

## RESOLUTIONS 2009

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- 09-56 Relative to Annual County-At-Large Drain Assessments.**
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- 09-58 Bond Authorizing resolution 2010B Capital Improvement Bonds.**
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- 09-61 Tentatively Award a Construction Contract for Wastewater System Improvements.**
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**RESOLUTION 09-70  
BOND AUTHORIZING RESOLUTION  
2010 CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)  
(TAXABLE)**

**COUNTY OF ST. CLAIR  
STATE OF MICHIGAN**

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Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan (the "County"), held on December 16, 2009.

PRESENT: Commissioners Jeff Bohm, Pamela Wall, Howard Heidemann, Steve Simasko, Pat Quain, and Wallace Evans

ABSENT: Commissioner Dennis Kearns

The following preamble and resolution were offered by Commissioner Heidemann and supported by Commissioner Quain:

WHEREAS, the County does hereby determine that it is necessary to acquire certain capital improvement items consisting generally of acquiring, constructing, rehabilitating, expanding and installing certain improvements to the County's landfill, including but not limited to, pump stations, wastewater force mains, sewer lines, septage bioreactor system, a landfill gas collection system, a landfill gas-to-energy facility, and related site improvements (the "Project"); and

WHEREAS, the Project qualifies for the State of Michigan Clean Water Revolving Fund financing program being administered by the Michigan Municipal Bond Authority (the "Authority"), and the Michigan Department of Environmental Quality ("MDEQ"), whereby the bonds of the County are sold to the Authority and bear interest at a fixed rate of two and one-half percent (2.50%) per annum; and

WHEREAS, to finance the cost of the Project, the Board of Commissioners deems it necessary to borrow the principal sum of not to exceed Fourteen Million Forty Five Thousand Dollars (\$14,045,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and

WHEREAS, a notice of intent was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the County unless a proper petition for an election on the question of the issuance of the bonds is filed with the County Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, at least 45 days have elapsed since the date of publication of the notice of intent without the filing of a petition for referendum on the question of the sale and issuance of the bonds described in the notice of intent.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the County designated 2010 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (TAXABLE) (the "Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed Fourteen Million Forty Five Thousand Dollars (\$14,045,000) for the purpose of paying the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery, payable in principal installments as finally determined at the time of sale of the Bonds and approved by the Authority and any of the Administrator/Controller, Deputy Controller/Finance Director, County Clerk or County Treasurer (collectively, the "Authorized Officers"). Final determination of the principal amount of and interest on the Bonds and the payment dates and amounts of principal installments of the Bonds shall be evidenced by the execution of a purchase contract (the "Purchase Contract"), between the County and the Authority providing for sale of the Bonds and each of the Authorized Officers is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above; provided, however, that the first principal installment shall be due no earlier than October 1, 2011, the final principal installment shall be due no later than October 1, 2033 and the total principal amount shall not exceed \$14,045,000.

The Bonds shall bear interest at an interest rate per annum on the par value thereof as evidenced by execution of the Purchase Contract, but in any event not to exceed two and one-half percent (2.50%) per annum and any of the Authorized Officers as shall be appropriate shall deliver the Bonds in accordance with the delivery instructions of the Authority. The Bonds principal amount is expected to be drawn down by the County periodically, and interest on the principal amount shall accrue from the date such principal amount is drawn down by the County.

The Bonds shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Bonds shall be payable as provided in the Bonds form in this Resolution.

The Bonds or principal installments thereof shall be subject to prepayment prior to maturity by the County with the prior approval of the Authority.

The County Treasurer shall record on the registration books payment by the County of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the County Treasurer.

Upon payment by the County of all outstanding principal of and interest on the Bonds, the Authority shall deliver the Bonds to the County for cancellation.

2. Execution of Bonds. The Chairperson of the Board of Commissioners and County Clerk are authorized to execute and deliver the Bonds in accordance with the delivery instructions of the

Authority. The Bonds of this issue shall be executed in the name of the County with the manual or facsimile signatures of the Chairperson of the Board of Commissioners and County Clerk of the County and shall have the seal of the County, or a facsimile thereof, printed or impressed on the Bonds. The Bonds bearing the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk sold to the Authority shall require no further authentication.

3. Transfer of Bonds. Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Bond or Bonds shall be surrendered for transfer, the County shall execute and the transfer agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The transfer agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The County shall not be required (i) to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Bonds selected for redemption as described in the form of Bonds contained in Section 6 of this Resolution and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Bond so selected for redemption in whole or in part, except the unredeemed portion of Bonds being redeemed in part. The County shall give the transfer agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The transfer agent shall keep or cause to be kept at its principal office sufficient books for the registration and transfer of the Bonds, which shall at all times be open to inspection by the County; and upon presentation for such purpose the transfer agent shall under such reasonable regulations as it may prescribe transfer or cause to be transferred on said books Bonds as hereinbefore provided.

If any Bond shall become mutilated, the County, at the expense of the holder of the Bond, shall execute, and the transfer agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the transfer agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the transfer agent and, if this evidence is satisfactory to both and indemnity satisfactory to the transfer agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the County, at the expense of the owner, shall execute, and the transfer agent shall thereupon authenticate and deliver, a new Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond the transfer agent may pay the same without surrender thereof.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The County hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The County shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the County subject to applicable

constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The County Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the Board of Commissioners, to be designated 2010 CAPITAL IMPROVEMENT BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The County Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the Board of Commissioners, to be designated 2010 CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form, subject to such modification which may be required by the Michigan Attorney General and the Authority and approved by bond counsel:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN

**COUNTY OF ST. CLAIR**

2010 CAPITAL IMPROVEMENT BOND  
(LIMITED TAX GENERAL OBLIGATION)  
(TAXABLE)

REGISTERED OWNER: Michigan Municipal Bond Authority  
PRINCIPAL AMOUNT: Fourteen Million Forty Five Thousand Dollars (\$14,045,000)  
DATE OF ORIGINAL ISSUE: \_\_\_\_\_, 2010

The COUNTY OF ST. CLAIR, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority"), or registered assigns, the Principal Amount shown above, or such portion thereof as shall have been advanced to the County pursuant to a Purchase Contract between the County and the Authority and a Supplemental Agreement by and among the County, the Authority and the State of Michigan acting through the Department of Environmental Quality, in lawful money of the United States of America, unless prepaid or reduced prior thereto as hereinafter provided.

