow flicker detection/abatement system is required on each wind turbine generator. An equivalent type of system may be used, but only with prior approval by the Planning Commission. Shadow detection systems must be kept in good working order for the entire duration of the special land use. Shadow flicker mitigation measures for each receptor modeled to receive flicker shall be described in a mitigation plan and submitted with the application. Flicker mitigation measures may include but are not limited to, turbine siting changes, flicker detection/abatement system operations and procedures, grading, modifications to a dwelling and/or landscaping. If landscaping is used as a mitigation procedure, the planting of mature trees shall be required. The Planning Commission may require a performance guarantee, in the case of landscaping and/or other mitigation measures, to assure the long-term viability and effectiveness of the mitigation.

12) A Background Sound study, dBA and dBC (as LA90 and LC90), shall be performed defining the Background Sound level for all Inhabited Structures within two (2) miles of the Project Boundary.

13) An environmental assessment or impact study which shall include, but is not limited to, the potential impact on endangered species, eagles, birds, and other wildlife. Any study shall be limited to the area within the Township boundaries or within an adjacent three (3) miles.

14) Proof that the Applicant has obtained or applied for approval from all other agencies having jurisdiction, including the following:

- i. Federal Aviation Administration.
- ii. County Road Commission and/or MDOT, as applicable.
- iii. County Drain Commission.
- iv. Other agencies having jurisdiction or whose approval is necessary.

15) Proof of liability insurance for Wind Energy Conversion Facilities in a minimum amount of five million dollars (\$5,000,000) per turbine or Wind Energy Harvest Site increased annually by the estimated multiplication factor for the agricultural class of property, as determined by Novesta Township, Tuscola County, or other taxing jurisdiction; provided that, if the factor is less than 1.0, then 1.0 shall be the factor used.

16) Documentation from an approved, qualified third-party verifying that the Wind Energy Conversion Facilities will not interfere with signals as further explained in Section 5(E) below.

17) An affidavit from the Applicant that it will indemnify the Township of Novesta if a claim is filed regarding the Wind Energy Conversion Facilities for any purposes, including, but not limited to those filing health-related complaints reasonably attributed to the operation of Wind Energy Conversion Facilities.

18) The Township Board, besides the information necessary for the applications in subsection (a) and (b) of this Section, may request that the Applicants provide additional detail and information.

C) Sound Studies and Requirements. All studies or tests related to sound conducted in accordance with this section shall meet the following standards and requirements:

- 1) Qualified Independent Acoustical Consultant. Persons conducting baseline and other measurements and reviews related to the application for a Wind Energy Harvest Site shall have Full Membership in the Institute of Noise Control Engineers (LNCE) or other demonstrated acoustical engineering certification, or must demonstrate their qualifications and show field measurement experience with background data and wind turbine generator noise emission. The Professional Engineer (PE) certification does not test for competence in acoustical principles and measurement; a PE without adequate further qualification is not considered to be qualified under this section. The Qualified Acoustical Consultant shall not have any financial stake in the Wind Energy Harvest Site or any other financial stake in the Applicant or any related company of Applicant. Any person or entity performing tests or studies under this section shall provide proof of their qualifications to the Planning Commission.
- 2) Measurement Standardized acoustical instrumentation and sound measurement protocol shall meet all the requirements of the following ANSI and IEC standards:
 - i. ANSI SI.43 Integrating Averaging Sound Level Meters: Type-1 (or IEC 61672-1)
 - ii. ANSI SI. 11 Specification for Octave

and One-third Octave-Band Filters (or IEC 61260)

iii. ANSI SI.40 Verification Procedures for Sound Calibrators

iv. ANSI SI. 2.9 Pan 3 Procedures for Measurement of Environmental Sound

v. ANSI SI 2.18 Measurement of Outdoor Sound Pressure Level

vi. IEC 61400-1 I WTG systems -Part 11: Acoustic noise measurements

3) Background Sound Level. Because Wind Energy Conversion Facilities can potentially operate continuously, the Background Sound levels studies shall focus on the quieter periods which are often the evening and night. Sound from the WTG, near-by birds, and animals or people must be excluded from the background sound test data. Several contiguous ten (10) minute tests may be performed in one hour to determine the statistical stability of the sound environment. Further, background L90 sound levels documenting the pre-construction baseline conditions should be determined when the ten (10) minute maximum wind speed is less than 2 m/s (4.5 mph) near ground level/ microphone location 1.5 m height

4) Sound Emission spectra imbalance. The spectra shall be determined not to be in balance when the C-weighted sound levels are more than 20 dB greater than the A-weighted sound level. For the purposes of this requirement, the A-weighted sound level is defined as the long-term background sound level (LA90) +5 dBA. The C-weighted sound level is defined as the dBC measured during the operation of the wind turbine generator operated so as to result in its highest sound output.

5) Low Frequency Noise (LFN). LFN is deemed to be excessive when the difference between a C-weighted sound level and an A-weighted sound level is greater than 20 decibels at any measurement point outside an Inhabited Structure.

6) Measurement Point. The Measurement Point shall be located so as to not be near large objects such as buildings and in the line-of-sight to the nearest turbines. Proximity to large buildings or other structures shall be twice the largest dimension of the structure, if possible. Measurement Points should be at quiet locations remote from street lights, transformers, street traffic, flowing water, and other local noise sources.

7) Measurement Wind Speed. For measurements conducted to establish the Background Sound levels (LA90 10 min. LC90 10 min. and etc.) the maximum wind speed, sampled within 5m of the microphone (Measurement Point) and at its height, shall be less than 2 m/s (4.5 mph) for valid measurements. For valid Wind Energy Conversion Facilities measurements conducted to establish the post-construction sound level the maximum wind speed, sampled within 5m of the microphone (Measurement Point) and at its height, shall be less than 4m/s (9mph). The wind speed at the rotor blade height shall be at or above the nominal rated wind speed and operating in its highest sound output mode. For purposes of enforcement, the wind speed and direction at the rotor blade height shall be selected to reproduce the conditions leading to the enforcement action while also restricting maximum wind speeds at the microphone (Measurement Point) to less than 4 m/s (9 mph). For purposes of models used to predict the sound levels and sound pressure levels of the Wind Energy Conversion Facilities to be submitted with the application, the wind speed shall be the speed that will result in the maximum dBA and dBC sound levels at Non-participating Properties closest to the Wind Energy Conversion Facilities. If there are more than one nearby receptor models, each such receptor shall be evaluated and the results shall be included in the application.