During the time the Principal Amount is being drawn down by the County under this bond, the Authority will periodically provide to the County a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the County of its obligation to repay the outstanding Principal Amount actually advanced (subject to any principal forgiveness as provided for in Schedule A), all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on the Schedule A attached hereto and made a part hereof, as such Schedule may be adjusted if less than \$14,045,000 is disbursed to the County or if a portion of the Principal Amount is prepaid as provided below, with interest on said principal installments from the date each said installment is delivered to the holder hereof until paid at the rate of two and one-half percent (2.50%) per annum. Interest is first payable on October 1, 2010, and semiannually thereafter and principal is payable on the first day of October commencing October 1, 2014 (as identified in the Purchase Contract) and annually thereafter.

Notwithstanding any other provision of this bond, so long as the Authority is the owner of this Bond, (a) this bond is payable as to principal, premium, if any, and interest at The Bank of New York Mellon Trust Company, N.A. or at such other place as shall be designated in writing to the County by the Authority (the "Authority's Depository"); (b) the County agrees that it will deposit with the

Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the County and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

#### Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the County's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the County shall and hereby agrees to pay on demand only the County's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

This bond is the single, fully registered, nonconvertible bond in the principal sum of \$14,045,000 issued for the purpose of paying the cost of capital improvements for the County. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the County.

Bonds may be subject to redemption prior to maturity by the County only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This bond is transferable only upon the books of the County by the registered owner in person or the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent, duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution, and upon payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the County, and the County is required, if necessary, to levy ad valorem taxes on all taxable property in the County for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the County, including this bond, does not exceed any constitutional or statutory debt limitation.

IN WITNESS WHEREOF, the County, by its Board of Commissioners, has caused this bond to be signed in the name of the County by the manual signatures of its Chairperson of the Board of Commissioners and County Clerk and [a facsimile of] its corporate seal [impressed] [to be printed hereon], all as of the Date of Original Issue.

COUNTY OF ST. CLAIR  
State of Michigan

By: \_\_\_\_\_ [facsimile]  
Its: Chairperson, Board of  
Commissioners

(SEAL)

By: \_\_\_\_\_ [facsimile]  
Its: County Clerk

DEQ Project No.: 5372-01  
 DEQ Approved Amt: \$ \_\_\_\_\_  
 Loan Amount Forgiven: (\_\_\_\_\_)  
 Loan Amount to be Repaid: \$ \_\_\_\_\_

**SCHEDULE A**

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the bond shall be made until the full amount advanced to the County is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the County and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, (2) that less than the principal amount of assistance approved by the Order is disbursed to the County by the Authority or (3) that any portion of the principal amount of assistance approved by the Order and disbursed to the County is forgiven pursuant to the Order, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the County.

<u>Principal Installment</u> <u>Due on</u>	<u>Amount of Principal</u> <u>Installment</u>
October 1, 2014	\$ 650,000
October 1, 2015	655,000
October 1, 2016	660,000
October 1, 2017	665,000
October 1, 2018	670,000
October 1, 2019	675,000
October 1, 2020	680,000
October 1, 2021	685,000
October 1, 2022	690,000
October 1, 2023	700,000
October 1, 2024	705,000
October 1, 2025	710,000
October 1, 2026	720,000
October 1, 2027	725,000
October 1, 2028	730,000
October 1, 2029	735,000
October 1, 2030	740,000
October 1, 2031	745,000
October 1, 2032	750,000
October 1, 2033	<u>755,000</u>
	\$14,045,000

Interest on the bond shall accrue on that portion of principal disbursed by the Authority to the County which has not been forgiven pursuant to the Order from the date such portion is disbursed, until paid, at the rate of 2.50% per annum, payable October 1, 2010, and semi-annually thereafter.

The County agrees that it will deposit with the Authority's Depository, or such other place as shall be designated in writing to the County by the Authority payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

7. Sale of Bonds. The County hereby determines that it is in the best interest of the County to negotiate the sale of the Bonds to the Authority because the Clean Water Revolving Fund financing program provides significant interest savings to the County compared to a competitive sale in the municipal bond market. The Authorized Officers are hereby authorized to make application to the Authority and to the MDEQ for placement of the Bonds with the Authority.

8. Execution of Documents. The actions taken by the Authorized Officers with respect to the Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officers are authorized to execute and deliver the Purchase Contract, Supplemental Agreement and County's Certificate to the Authority. Prior to the delivery of the Bonds to the Authority, any Authorized Officer is hereby authorized to make such changes to the form of Bond contained in Section 6 of this Resolution as may be necessary to conform to the requirements of Act 227, Public Acts of Michigan 1985, as amended ("Act 227"), including, but not limited to changes in the principal maturity and interest payment dates and references to additional security required by Act 227.

9. Approval of Bond Counsel. The representation of the County by Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield"), as bond counsel is hereby approved, notwithstanding the representation by Miller Canfield of the Authority which may include advising the Authority with respect to this borrowing.

10. Approval of Bond Details. The Authorized Officers are each hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this Resolution, the interest rate per annum on the Bonds shall not exceed two and one-half percent (2.50%) per annum, and the Bonds shall mature in annual installments not to exceed twenty (20) in number.

11. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than twenty (20) years.

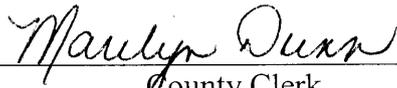
12. Authorization of Other Actions. The Authorized Officers are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, to enable the sale and delivery of the Bonds as contemplated herein.

13. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

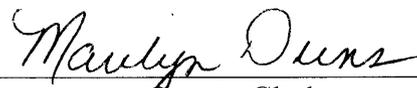
AYES: Commissioners: Jeff Bohm, Pam Wall, Pat Quain, Steve Simasko, Howard Heidemann, and Wally Evans

NAYS: Commissioners: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

  
\_\_\_\_\_  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on December 16, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

  
\_\_\_\_\_  
County Clerk

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

17484494.4\078015-00082

**RESOLUTION – 09-69**  
**ADOPTING COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN**  
**THE COUNTY OF ST. CLAIR COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AND**  
**THE ST. CLAIR COUNTY 31<sup>st</sup> JUDICIAL CIRCUIT COURT FAMILY DIVISION**  
**AND**  
**THE ST. CLAIR COUNTY JUVENILE COUNSELORS ASSOCIATION**

WHEREAS, the ST. CLAIR COUNTY JUVENILE COUNSELORS ASSOCIATION is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of the St. Clair County and,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement pursuant to the presentation made to the Board of Commissioners, for the period January 1, 2007 through December 31, 2011 is hereby approved and adopted.

Date : December 16, 2009

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060

  
\_\_\_\_\_  
Howard Heidemann  
  
\_\_\_\_\_

**RESOLUTION 09-68**

**ADOPTING 2010 SPECIAL REVENUE FUNDS BUDGETS AND  
AMENDING THE 2009 GENERAL AND SPECIAL REVENUE FUNDS BUDGETS**

**WHEREAS**, under the provisions of the Uniform Budgeting and Accounting Act, P.A. 621 of 1978 as amended, for local units of government in Michigan, all budgets for Special Revenue Funds must be adopted by the Legislative Body; and

**WHEREAS**, the County Administrator/Controller hereby submits and recommends the adoption of the 2010 budgets of the County's various Special Revenue Funds (attached as Exhibit "A") in accordance with the Uniform Budgeting and Accounting Act, P.A. 621 of 1978 as amended; and

**WHEREAS**, also under P.A. 621 of 1978 as amended, amendments to governmental fund type budgets must be approved by the Legislative Body and in accordance with generally accepted accounting principles, as applicable to governmental units, the budgeted revenues and expenditures should be compared with the actual revenues and expenditures in the financial statements at year-end; and

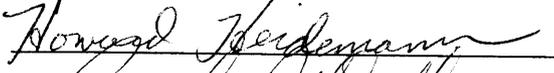
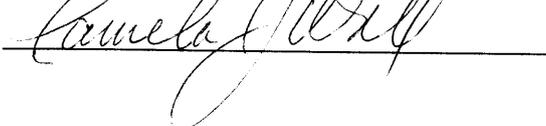
**WHEREAS**, in the 2009 General and Special Revenue Funds budgets the revenues and expenditures totals should be amended as recommended by the Administrator/Controller (attached as Exhibit "B").

**NOW, THEREFORE BE IT RESOLVED**, that the above recommended 2010 Special Revenue Funds Budgets be adopted and the 2009 Budgets of the General and Special Revenue Funds be amended as recommended, in compliance with State of Michigan Public Act 621 of 1978, as amended, which amends Public Act 2 of 1968, entitled "The Uniform Budgeting and Accounting Act".

**DATED: December 16, 2009**

Reviewed and Approved as to form by:

  
GARY A. FLETCHER  
Corporation Counsel  
522 Michigan St.  
Port Huron, Michigan

**RESOLUTION 09-66  
RESCINDING RESOLUTION 09-65 AND TO AWARD  
A CONSTRUCTION CONTRACT  
FOR WASTEWATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the County of St. Clair, Michigan wishes to construct improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the wastewater system improvements project formally adopted on June 25, 2009 will be funded through Michigan's SRF Program; and

**WHEREAS**, the County of St. Clair, Michigan has sought and received construction bids for the Leachate Pretreatment, Transportation and Disposal System – Part 3 (Pretreatment Lagoons) and has received a bid in the amount of \$1,060,320.00 from T. R. Pieprzak Company, Inc., and

**WHEREAS**, the project engineer, Fishbeck, Thompson, Carr & Huber, Inc., has recommended awarding the contract to the bidder.

**NOW THEREFORE BE IT RESOLVED**, that the County of St. Clair, Michigan, tentatively awards the contract for construction of the proposed wastewater system improvements project to T. R. Pieprzak Company, Inc., contingent upon successful financial arrangements with the SRF Program.

Yeas: Commissioners Simasko, Evans, Quain, Bohm, Wall and Heidemann

Nays: None

Abstain: None

Absent: Commissioner Kearns

I certify that the above Resolution was adopted by St. Clair County Board of Commissioners on December 16, 2009.

BY: Marilyn Dunn, St. Clair County Clerk/ROD  
Name and Title *(please print or type)*

Marilyn Dunn  
Signature

December 18, 2009  
Date

**RESOLUTION 09-65**  
**A RESOLUTION TO TENTATIVELY AWARD**  
**A CONSTRUCTION CONTRACT**  
**FOR WASTEWATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the County of St. Clair, Michigan wishes to construct improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the wastewater system improvements project formally adopted on June 25, 2009 will be funded through Michigan's SRF Program; and

**WHEREAS**, the County of St. Clair, Michigan has sought and received construction bids for the Leachate Pretreatment, Transportation and Disposal System – Part 3 (Pretreatment Lagoons) and has received a low bid in the amount of \$1,052,700.00 from Irish Construction Company, and

**WHEREAS**, the project engineer, Fishbeck, Thompson, Carr & Huber, Inc., has recommended awarding the contract to the low bidder.