8) Spectrum. The Wind Energy Conversion Facilities' manufacturer is required to supply a one-third octave band frequency spectrum of the Sound Emission at 90% of rated power. The published sound spectrum is often presented as A-weighted values, but C-weighted values are also required. This information shall be used to construct a model of the Wind Energy Harvest Site's Sound Emission levels at locations of interest in and around the Project Boundary. The frequency range of interest for Sound Emission is approximately 6 Hz to 10 kHz.

5. Review Procedure: Wind Site Assessment and Wind Energy Harvest Site applications shall be evaluated by the Township Board pursuant to the procedures detailed in the special land use portion of the Novesta Township Zoning Ordinance, this ordinance, as well as the rest of the Novesta Township Ordinances in effect. Notice of the Public Hearing shall be provided pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, MCL 125.3101 et seq., as amended.

A) General Standards: In addition to meeting the requirements of this Ordinance, all Wind Site Assessments and Wind Energy Harvest Sites shall comply with the following standards for approval:

1) No portion of any Tower or rotor blades shall display any name, symbol, words, letters, advertising message, graphic representation or other written or pictorial matter. A nacelle may have lettering that exhibits the manufacturer's anchor Applicant's identification, provided such markings are reviewed and approved by the Township Board.

2) All Wind Energy Conversion Facilities shall be finished in a single, non-reflective matte finished color that minimizes the visual impact.

3) Wind Energy Conversion Facilities, including any Wind Turbine Generator, MET Tower, and SCADA Tower, shall not be illuminated by artificial means and shall not display strobe lights unless specifically required by the Federal Aviation Administration or other state or federal authority having jurisdiction. If lighting is required, the lighting as installed shall not exceed FAA minimum standards. Appropriate shielding of flashing red warning lights shall be added to any and all wind turbine generator if the FAA does not approve radar activated lights.

4) The minimum vertical blade tip clearance from grade shall be at least sixty (60) feet for a Wind Turbine Generator employing a horizontal axis rotor.

5) Any and all Airports, Airfields or Landing Strips where ever public or privately

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owned within the boundaries of the Township will come under the same guidelines for setbacks as required for any Public Airport in the State of Michigan as established by MDOT and the FAA and complying to the Michigan Tall Structures Act, Act 259 of 1959.

6) All access doors and inferior access points shall be lockable and accessible only to those either constructing or maintaining the Wind Energy Conversion Facilities.

7) Appropriate warning signs shall be placed at the base of any Tower and other appropriate locations on Wind Energy Conversion Facilities warning of potentially dangerous conditions.

8) Each Wind Turbine Generator shall be equipped with a manual and automatic braking device capable of stopping the rotor blades in high winds and adverse weather conditions.

B) Setback Requirements: The following setbacks and separation requirements shall apply to all Wind Turbine Generators within the Project Boundary.

1) On a Participating Property, each Wind Turbine Generator shall be set back from the nearest Inhabited Structure a distance of no less than three (3) times the Total Height.

2) A Wind Turbine Generator within the Project Boundary shall be set back not less than times (5) times the Total Height from the property line of the nearest Non-participating Property as measured from the closest point at the base of the Tower.

3) No Wind Turbine Generator shall exceed five hundred (500) feet in Total Height.

4) Any MET Tower or SCADA Tower shall be set back not less than two and one-half (2 1/2) times the Total Height from any Inhabited Structure, public road right of way, or properly line of any Non-participating Property.

5) Every Wind Turbine Generator within the Project Boundary shall be set back not less than two (2) times the Total Height from every other Wind Turbine Generator or any public road right of way, power lines, gas line, or railroad Track, measured from closest point at the base of the Tower.

C) Sound Emission Limitations: The following Sound Emission limitations shall apply to a Wind Energy Harvest Site.

1) Sound Emissions on Participating Properties shall not exceed 45 dBA (45 is the dBA is the maximum) measured at the point of the nearest inhabited structure on the Participating Property or another Participating Property.

2) Sound Emissions measured at the adjacent property line of Non-participating Properties shall not exceed 45 dBA LMAX (45 dBA is the maximum).

3) Low Frequency Noise measured at the adjacent property line of Non-participating Properties shall not exceed 10 decibels (measured as dBC) above the pre-development Background Sound (measured as dBA).

D) Shadow Flicker and Blade Reflection: The Wind Energy Harvest Site shall be designated and sited to prevent shadow flicker and/or blade reflection from having a negative impact on any shadow flicker receptor, as defined herein. A Wind Energy Harvest Site shall be designed so that shadow flicker or blade reflection does not discernably impact any shadow flicker receptor for more than 30 hours per year at a structure within a participating parcel. Further, it should be designated and sited to prevent any shadow flicker and blade reflection at a Non-Participating parcel. Shadow flicker is measured at the property line shared by the participating parcel and the non-participating parcel.

E) Signal Interference: No Wind Energy Conversion Facilities shall be installed in any location where its proximity with existing fixed broadcast, retransmission, or reception antennas for radio, television, wireless phone, Auto GPS Steering Systems, or other personal communications systems would produce electromagnetic interference with signal transmission or reception. No Wind Energy Conversion Facilities shall be installed in any location along the major axis of an existing microwave communication link where its operation is likely to produce electromagnetic interference in the link's operation.

F) Stray Voltage Assessment and Requirements:

1) The Applicant shall conduct and include a report of a pre-construction stray voltage test on all livestock facilities located within and one mile beyond the Project Boundary.

2) Following completed construction and interconnection of all Wind Energy Conversion Facilities within the Project Boundary, the Applicant shall conduct a post-construction stray voltage test on all livestock facilities within and one mile beyond the Project Boundary.

3) The stray voltage tests shall be performed by a certified stray voltage investigator approved by the Planning Commission.

G) Roads:

1) A travel plan shall be provided depicting the routes to be used by construction and delivery vehicles and of any road improvements that will be necessary to accommodate construction vehicles, equipment of other deliveries, and an agreement or bond which guarantees the repair of damage to public roads and other areas caused by construction of Wind Energy Conversion Facilities must be submitted to and approved by the

Tuscola County Road Commission prior to commencement of construction of any Wind Energy Conversion Facilities.

2) The travel plan must include the load capacity of the roads, an assessment of the roadway prior to and after construction of the Wind Energy Conversion Facilities and an intersection display or diagram indicating where and what type of improvements are necessary for transportation, delivery or maintenance purposes for any Wind Energy Conversion Facilities. Any necessary post-construction road repairs or reconstruction shall be the responsibility of the Owner/Operator of the Wind Energy Conversion Facilities and such necessary road repairs of reconstruction must be performed in compliance with all applicable requirements of the Tuscola County Road Commission.

H) Applicant shall provide a statement indicating what hazardous materials will be used and stored on the Wind Energy Harvest Site both during the construction phase and after.

I) Applicant shall provide an anticipated construction schedule and project phasing plan shall be required prior to final site plan approval.

J) Applicant shall provide a statement certifying that all Wind Energy Conversion Facilities will be inspected on an annual basis to ensure proper working condition. The Owner/Operator shall maintain with the Township up to date name and contact information for the person responsible for maintenance of the Wind Energy Conversion Facilities, as well as an unredacted safety/operator's manual.

6. Reporting Requirements:

A) The Owner/Operator shall notify the Novesta Township Clerk of any Extraordinary Events within 24 hours of any such event. "Extraordinary Events" shall include but not be limited to Tower collapse, catastrophic turbine failure, fires, leakage of hazardous materials, unauthorized entry to the Tower base, thrown blade or hub, any injury to any worker or other person that requires emergency medical treatment, or other event that impacts the public health and safety of the Township or its residents.

Additionally, the Owner/Operator shall provide the Novesta Township Clerk and residents of the Township with a hotline phone number for reporting of any such Extraordinary Events to an individual or manned facility designated by the Owner/Operator that can be contacted at any time.

B) An annual report (due by January 31st of every year, even for a partial first year) shall be submitted to the Novesta Township Clerk which shall contain the following:

1) Annual proof of liability insurance as required pursuant to this Ordinance.

2) Annual proof of decommissioning funds as required pursuant to this Ordinance.

3) A summary of all complaints, complaint resolutions, and Extraordinary Events.

7. Ownership change: The special land use permit is transferable with the permission of the Planning Commission. The proposed new Owner/Operator shall be required to register with the Township Clerk prior to the transfer of ownership or operation of the Wind Energy Harvest Site. The new owner/operator shall conform to all requirements of this Section.

8. Operational Requirements: The operation of a Wind Energy Harvest Site shall conform to operational requirements that reasonably protect the public from excessive danger due to weather conditions. For example, but not limited to, ice and snow.

9. Complaint Resolution:

A) Serious Violations: Except as otherwise provided in this Section, the Owner/Operator of the Wind Energy Harvest Site shall respond within five (5) business days to any complaint or complaints deemed by the Township Zoning Administrator to require immediate attention due to actual or probable endangering of persons or property. Testing, if required, shall be paid for by the Owner/operator and must commence within ten (10) working days of verification of the validity of the complaint. The Owner/Operator shall provide a mitigation plan within five (5) business days of being notified of the violation, which plan shall be implemented as quickly as needed to mitigate or avoid the actual or probable damage. Any costs attributable to mitigation or elimination of serious violations shall be borne by the Owner/Operator.

B) Other Violations: Except as otherwise provided in this Section, if the Township Zoning Administrator determines that a violation of this Ordinance or the special land use permit has occurred, and the violation is determined neither to be an emergency nor a serious violation as determined above, the Township Zoning Administrator shall provide written notice to the Owner/Operator alleged to be in violation. The Township Zoning Administrator and the Owner/Operator or its agents authorized to resolve complaints shall meet in good faith within thirty (30) days of the written notice of violation. The Owner/Operator shall pay for any necessary testing. The Owner/Operator is responsible for mitigating the problem within thirty (30) days. Notwithstanding the foregoing, the Township Zoning Administrator may permit the Owner/Operator up to ninety (90) days to mitigate problems that involve significant construction or physical modification.

C) If a complaint is not mitigated to the satisfaction of the Township or any affected

landowner, nothing in this ordinance or the special land use permit shall preclude the Township or the landowner from pursuing legal action in a court of competent jurisdiction against the Owner/Operator.

10. Removal/Decommissioning:

A) Should any Wind Turbine Generator discontinue producing power for a minimum of one (1) year, the Owner/Operator shall be required to provide a status report to the Township Planning Commission. A review of the status report by the Township Planning Commission may result in a request for the affected Wind Turbine Generators, or the entire Wind Energy Harvest Site to be decommissioned. Failure to comply with a decommissioning request may result in the issuance of a stop operation order by the Township Zoning Administrator, and revocation of the special land use permit in accordance with Section 1402.

B) The Owner/Operator shall post and maintain decommissioning funds in an amount equal to the net costs of decommissioning the Wind Energy Harvest Site; at no point shall decommissioning funds be less than one hundred percent (100%) of decommissioning costs, or \$750,000.00, whichever is greater for each wind turbine generator. Decommissioning cost shall be paid for by the owner/operator as determined by a third party known in this field, for their expertise and the cost of hiring a third party, will also be paid for by the owner/operator. The decommissioning funds shall be posted and maintained with a bonding company or Federal or State-chartered lending institution chosen by the owner/operator and participating landowners posting the financial security provided that the bonding company or lending institution is authorized to conduct such business within this State and is approved by an Attorney representing the Township. No work can begin on the Wind Energy Har-

vest Site before the decommissioning bond is issued and accepted.

C) When a Wind Turbine Generator is decommissioned, all items must be removed from the subject property including buildings, electrical components, any roads, structural foundations, or other associated components, and must be documented and recorded within the Tuscola County Register of Deeds.

D) The Township Clerk shall be notified within thirty (30) days of any changes in the status of a Wind Energy Harvest Site, including cessation of use, a change in its ownership, or a change in the terms of the underlying lease to the subject property.

E) In the event the Owner/Operator defaults on any or all of the previously outlined decommissioning requirements, the landowner upon which any Wind Energy

Conversion Facilities are located shall be responsible and liable for the removal of any Wind Energy Conversion Facilities.

Failure of the landowner's compliance to the removal/decommissioning guidelines may result in the Township having the unit(s) removed at the expense of the landowner. If funding is not available to cover the costs of removal by the landowner, legal action to pursue the seizure of property(s) will take place to cover such costs.