**NOW THEREFORE BE IT RESOLVED**, that the County of St. Clair, Michigan, tentatively awards the contract for construction of the proposed wastewater system improvements project to Irish Construction Co., contingent upon successful financial arrangements with the SRF Program.

Yeas: Simasko, Kearns, Evans, Quain, Bohm, Wall and Heidemann

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by St. Clair County Board of Commissioners on December 2, 2009.

BY: Marilyn Dunn, St. Clair County Clerk/ROD  
Name and Title *(please print or type)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RESOLUTION 09-64**  
**A RESOLUTION TO TENTATIVELY AWARD**  
**A CONSTRUCTION CONTRACT**  
**FOR WASTEWATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the County of St. Clair, Michigan wishes to construct improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the wastewater system improvements project formally adopted on June 25, 2009 will be funded through Michigan's SRF Program; and

**WHEREAS**, the County of St. Clair, Michigan has sought and received construction bids for the Landfill Gas-to-Energy Facility and has received a low bid in the amount of \$1,341,227.00 from Irish Construction Company; and

**WHEREAS**, the project engineer, Howard R. Green Company, has recommended awarding the contract to the low bidder.

**NOW THEREFORE BE IT RESOLVED**, that the County of St. Clair, Michigan, tentatively awards the contract for construction of the proposed wastewater system improvements project to Irish Construction Company, contingent upon successful financial arrangements with the SRF Program.

Yeas: Simasko, Kearns, Evans, Quain, Bohm, Wall and Heidemann

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by St. Clair County Board of Commissioners on December 2, 2009.

BY: Marilyn Dunn, St. Clair County Clerk/ROD  
Name and Title *(please print or type)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RESOLUTION 09-63**  
**A RESOLUTION TO TENTATIVELY AWARD**  
**A CONSTRUCTION CONTRACT**  
**FOR WASTEWATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the County of St. Clair, Michigan wishes to construct improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the wastewater system improvements project formally adopted on June 25, 2009 will be funded through Michigan's SRF Program; and

**WHEREAS**, the County of St. Clair, Michigan has sought and received construction bids for the Phase IV Gas Collection and Control System and has received a low bid in the amount of \$267,947.50 from Great Lakes Fusion, LLC; and

**WHEREAS**, the project engineer, CTI & Associates, Inc., has recommended awarding the contract to the low bidder.

**NOW THEREFORE BE IT RESOLVED**, that the County of St. Clair, Michigan, tentatively awards the contract for construction of the proposed wastewater system improvements project to Great Lakes Fusion, LLC, contingent upon successful financial arrangements with the SRF Program.

Yeas: Simasko, Kearns, Evans, Quain, Bohm, Wall and Heidemann

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by St. Clair County Board of Commissioners on December 2, 2009.

BY: Marilyn Dunn, St. Clair County Clerk/ROD  
Name and Title *(please print or type)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**RESOLUTION 09-62**  
**A RESOLUTION TO TENTATIVELY AWARD**  
**A CONSTRUCTION CONTRACT**  
**FOR WASTEWATER SYSTEM IMPROVEMENTS**

**WHEREAS**, the County of St. Clair, Michigan wishes to construct improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the wastewater system improvements project formally adopted on June 25, 2009 will be funded through Michigan's SRF Program; and

**WHEREAS**, the County of St. Clair, Michigan has sought and received construction bids for the Leachate Pretreatment, Transportation and Disposal System – Part 1 (Leachate Pretreatment Facility) and has received a low bid in the amount of \$3,159,000.00 from McCarthy & Smith, Inc.; and

**WHEREAS**, the project engineer, Fishbeck, Thompson, Carr & Huber, Inc., has recommended awarding the contract to the low bidder.

**NOW THEREFORE BE IT RESOLVED**, that the County of St. Clair, Michigan, tentatively awards the contract for construction of the proposed wastewater system improvements project to McCarthy & Smith Inc., contingent upon successful financial arrangements with the SRF Program.

Yeas:            Simasko, Kearns, Evans, Quain, Bohm, Wall and Heidemann  
Nays:            None  
Abstain:        None  
Absent:         None

I certify that the above Resolution was adopted by St. Clair County Board of Commissioners on December 2, 2009.

BY: Marilyn Dunn, St. Clair County Clerk/ROD  
Name and Title *(please print or type)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**ST. CLAIR COUNTY BOARD OF COMMISSIONERS'**

**RESOLUTION 09-60**

**DECLARING THE CENTRAL DISPATCH ADVISORY BOARD TO SERVE AS  
TECHNICAL ADVISORY COMMITTEE ("TAC") FOR PURPOSES OF LEIN/NCIC**

**Whereas** regulations as described in R 28.5204 require that in order for St. Clair County Central Dispatch to have access to the LEIN / NCIC system a governing body of Central Dispatch for purposes of LEIN / NCIC activity must be established by Resolution or Executive Order and the governing body for purposes of LIEN/NCIC must be composed of at least 51% Law Enforcement agency representatives; and

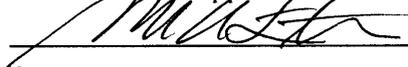
**Whereas**, the St. Clair County Central Dispatch Advisory Board was established by Resolution of the St. Clair County Board of Commissioners; and