11. Inspections: Upon the provision of reasonable prior notice to the Owner/Operator, the Township Zoning Administrator, and/or his or her designated representative, may inspect any property for which special land use approval has been granted pursuant to this Section to determine whether the site complies with the applicable re-

quirements of law and the terms of the special land use approval.

12. Miscellaneous Provisions

A) Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

B) Repealer Clause. Any ordinances, resolutions or parts of ordinances resolutions, in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

C) Effective Date. This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

Novesta Township Solar Energy Notice

ARTICLE I. DEFINITIONS

1) SOLAR ENERGY SYSTEM means an energy system which converts solar energy to usable thermal, mechanical, chemical or electrical energy.

a. PRIVATE SOLAR ENERGY SYSTEM means any Solar Energy System that is accessory to a principal use located on the same parcel, and is designed and built to serve the principal use of the parcel. These systems shall not be utilized for any commercial sale of energy, except for the sale of surplus electrical energy back to the electrical grid.

b. COMMERCIAL SOLAR ENERGY SYSTEM means any Solar Energy System and accessory structures or use that is designed and built to exclusively provide electricity to the electric utility's power grid and is not accessory to any other use. The commercial Solar Energy System is a principal use of property and may occupy the same property as another principal use.

2) FREESTANDING OR GROUND-MOUNTED SOLAR ENERGY SYSTEM shall mean any solar energy system that is directly installed in the ground and is not attached or affixed to an existing structure.

3) ROOFTOP AND BUILDING-MOUNTED SOLAR ENERGY SYSTEM shall mean any solar energy system in which solar panels are mounted on top of the structure of a roof either as a flush-mounted system or as modules fixed to frames which can be tilted toward the south at an optimal angle.

ARTICLE II. PRIVATE SOLAR ENERGY SYSTEM

(A) A Private Solar Energy System, as defined in Article I of this Ordinance, shall comply with the provisions of this Section.

(B) Criteria for the use of a Private Solar Energy System.

1. A Private Solar energy system, and its related parts and equipment, shall be located in the least visibly obtrusive location where panels would be functional.

2. A Private Solar energy system, and its related parts and equipment, shall be repaired or replaced within three (3) months of becoming nonfunctional.

3. Each Private Solar energy system shall conform to applicable industry standards including those of the American National Standards Institute (ANSI).

(C) Application for Review. An applicant who seeks to install a private solar energy system shall submit an application to the Planning Commission that includes the following:

1. Photographs of the property's existing conditions.

2. Renderings or catalogue cuts of the proposed solar energy system.

3. Certificate of compliance demonstrating that the system has been tested and approved by Underwriters Laboratories (UL) or other approved independent testing agency.

4. Plot plan to indicate where the solar energy system is to be installed on the property.

5. Description of the screening to be provided for the Solar Energy System.

6. An attestation that the applicant will indemnify and hold the Township harmless from any liability stemming from the approval, installation, construction, maintenance, use, repair, or removal of the solar energy equipment brought forth by a third-party injured in any way as a result of the equipment.

(D) Exclusions from Administrative Review.

Repair and replacement of existing private solar energy system, provided that there is no expansion of the size or coverage area of the solar energy equipment is not required to be approved by the Township Planning Commission.

(E) Rooftop or Building-Mounted Solar Energy Collector Requirements. A rooftop or building-mounted private solar energy system shall be a permitted accessory use in all zoning districts, subject to the following requirements:

1. A Private Solar energy system that is mounted on the roof of a building shall not project more than five (5) feet above the highest point of the roof but, in any event, shall not exceed the maximum building height limitation for the zoning district in which it is located, and shall not project beyond the eaves of the roof. However, this system may exceed the zoning district's height requirement if for every foot exceeded it is set back the same amount from the roof's perimeter. This limit shall be restricted to the five (5) foot requirement expressed above.

2. A Private Solar energy system mounted on the roof of a building shall be only of such weight as can safely be supported by the roof. Proof of this must be in the form of certification by a professional engineer or other qualified person and shall be submitted to the Planning Commission as part of the application process and may be inspected by the County's Building Official/Code Enforcer.

3. A Private Solar energy system that is roof-mounted, building-mounted, or are otherwise attached to a building or structure shall be permanently and safely attached to the building or structure. Proof of the safety and reliability of the means of such attachment shall as part of the application process and may be inspected by the County's Building Official/Code Enforcer.

4. A Private Solar energy system that is wall-mounted to a building shall not exceed the height of the building wall to which they are attached.

5. The exterior surfaces of a Private solar energy system that is mounted on the roof or on a wall of a building, or are otherwise attached to a building or structure, shall be generally neutral in color and substantially non-reflective of light.

6. A Private Solar energy system shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy of such directions shall be submitted to the Planning Commission prior to installation. The County's Building Official/Code Enforcer may inspect the completed installation to verify compliance with the manufacturer's directions.

7. A Private Solar energy system, and the installation and use thereof, shall comply with the applicable Township, County, and State codes, including construction codes.

(F) Ground-Mounted Solar Energy Collector Requirements. A Private ground-mounted solar energy system shall be a conditional use in the AR Agricultural-Residential District, subject to the approval of the Planning Commission, which must receive an application with the following requirements:

(1) Private Ground-mounted solar energy collectors shall be located only as follows:

a. They may be only located in the rear yard and the side yard, but not in the required rear yard setback (35 feet) or in the required side yard setback (10 feet) unless permitted by the Planning Commission.

(2) A Private Ground-mounted solar energy system shall not exceed sixteen (16) feet in height, measured from the ground at the base of such equipment.

(3) A Private Ground-mounted Solar energy system shall be permanently and safely attached to the ground. Proof of the safety and reliability of the means of such attachment shall be submitted with the conditional use application and shall be subject to the Planning Commission's approval, with the ability of the County's Building Official/Code Enforce to review.

(4) A Private Ground-mounted Solar energy system shall be installed, maintained and used only in accordance with the manufacturer's directions. A copy of such directions shall be submitted with the conditional use application. The conditional use, if granted, may be subject to the County's building official's inspection to determine compliance with the manufacturer's directions.

(5) The exterior surfaces of a private Ground-Mounted solar energy system shall be generally neutral in color and substantially non-reflective of light.

(6) Ground-mounted solar energy systems, and the installation and use thereof, shall comply with all applicable Township, County, and State codes, including construction codes.

(7) An attestation that the applicant will indemnify and hold the Township harmless from any liability stemming from the approval, installation, construction, maintenance, use, repair, or removal of the building-mounted solar energy equipment brought forth by a third-party injured in any way as a result of the equipment.

(8) The conditional use may include terms and conditions in addition to those stated in this subsection.

ARTICLE III. COMMERCIAL SOLAR ENERGY SYSTEM

A COMMERCIAL SOLAR ENERGY SYSTEM is permitted as a Special Use on a parcel of land located only in the AR Agricultural-Residential Zoning District if approved by the Planning Commission and subject to the following requirements:

(1) The Applicant shall submit a Site Plan showing the design of all elements to be erected or constructed as a part of the Solar Energy Farm, and a Site Plan which meets all of the requirements of the Township Zoning Ordinance and those of the Michigan Public Service Commission.

(2) The perimeter of Solar Energy Farm shall also be screened and buffered by installed evergreen or native vegetative plantings whenever existing natural vegetation does not otherwise reasonably obscure the Commercial Solar Energy System from adjacent residential structures, subject to the following requirements:

A) The evergreen or native vegetative buffer shall be composed of native or evergreen trees that at planting shall be a minimum of four (4) feet in height and shrubs two (2) feet in height.

B) The evergreen trees shall be spaced no more than fifteen (15) feet apart on center (from the central trunk of one plant to the central trunk of the next plant), native trees shall be placed no more than thirty (30) feet apart on center and shrubs shall be spaced no more than seven (7) feet apart on center.

C) All unhealthy (sixty (60) percent dead or greater) and dead material shall be replaced by the Applicant within one (1) year, or the next appropriate

planting period, whichever occurs first.

D) All plant materials shall be installed between March 15 and November 15, said cost of installation to be the sole responsibility of the Applicant.

E) Any access drives or roads remaining on or within the Project Boundary shall be gated and locked at night or when not in use. Gates shall be located no closer than fifty (50') feet from the public road right-of-way.

3) The application and Solar Energy Farm shall meet the requirements of Article XVI "Procedures for Special Use Approval by Planning Commission" of the Township Zoning Ordinance, including, but not limited to, a copy of any and all agreements, leases or other written documentation evidencing the recorded owner's authorization permitting the installation of Solar Energy Farms, which shall include a provision requiring the Applicant to remove all equipment to the natural grade and restore the site upon cessation or removal of any Solar Energy Farms.

4) No Solar Energy Farms shall be installed until written evidence has been submitted to the township that the Electric Utility Company has been informed and the Commercial Solar Energy system has the approval of the Michigan Public Service Commission of the Applicant's intent to install a Commercial Solar Energy System which will generate electric power for distribution by interconnection to the Electric Power Grid of the Electric Utility Company serving the area in which the Commercial Solar Energy System is located.

5) Following the operational life of the project, the Applicant shall perform decommissioning and removal of the Solar Energy Farm and all its components. The Applicant shall prepare a Decommissioning Plan and submit it to the Planning Commission for review and approval prior to issuance of the Special Land User Permit. Under this plan, all structures, concrete, piping, facilities, and other project related materials above grade and any structures up to three (3) feet below-grade shall be removed offsite for disposal. Proof of this removal must be documented and recorded within the Tuscola County Register of Deeds.

A Commercial Solar Energy System which becomes inactive in its generation and distribution of electricity for a continuous service period of one (1) year shall be completely removed from the site at the owner's or operator's expense, and the site shall be restored to as natural a condition as is possible within six (6) months from the determined one (1) year ending date of inactivity. The Township Clerk shall be notified within thirty (30) days of any changes in the status of a Commercial Solar Energy System, including cessation of use, a change in its ownership, or a change in the terms of the underlying lease to the subject property.

The Owner/Operator shall post and maintain decommissioning funds in an amount equal to the net costs of decommissioning the Commercial Solar Energy System; at no point shall decommissioning funds be less than one hundred percent (100%) of decommissioning costs. (Decommissioning cost shall be paid for by the owner/operator in an amount as determined by a third party known in this field, for their expertise and the cost of hiring a third party, will also be paid for by the owner/operator). The decommissioning funds shall be posted and maintained with a bonding company or Federal or State-chartered lending institution chosen by the owner/operator and participating landowners posting the financial security provided that the bonding company or lending institution is authorized to conduct such business within the State and is approved by an Attorney representing the Township. No work shall begin on the Commercial Solar Energy System before the decommissioning bond is issued and accepted.

In the event the Owner/Operator defaults on any or all of the previously outlined decommissioning requirements, the landowner upon which any Commercial Solar Energy System Facilities are located shall be responsible and liable for the removal of any Commercial Solar Energy System Facilities. Failure of the landowner's compliance to the removal/decommissioning guidelines would result in the Township having the unit(s) removed at the expense of the landowner. If funding is not available to cover the costs of removal by the landowner, legal action to pursue the seizure of property(s) will take place to cover such costs.

6) The Owner/Operator shall notify the Novesta Township Clerk of any Extraordinary Events within 24 hours of any such event. "Extraordinary Events" shall include but not be limited to failures, fires, leakage of hazardous materials, any injury to any person that requires emergency medical treatment, or other event that impacts the public health and safety of the Township or its residents.

Additionally, the Owner/Operator shall provide the Novesta Township Clerk and residents of the Township with a hotline phone number for reporting of any such Extraordinary Events to an individual or manned facility designated by the Owner/Operator that can be contacted at any time.

7) An annual report shall be submitted to the Novesta Township Clerk which shall contain the following:

1) Annual proof of liability insurance;

2) Annual proof of decommissioning funds as required by this Ordinance.

3) A summary of all complaints, complaint resolutions and Extraordinary Events.

8) The special land use permit is transferable. The proposed new Owner/Operator shall be required to register with the Township Clerk prior to the transfer of ownership or operation of the Commercial Solar Energy System. The new owner/operator shall conform to all requirements of this Section.