**Whereas**, said Central Dispatch Advisory Board is comprised of at least 51% Law Enforcement agency representatives.

**Now Therefore Be It Resolved** that the St. Clair County Board of Commissioners appoints the Central Dispatch Advisory Board the governing body of Central Dispatch for matters pertaining to LEIN / NCIC activities;

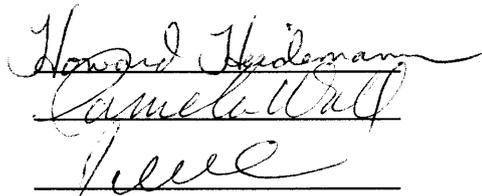
**DATED: December 16, 2009**

Reviewed and Approved As To Form By:



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GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Port Huron,  
MI 48060



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**RESOLUTION 09-59  
BOND AUTHORIZING RESOLUTION  
2010A CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)**

**COUNTY OF ST. CLAIR  
STATE OF MICHIGAN**

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Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan (the "County"), held on December 16, 2009.

PRESENT: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, the County does hereby determine that it is necessary to acquire certain capital improvement items consisting generally of acquiring, constructing, rehabilitating, expanding and installing certain improvements to the County's landfill, including but not limited to, pump stations, wastewater force mains, sewer lines, septage bioreactor system, a landfill gas collection system, a landfill gas-to-energy facility, and related site improvements (the "Project"); and

WHEREAS, the Project qualifies for the State of Michigan Clean Water Revolving Fund financing program being administered by the Michigan Municipal Bond Authority (the "Authority"), and the Michigan Department of Environmental Quality ("MDEQ"), whereby the bonds of the County are sold to the Authority and bear interest at a fixed rate of two and one-half percent (2.50%) per annum; and

WHEREAS, to finance the cost of the Project, the Board of Commissioners deems it necessary to borrow the principal sum of not to exceed Twelve Million Two Hundred Fifty Thousand Dollars (\$12,250,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and

WHEREAS, a notice of intent was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the County unless a proper petition for an election on the question of the issuance of the bonds is filed with the County Clerk within a period of forty-five (45) days from the date of publication; and

MILLER, CANFIELD, PADDOCK AND STONE, P.L.L.C.

WHEREAS, at least 45 days have elapsed since the date of publication of the notice of intent without the filing of a petition for referendum on the question of the sale and issuance of the bonds described in the notice of intent.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the County designated 2010A CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (the "Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed Twelve Million Two Hundred Fifty Thousand Dollars (\$12,250,000) for the purpose of paying the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery, payable in principal installments as finally determined at the time of sale of the Bonds and approved by the Authority and any of the Administrator/Controller, Deputy Controller/Finance Director, County Clerk or County Treasurer (collectively, the "Authorized Officers"). Final determination of the principal amount of and interest on the Bonds and the payment dates and amounts of principal installments of the Bonds shall be evidenced by the execution of a purchase contract (the "Purchase Contract"), between the County and the Authority providing for sale of the Bonds and each of the Authorized Officers is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above; provided, however, that the first principal installment shall be due no earlier than October 1, 2011, the final principal installment shall be due no later than October 1, 2035 and the total principal amount shall not exceed \$12,250,000.

The Bonds shall bear interest at an interest rate per annum on the par value thereof as evidenced by execution of the Purchase Contract, but in any event not to exceed two and one-half percent (2.50%) per annum and any of the Authorized Officers as shall be appropriate shall deliver the Bonds in accordance with the delivery instructions of the Authority. The Bonds principal amount is expected to be drawn down by the County periodically, and interest on the principal amount shall accrue from the date such principal amount is drawn down by the County.

The Bonds shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Bonds shall be payable as provided in the Bonds form in this Resolution.

The Bonds or principal installments thereof shall be subject to prepayment prior to maturity by the County with the prior approval of the Authority.

The County Treasurer shall record on the registration books payment by the County of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the County Treasurer.

Upon payment by the County of all outstanding principal of and interest on the Bonds, the Authority shall deliver the Bonds to the County for cancellation.

2. Execution of Bonds. The Chairperson of the Board of Commissioners and County Clerk are authorized to execute and deliver the Bonds in accordance with the delivery instructions of the Authority. The Bonds of this issue shall be executed in the name of the County with the manual or

facsimile signatures of the Chairperson of the Board of Commissioners and County Clerk of the County and shall have the seal of the County, or a facsimile thereof, printed or impressed on the Bonds. The Bonds bearing the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk sold to the Authority shall require no further authentication.

3. Transfer of Bonds. Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Bond or Bonds shall be surrendered for transfer, the County shall execute and the transfer agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The transfer agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The County shall not be required (i) to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Bonds selected for redemption as described in the form of Bonds contained in Section 6 of this Resolution and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Bond so selected for redemption in whole or in part, except the unredeemed portion of Bonds being redeemed in part. The County shall give the transfer agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The transfer agent shall keep or cause to be kept at its principal office sufficient books for the registration and transfer of the Bonds, which shall at all times be open to inspection by the County; and upon presentation for such purpose the transfer agent shall under such reasonable regulations as it may prescribe transfer or cause to be transferred on said books Bonds as hereinbefore provided.

If any Bond shall become mutilated, the County, at the expense of the holder of the Bond, shall execute, and the transfer agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the transfer agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the transfer agent and, if this evidence is satisfactory to both and indemnity satisfactory to the transfer agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the County, at the expense of the owner, shall execute, and the transfer agent shall thereupon authenticate and deliver, a new Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond the transfer agent may pay the same without surrender thereof.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The County hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The County shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the County subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The County Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the Board of Commissioners, to be designated 2010A CAPITAL IMPROVEMENT BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The County Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the Board of Commissioners, to be designated 2010A CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form, subject to such modification which may be required by the Michigan Attorney General and the Authority and approved by bond counsel:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN

**COUNTY OF ST. CLAIR**

2010A CAPITAL IMPROVEMENT BOND  
(LIMITED TAX GENERAL OBLIGATION)

REGISTERED OWNER: Michigan Municipal Bond Authority  
PRINCIPAL AMOUNT: Twelve Million Two Hundred Fifty Thousand Dollars  
(\$12,250,000)  
DATE OF ORIGINAL ISSUE: \_\_\_\_\_, 2010

The COUNTY OF ST. CLAIR, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority"), or registered assigns, the Principal Amount shown above, or such portion thereof as shall have been advanced to the County pursuant to a Purchase Contract between the County and the Authority and a Supplemental Agreement by and among the County, the Authority and the State of Michigan acting through the Department of Environmental Quality, in lawful money of the United States of America, unless prepaid or reduced prior thereto as hereinafter provided.

During the time the Principal Amount is being drawn down by the County under this bond, the Authority will periodically provide to the County a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the County of its obligation to repay the outstanding Principal Amount actually advanced (subject to any principal forgiveness as provided for in Schedule A), all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on the Schedule A attached hereto and made a part hereof, as such Schedule may be adjusted if less than \$12,250,000 is disbursed to the County or if a portion of the Principal Amount is prepaid as provided below, with interest on said principal installments from the date each said installment is delivered to the holder hereof until paid at the rate of two and one-half percent (2.50%) per annum. Interest is first payable on October 1, 2010, and semiannually thereafter and principal is payable on the first day of October commencing October 1, 2014 (as identified in the Purchase Contract) and annually thereafter.

Notwithstanding any other provision of this bond, so long as the Authority is the owner of this Bond, (a) this bond is payable as to principal, premium, if any, and interest at The Bank of New York Mellon Trust Company, N.A. or at such other place as shall be designated in writing to the County by the Authority (the "Authority's Depository"); (b) the County agrees that it will deposit with the

Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the County and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

#### Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the County's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the County shall and hereby agrees to pay on demand only the County's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

This bond is the single, fully registered, nonconvertible bond in the principal sum of \$12,250,000, issued for the purpose of paying the cost of capital improvements for the County. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the County.

Bonds may be subject to redemption prior to maturity by the County only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This bond is transferable only upon the books of the County by the registered owner in person or the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent, duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution, and upon payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the County, and the County is required, if necessary, to levy ad valorem taxes on all taxable property in the County for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the County, including this bond, does not exceed any constitutional or statutory debt limitation.

IN WITNESS WHEREOF, the County, by its Board of Commissioners, has caused this bond to be signed in the name of the County by the manual signatures of its Chairperson of the Board of Commissioners and County Clerk and [a facsimile of] its corporate seal [impressed] [to be printed hereon], all as of the Date of Original Issue.

COUNTY OF ST. CLAIR  
State of Michigan

By: \_\_\_\_\_ [facsimile]  
Its: Chairperson, Board of  
Commissioners

(SEAL)

By: \_\_\_\_\_ [facsimile]  
Its: County Clerk

DEQ Project No.: 5372-01  
 DEQ Approved Amt: \$ \_\_\_\_\_  
 Loan Amount Forgiven: ( \_\_\_\_\_ )  
 Loan Amount to be Repaid: \$ \_\_\_\_\_

**SCHEDULE A**

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the bond shall be made until the full amount advanced to the County is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the County and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, (2) that less than the principal amount of assistance approved by the Order is disbursed to the County by the Authority or (3) that any portion of the principal amount of assistance approved by the Order and disbursed to the County is forgiven pursuant to the Order, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the County.

<u>Principal Installment</u> <u>Due on</u>	<u>Amount of Principal</u> <u>Installment</u>
October 1, 2014	\$700,000
October 1, 2015	700,000
October 1, 2016	710,000
October 1, 2017	720,000
October 1, 2018	730,000
October 1, 2019	740,000
October 1, 2020	750,000
October 1, 2021	760,000
October 1, 2022	770,000
October 1, 2023	780,000
October 1, 2024	790,000
October 1, 2025	800,000
October 1, 2026	810,000
October 1, 2027	820,000
October 1, 2028	830,000
October 1, 2029	840,000

Interest on the bond shall accrue on that portion of principal disbursed by the Authority to the County which has not been forgiven pursuant to the Order from the date such portion is disbursed, until paid, at the rate of 2.50% per annum, payable October 1, 2010, and semi-annually thereafter.

The County agrees that it will deposit with the Authority's Depository, or such other place as shall be designated in writing to the County by the Authority payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

7. Sale of Bonds. The County hereby determines that it is in the best interest of the County to negotiate the sale of the Bonds to the Authority because the Clean Water Revolving Fund financing program provides significant interest savings to the County compared to a competitive sale in the municipal bond market. The Authorized Officers are hereby authorized to make application to the Authority and to the MDEQ for placement of the Bonds with the Authority.

8. Execution of Documents. The actions taken by the Authorized Officers with respect to the Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officers are authorized to execute and deliver the Purchase Contract, Supplemental Agreement and County's Certificate to the Authority. Prior to the delivery of the Bonds to the Authority, any Authorized Officer is hereby authorized to make such changes to the form of Bond contained in Section 6 of this Resolution as may be necessary to conform to the requirements of Act 227, Public Acts of Michigan 1985, as amended ("Act 227"), including, but not limited to changes in the principal maturity and interest payment dates and references to additional security required by Act 227.

9. Approval of Bond Counsel. The representation of the County by Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield"), as bond counsel is hereby approved, notwithstanding the representation by Miller Canfield of the Authority which may include advising the Authority with respect to this borrowing.