9) Except as otherwise provided in this Section, the Owner/Operator of the Commercial Solar Energy System shall respond within five (5) business days to any complaint or complaints deemed by the Township Zoning Administrator to require immediate attention due to actual or probable endangering of persons or property. Testing, if required, shall be paid for by the Owner/operator and must commence within ten (10) working days of verification of the validity of the complaint. The Owner/Operator shall provide a mitigation plan within five (5) business days of being notified of the violation, which plan shall be implemented as quickly as needed to mitigate or avoid the actual or probable damage. Any costs attributable to mitigation or elimination of serious violations shall be borne by the Owner/Operator.

If a complaint is not mitigated to the satisfaction of the Township or any affected landowner, nothing in this ordinance or the special land use permit shall preclude the Township or the landowner from pursuing legal action in a court of competent jurisdiction.

10) Upon the provision of reasonable prior notice to the Owner/Operator, the Township Zoning Administrator, and/or his or her designated representative, may inspect any property for which special land use approval has been granted pursuant to this Section to determine whether the site complies with the applicable requirements of law and the terms of the special land use approval.

ARTICLE FOUR: MISCELLANEOUS PROVISIONS

A) Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

B) Repealer Clause. Any ordinances, resolutions or parts of ordinances or resolutions, in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

C) Effective Date. This Ordinance shall become effective seven days after its publication or seven days after the publication of a summary of its provisions in a local newspaper of general circulation.

NOVESTA TOWNSHIP

Proposed Ordinance to add Section 4.05 of Article IV, "Zoning Districts", as contained in Novesta Township Ordinance #100

AN ORDINANCE TO ADD SECTION 4.05 OF ARTICLE IV, "ZONING DISTRICTS", AS CONTAINED IN NOVESTA TOWNSHIP ORDINANCE #100 TO PROHIBIT MARIHUANA ESTABLISHMENTS IN THE TOWNSHIP PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, MCL 333.279.51 et seq.

The Township of Novesta ordains: SECTION 4.05 PROHIBITION OF MARIHUANA ESTABLISHMENTS IN THE TOWNSHIP

Pursuant to Michigan Compiled Laws ("MCL") 333.27956(1), also known as Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act, the Township of Novesta has elected to completely prohibit "marihuana establishments", as defined by MCL 333.27953, within its boundaries.

*Submitted by
Pennie Rienas
Novesta Township Clerk*

Legal Notices

This firm is a debt collector trying to collect a debt and any information obtained will be used for that purpose. If you are currently or have within 6 months been in active military duty please contact our office at the number below.

NOTICE OF MORTGAGE FORECLOSURE SALE
MORTGAGE SALE - Default has been made in the terms and conditions of a Mortgage made by Brian Derscha and Katy Derscha, husband and wife, as Mortgagors, to Frankenmuth Credit Union, as Mortgagee, dated March 1, 2016, recorded March 9, 2016 in Liber 1347, Page 147 of Tuscola County records (the "Mortgage"). The amount claimed to be due and owing on the Mortgage is Sixty One Thousand Eight Hundred Fifty Eight and 11/100 Dollars (\$61,858.11) on the date of this Notice.

The Mortgage contains a power of sale and no suit or proceeding at law or in equity has been instituted to recover the debt secured by the Mortgage, or any part of the Mortgage. Under the power of sale contained in said Mortgage, and the statute in such case made and provided, take notice that on August 15, 2019 at 10:00 a.m., local time, or any adjourned date thereafter, the Mortgage will be foreclosed by sale of the mortgaged premises, or some part of them, at public auction, to the highest bidder, at the place of holding the Circuit Court within Tuscola County, Michigan. The Mortgagee will apply the sale proceeds to the debt secured by the Mortgage as stated above, plus interest accruing on the amount due at a rate of 12.50% per annum, costs and expenses of the Mortgagee as provided for in the Mortgage, and any amounts subsequently paid by the Mortgagee to protect its interest in the property.

The property to be sold at foreclosure is all of the real estate and improvements located in the City of Vassar, Tuscola County, Michigan, more particularly described as follows: Lot 20, Assessor's Plat of Block 11, of the Village (now City) of Vassar, according to the Plat thereof recorded in Liber 1 of Plats on Page 58B of Plats, except the North 36.62 feet thereof, Tuscola County records. Tax Parcel Identification No.: 79-051-500-111-2000-00 Commonly known as: 139 E. Huron Avenue, Vassar, Michigan 48768 Pursuant to MCL 600.3240(7), the redemption period shall be six (6) months from the date of sale. Pursuant to MCL 600.3278, the Mortgagors will be held responsible to the person who buys the property at the foreclosure sale or to the mortgage holder for damaging the property during the redemption period. Attention Purchasers:

This sale may be rescinded by the foreclosing mortgagee for any reason. In that event, your damages, if any, shall be limited solely to the return of the bid amount tendered at sale, plus interest, and the purchaser shall have no further recourse against the Mortgagors, the Mortgagee, or the Mortgagee's attorneys.

DATED: July 9, 2019 STANCATO TRAGGE WELLS, PLLC Frankenmuth Credit Union, Mortgage Attorneys for Mortgagee By: John P. Tragee 2 Towne Square, Suite 825 Southfield, Michigan 48076 (248) 731-4500. 7-17-4

MORTGAGE SALE
THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Notice is hereby given that Default has occurred in a Mortgage given by John Willerton, a married man, Loretta Willerton, his wife, and Robert Rolston, a married man, and Nancy Rolston, his wife, mortgagors, to Independent Mortgage Company, a dissolved Michigan corporation, as assigned to Independent Bank, a Michigan banking corporation, mortgagee. The Mortgage is dated September 29, 2009, and was recorded on October 9, 2009, in Liber 1185, on page 321 of the Tuscola County records, and subject to an Assignment of Mortgage recorded at Liber 1260, Page 594. The balance owing on the Mortgage as of the date of this Notice is \$17,116.32, including interest at 5.625% per

year variable. The Mortgage contains a power of sale clause and no proceedings have been instituted to recover any part of the debt owing.

The Mortgage will be foreclosed by selling the property described below at a public auction to the highest bidder. The sale will be held on August 15, 2019, at 10:00 a.m. local time at the main entrance to the Tuscola County Court Facility, 440 N. State Street, Caro, Michigan, that being the place of holding Circuit Court for Tuscola County, Michigan. The property will be sold to pay the amount then due on the Mortgage, including interest, legal costs, attorney fees and any taxes or insurance which may be paid by the mortgagee before the sale.

The property to be sold is located in the Township of Elkland, County of Tuscola, Michigan and is described as:

Commencing 870.04 ft N of the E 1/4 corner of Section 7, T14N, R11E, Elkland Township, Tuscola County, Michigan; thence continuing N 434.01 ft; thence S 88°00'50" W 419.12 ft; thence S 0°17'20" E, 404.61 ft; thence S 87°57'20" E 417.09 ft to the POB.

commonly known as 6353 Richie Road, Gagetown, MI tax i.d. 007-007-000-0300-01

If the property described in this notice is sold at a foreclosure sale, then under MCL 600.3278, the Mortgagor(s) will be held responsible to the buyer of the property at the foreclosure sale, or to the Mortgage holder, for damage done to the property during the redemption period.

The redemption period will expire six (6) months after the date of the foreclosure sale, unless the property is determined abandoned under MCL 600.3241a, in which case the redemption period will expire 30 days after the date of the foreclosure sale, or when the time to provide notice under MCL 600.3241a(c) expires, whichever is later.

SMITH, MARTIN, POWERS & KNIER, P.C.
Dated: July 9, 2019
By: Henry L. Knier, Jr. (P46393) Attorney for Independent Bank, Mortgagee 900 Washington Ave., P.O. Box 219 Bay City, MI 48707- (989) 892-4574 7-17-4

FORECLOSURE NOTICE (ALL COUNTIES) AS A DEBT COLLECTOR, WE ARE ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. NOTIFY (248) 362-6100 IF YOU ARE IN ACTIVE MILITARY DUTY. MORTGAGE SALE - Default having been made in the terms and conditions of a certain mortgage made by George J. Moore and Maxine L. Moore of Tuscola County, Michigan, Mortgagor to Independent Bank Successor by merger to Independent Mortgage Co. East MI, dated the 31st day of March, 2005, and recorded in the office of the Register of Deeds, for the County of Tuscola and State of Michigan, on the 31st day of March, 2005, as Instrument No. 200500864215; OR Liber 1033, Page 225 of Tuscola Records, on which mortgage there is claimed to be due, at the date of this notice, for principal of \$72,566.77 (seventy-two thousand five hundred sixty-six and 77/100) plus accrued interest at 4.25% (four point two five) percent per annum.

And no suit proceedings at law or in equity having been instituted to recover the debt secured by said mortgage or any part thereof. Now, therefore, by virtue of the power of sale contained in said mortgage, and pursuant to the statute of the State of Michigan in such case made and provided, notice is hereby given that on, the 22nd day of August, 2019, at 10:00:00 AM said mortgage will be foreclosed by a sale at public auction, to the highest bidder, front entrance of the Courthouse in the Village of Caro, Tuscola County, MI, Tuscola County, Michigan, of the premises described in said mortgage. Which said premises are described as follows: All that certain piece or parcel of land situate in the Township of Caro, in the County of Tuscola and State of Michigan and described as follows to wit: Land situated in

Township of Indianfields, County of Tuscola, State of Michigan, described as follows: The West 72 feet of Lots 1 and 2, Block 8 of the PLAT OF CENTERVILLE, NOW CARO VILLAGE OF CARO, according to the plat thereof recorded in Liber 11 of Plats, pages 362/363, now being Liber 1 of Plats, page 56, now being page 59A of Tuscola County Records. Commonly known as: 527 West Lincoln Street, Caro, MI 48723 Tax ID: 034-500-108-0150-00 If the property is sold at a foreclosure sale the borrower, pursuant to MCLA 600.3278 will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period. The redemption period shall be six months from the date of such sale, unless determined abandoned in accordance with MCL 600.3241a, in which case the redemption period shall be 30 days from the date of such sale.

Dated: July 24, 2019 By: Foreclosing Attorneys Attorney for Plaintiff Weltman, Weinberg & Reis Co., L.P.A. 323 W. Lakeside Ave. Suite 200 Cleveland, OH 44113 WWR# 10149470 7-24-4

Notice of Foreclosure by Advertisement

NOTICE is hereby given pursuant to MCL 600.3212, that the following will be foreclosed by a sale of the mortgaged premises, or some part of them, at public auction at the place of holding the circuit court within Tuscola County, at 10:00 AM, on August 29, 2019; Name(s) of the mortgagor(s): Anthony Dickenson, a married man Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as nominee for lender and lender's successors and/or assigns Foreclosing Assignee (if any): U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2018 G-CTT Date of Mortgage: December 6, 2011 Date of Mortgage Recording: December 8, 2011 Amount claimed due on date of notice: \$104,939.11 Description of the mortgaged premises: Situated in Township of Watertown, Tuscola County, Michigan, and described as: Parcel B:

A parcel of land in the Southeast 1/4 of Section 23, Town 10 North, Range 9 East, described as follows: To fix the point of beginning, commencing at the Southeast corner of Section 23; thence North 00 degrees 25 minutes 18 seconds East, on the East line of said Section 987.01 feet to the point of beginning of this description; thence South 89 degrees 54 minutes 16 seconds West, on a line which is parallel with said 335.28 feet, measured at right angles, South of the North line of the Southeast 1/4 of the Southeast 1/4 of said Section, 1313.36 feet to a point on the West line of said Southeast 1/4 of the Southeast 1/4; thence North 00 degrees 19 minutes 52 seconds West on said West line of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4; thence North 1/4, 335.29 feet to the Northwest 1/4 of said Southeast 1/4 of the Southeast 1/4; thence North 89 degrees 54 minutes 16 seconds East, on said North line of the Southeast 1/4 of the Southeast 1/4, 1313.9 feet to the Northeast corner of said Southeast 1/4 of the Southeast 1/4; thence South 00 degrees 25 minutes 18 seconds West, on said East Section line, 335.29 feet to the point of beginning.

14-7-31-1

The redemption period shall be 6 months from the date of such sale, unless determined abandoned in accordance with MCLA 600.3241a; or, if the subject real property is used for agricultural purposes as defined by MCL 600.3240(16).

If the property is sold at foreclosure sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to MCL 600.3278 the borrower will be held responsible to the person who buys the property at the mortgage foreclosure sale or to the mortgage holder for damaging the property during the redemption period. This notice is from a debt collector. Date of notice: July 31, 2019 Trott Law, P.C.