10. Approval of Bond Details. The Authorized Officers are each hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this Resolution, the interest rate per annum on the Bonds shall not exceed two and one-half percent (2.50%) per annum, and the Bonds shall mature in annual installments not to exceed twenty (20) in number.

11. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than twenty (20) years.

12. Tax Covenant. The County shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds.

13. Authorization of Other Actions. The Authorized Officers are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, to enable the sale and delivery of the Bonds as contemplated herein.

14. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Commissioners: \_\_\_\_\_

\_\_\_\_\_

NAYS: Commissioners: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on December 16, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
County Clerk

**RESOLUTION 09-58  
BOND AUTHORIZING RESOLUTION  
2010B CAPITAL IMPROVEMENT BONDS  
(LIMITED TAX GENERAL OBLIGATION)  
(TAXABLE)**

**COUNTY OF ST. CLAIR  
STATE OF MICHIGAN**

---

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan (the "County"), held on December 16, 2009.

PRESENT: Commissioners \_\_\_\_\_

---

ABSENT: Commissioners \_\_\_\_\_

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, the County does hereby determine that it is necessary to acquire certain capital improvement items consisting generally of acquiring, constructing, rehabilitating, expanding and installing certain improvements to the County's landfill, including but not limited to, pump stations, wastewater force mains, sewer lines, septage bioreactor system, a landfill gas collection system, a landfill gas-to-energy facility, and related site improvements (the "Project"); and

WHEREAS, the Project qualifies for the State of Michigan Clean Water Revolving Fund financing program being administered by the Michigan Municipal Bond Authority (the "Authority"), and the Michigan Department of Environmental Quality ("MDEQ"), whereby the bonds of the County are sold to the Authority and bear interest at a fixed rate of two and one-half percent (2.50%) per annum; and

WHEREAS, to finance the cost of the Project, the Board of Commissioners deems it necessary to borrow the principal sum of not to exceed Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and

WHEREAS, a notice of intent was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the County unless a proper petition for an election on the question of the issuance of the bonds is filed with the County Clerk within a period of forty-five (45) days from the date of publication; and

WHEREAS, at least 45 days have elapsed since the date of publication of the notice of intent without the filing of a petition for referendum on the question of the sale and issuance of the bonds described in the notice of intent.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the County designated 2010B CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (TAXABLE) (the "Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000) for the purpose of paying the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the full principal amount thereof, dated as of the date of delivery, payable in principal installments as finally determined at the time of sale of the Bonds and approved by the Authority and any of the Administrator/Controller, Deputy Controller/Finance Director, County Clerk or County Treasurer (collectively, the "Authorized Officers"). Final determination of the principal amount of and interest on the Bonds and the payment dates and amounts of principal installments of the Bonds shall be evidenced by the execution of a purchase contract (the "Purchase Contract"), between the County and the Authority providing for sale of the Bonds and each of the Authorized Officers is authorized and directed to execute and deliver the Purchase Contract when it is in final form and to make the determinations set forth above; provided, however, that the first principal installment shall be due no earlier than October 1, 2011, the final principal installment shall be due no later than October 1, 2035 and the total principal amount shall not exceed \$2,750,000.

The Bonds shall bear interest at an interest rate per annum on the par value thereof as evidenced by execution of the Purchase Contract, but in any event not to exceed two and one-half percent (2.50%) per annum and any of the Authorized Officers as shall be appropriate shall deliver the Bonds in accordance with the delivery instructions of the Authority. The Bonds principal amount is expected to be drawn down by the County periodically, and interest on the principal amount shall accrue from the date such principal amount is drawn down by the County.

The Bonds shall not be convertible or exchangeable into more than one fully-registered bond. Principal of and interest on the Bonds shall be payable as provided in the Bonds form in this Resolution.

The Bonds or principal installments thereof shall be subject to prepayment prior to maturity by the County with the prior approval of the Authority.

The County Treasurer shall record on the registration books payment by the County of each installment of principal or interest or both when made and the cancelled checks or other records evidencing such payments shall be returned to and retained by the County Treasurer.

Upon payment by the County of all outstanding principal of and interest on the Bonds, the Authority shall deliver the Bonds to the County for cancellation.

2. Execution of Bonds. The Chairperson of the Board of Commissioners and County Clerk are authorized to execute and deliver the Bonds in accordance with the delivery instructions of the Authority. The Bonds of this issue shall be executed in the name of the County with the manual or

facsimile signatures of the Chairperson of the Board of Commissioners and County Clerk of the County and shall have the seal of the County, or a facsimile thereof, printed or impressed on the Bonds. The Bonds bearing the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk sold to the Authority shall require no further authentication.

3. Transfer of Bonds. Any Bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Bond or Bonds shall be surrendered for transfer, the County shall execute and the transfer agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The transfer agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The County shall not be required (i) to issue, register the transfer of or exchange any Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Bonds selected for redemption as described in the form of Bonds contained in Section 6 of this Resolution and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Bond so selected for redemption in whole or in part, except the unredeemed portion of Bonds being redeemed in part. The County shall give the transfer agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The transfer agent shall keep or cause to be kept at its principal office sufficient books for the registration and transfer of the Bonds, which shall at all times be open to inspection by the County; and upon presentation for such purpose the transfer agent shall under such reasonable regulations as it may prescribe transfer or cause to be transferred on said books Bonds as hereinbefore provided.