1390938 7-31-4

CLASSIFIEDS

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ESTATE SALE - August 8 & 9 from 10 a.m. to 5 p.m. at 2034 N. Englehart Rd. Misc. household items. 14-7-31-1

GARAGE SALE - Antique sale - wide plank pine trunk, black Windsor chairs and more. August 2-4 from 8:30 to 4 p.m. at 4933 Colwood Rd., Unionville. 14-7-31-1

4 FAMILY - Garage Sale 4581 West Street - August 1, 2, 3 from 9 a.m. to 5 p.m. teen girls' clothes (sizes 0-6), household items, furniture. S. Erla. 14-7-31-1

GARAGE SALE - 4622 Kennebec Dr., Cass City. Household items, kids' clothes, adult clothes, miscellaneous. Thursday, August 1 from 9 a.m. to 6 p.m. and Friday, August 2 from 9 a.m. to 12 p.m. 14-7-31-1

GARAGE SALE - 4344 Oak St. Cass City. Thursday, August 1 & Friday, August 2 from 8 a.m. to 5 p.m. and Saturday, August 3 from 9 a.m. to noon. Day-care Center items - toys, puzzles, books, games, etc., brand name boys' clothes (sizes 4T to 14), brand name teen girls', women's and men's clothing, women's small maternity clothes, household misc. items. Everything priced to sell. 14-7-31-1

GARAGE SALE - August 1 & 2 from 8 a.m. to 4 p.m. 6371 Chesnut Blvd., Cass City. Baby stuff, girls' clothes (0-7/8). 14-7-31-1

HUGE MOVING SALE - August 1, 2, 3 from 9 a.m. to 5 p.m. at 6201 Dale St., Cass City, corner of Dale St. and Hospital Dr. across from Hills & Dales Hospital. Tools, fire arms, furniture, dishes, toys, household items... too much to mention. 14-7-31-1

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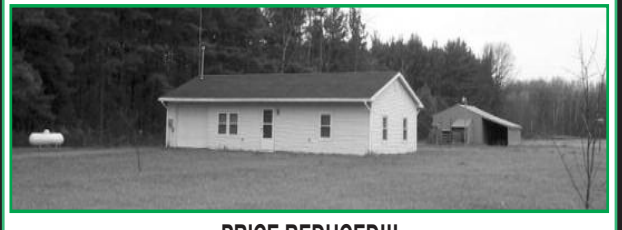


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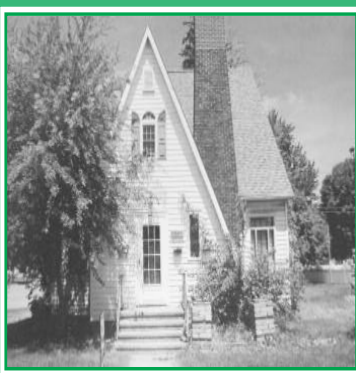
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Fishermen rescued Friday miles from Sanilac harbor

by Tom Montgomery
Editor

A pair of fishermen clung to their overturned boat in Lake Huron for hours before rescuers located them about 14 miles northeast of Port Sanilac Harbor early Friday morning.

The search for the men unfolded at about 11 p.m. Thursday when concerned family members called 911 in Sanilac County, saying the fisherman had left at 4:30 a.m. that day and hadn't yet returned home, nor had there been any contact via cell phone.

A Sanilac County Sheriff's deputy responded to the Port Sanilac boat launch and located the missing men's vehicle and boat trailer.

"At this time the Coast Guard was contacted," said Sgt. Chris Kravitsky, adding deputies attempted to locate a distress signal on the water and locate the men through their phone GPS locations, but neither effort was successful.

At about 12:45 a.m. Friday, two officers launched the sheriff's department's marine vessel and began a search.

"Follow-up contact with the family members by deputies on shore revealed the fishermen commonly fished on a reef approximately 22 miles out on Lake Huron," said Kravitsky, who added the information was relayed to both the deputies and Coast Guard.

"At approximately 2:31 a.m. a Coast Guard helicopter was able to locate the vessel and two missing men. The Coast Guard advised that the missing vessel was overturned and the two males were sitting on the hull," Kravitsky said. Both the sheriff's marine vessel and a Coast Guard vessel responded to the capsized boat, which was located just over 14 miles northeast of Port Sanilac.

The men, 69-year-old Dennis Pluff and 68-year-old David Varian, were rescued, with Pluff transported to Port Huron McLaren Hospital for treatment of severe hypothermia, and Varian treated for hypothermia at the harbor by Sanilac EMS personnel.

Kravitsky said the investigation revealed the men had left the harbor at 5:30 a.m. Thursday in 1998 Crestliner 18-foot boat.

"The men had planned on heading to a reef approximately 22 miles out from Port Sanilac Harbor," he added. "According to David Varian, the men went out about six miles and stopped due to the water being rough. David told deputies that water began to come over the transom and caused the boat to take on water and overturn around 9:30 a.m. After the boat overturned, both men were able to climb onto the hull of the boat. Both men were wearing life jackets at the time of the incident."

"The joint effort between the Sanilac County Sheriff's Office, the U.S. Coast Guard, Coast Guard Canada and Sanilac Central Dispatch undoubtedly saved the men from further peril or death," Sheriff Garry Biniecki commented. "They all should be commended publicly for their actions."

News briefs

Knights planning annual run

CASS CITY – Area residents who participate in run-walk events next month in Cass City will be helping to raise money for two food pantries in the area.

The Central Thumb Knights of Columbus Council is gearing for its annual 5-K run and walk, as well as a one-mile fun walk, Saturday, Aug. 17 at 9 a.m. at the Our Lady Consolata Parish (formerly St. Pancratius Catholic Church), 4292 S. Seeger St., Cass City.

The cost to participate is \$21 if registered before Aug. 16, and the cost to register after that date is \$25.

Proceeds from the event will go to the food pantries at Revive Ministries in Cass City and at St. Agatha Catholic Church in Gagetown.

To register or sponsor, call (989) 415-5636 or text centralthumbkcofc@gmail.

Uibly okays exchange program

UBLY — The Uibly Board of Education recently approved participating in a new short-term foreign exchange student program.

Under the program that will start this fall, about five students from a school in Spain will be spending two months in Uibly, and a selected number of Uibly students will be spending a couple weeks in Spain in the spring.

Compiled by Mary Drier and Tom Montgomery

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