If any Bond shall become mutilated, the County, at the expense of the holder of the Bond, shall execute, and the transfer agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the transfer agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the transfer agent and, if this evidence is satisfactory to both and indemnity satisfactory to the transfer agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the County, at the expense of the owner, shall execute, and the transfer agent shall thereupon authenticate and deliver, a new Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond the transfer agent may pay the same without surrender thereof.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The County hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The County shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the County subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The County Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the Board of Commissioners, to be designated 2010B CAPITAL IMPROVEMENT BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The County Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the Board of Commissioners, to be designated 2010B CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form, subject to such modification which may be required by the Michigan Attorney General and the Authority and approved by bond counsel:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN

**COUNTY OF ST. CLAIR**

2010B CAPITAL IMPROVEMENT BOND  
(LIMITED TAX GENERAL OBLIGATION)  
(TAXABLE)

REGISTERED OWNER: Michigan Municipal Bond Authority  
PRINCIPAL AMOUNT: Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000)  
DATE OF ORIGINAL ISSUE: \_\_\_\_\_, 2010

The COUNTY OF ST. CLAIR, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority"), or registered assigns, the Principal Amount shown above, or such portion thereof as shall have been advanced to the County pursuant to a Purchase Contract between the County and the Authority and a Supplemental Agreement by and among the County, the Authority and the State of Michigan acting through the Department of Environmental Quality, in lawful money of the United States of America, unless prepaid or reduced prior thereto as hereinafter provided.

During the time the Principal Amount is being drawn down by the County under this bond, the Authority will periodically provide to the County a statement showing the amount of principal that has been advanced and the date of each advance, which statement shall constitute prima facie evidence of the reported information; provided that no failure on the part of the Authority to provide such a statement or to reflect a disbursement or the correct amount of a disbursement shall relieve the County of its obligation to repay the outstanding Principal Amount actually advanced (subject to any principal forgiveness as provided for in Schedule A), all accrued interest thereon, and any other amount payable with respect thereto in accordance with the terms of this bond.

The Principal Amount shall be payable on the dates and in the annual principal installment amounts set forth on the Schedule A attached hereto and made a part hereof, as such Schedule may be adjusted if less than \$2,750,000 is disbursed to the County or if a portion of the Principal Amount is prepaid as provided below, with interest on said principal installments from the date each said installment is delivered to the holder hereof until paid at the rate of two and one-half percent (2.50%) per annum. Interest is first payable on October 1, 2010, and semiannually thereafter and principal is payable on the first day of October commencing October 1, 2014 (as identified in the Purchase Contract) and annually thereafter.

Notwithstanding any other provision of this bond, so long as the Authority is the owner of this Bond, (a) this bond is payable as to principal, premium, if any, and interest at The Bank of New York Mellon Trust Company, N.A. or at such other place as shall be designated in writing to the County by the Authority (the "Authority's Depository"); (b) the County agrees that it will deposit with the

Authority's Depository payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; in the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment; and (c) written notice of any redemption of this bond shall be given by the County and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

#### Additional Interest

In the event of a default in the payment of principal or interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the County's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the County shall and hereby agrees to pay on demand only the County's pro rata share (as determined by the Authority) of such deficiency as additional interest on this bond.

This bond is the single, fully registered, nonconvertible bond in the principal sum of \$2,750,000 issued for the purpose of paying the cost of capital improvements for the County. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the County.

Bonds may be subject to redemption prior to maturity by the County only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This bond is transferable only upon the books of the County by the registered owner in person or the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the transfer agent, duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution, and upon payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the County, and the County is required, if necessary, to levy ad valorem taxes on all taxable property in the County for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the County, including this bond, does not exceed any constitutional or statutory debt limitation.

IN WITNESS WHEREOF, the County, by its Board of Commissioners, has caused this bond to be signed in the name of the County by the manual signatures of its Chairperson of the Board of Commissioners and County Clerk and [a facsimile of] its corporate seal [impressed] [to be printed hereon], all as of the Date of Original Issue.

COUNTY OF ST. CLAIR  
State of Michigan

By: \_\_\_\_\_ [facsimile]  
Its: Chairperson, Board of  
Commissioners

(SEAL)

By: \_\_\_\_\_ [facsimile]  
Its: County Clerk

DEQ Project No.: 5372-01  
 DEQ Approved Amt: \$ \_\_\_\_\_  
 Loan Amount Forgiven: ( \_\_\_\_\_ )  
 Loan Amount to be Repaid: \$ \_\_\_\_\_

**SCHEDULE A**

Based on the schedule provided below unless revised as provided in this paragraph, repayment of principal of the bond shall be made until the full amount advanced to the County is repaid. In the event the Order of Approval issued by the Department of Environmental Quality (the "Order") approves a principal amount of assistance less than the amount of the bond delivered to the Authority, the Authority shall only disburse principal up to the amount stated in the Order. In the event (1) that the payment schedule approved by the County and described below provides for payment of a total principal amount greater than the amount of assistance approved by the Order, (2) that less than the principal amount of assistance approved by the Order is disbursed to the County by the Authority or (3) that any portion of the principal amount of assistance approved by the Order and disbursed to the County is forgiven pursuant to the Order, the Authority shall prepare a new payment schedule which shall be effective upon receipt by the County.

<u>Principal Installment Due on</u>	<u>Amount of Principal Installment</u>
October 1, 2014	\$115,000
October 1, 2015	115,000
October 1, 2016	115,000
October 1, 2017	125,000
October 1, 2018	135,000
October 1, 2019	145,000
October 1, 2020	155,000
October 1, 2021	165,000
October 1, 2022	175,000
October 1, 2023	185,000
October 1, 2024	195,000
October 1, 2025	205,000
October 1, 2026	215,000
October 1, 2027	225,000
October 1, 2028	235,000
October 1, 2029	245,000

Interest on the bond shall accrue on that portion of principal disbursed by the Authority to the County which has not been forgiven pursuant to the Order from the date such portion is disbursed, until paid, at the rate of 2.50% per annum, payable October 1, 2010, and semi-annually thereafter.

The County agrees that it will deposit with the Authority's Depository, or such other place as shall be designated in writing to the County by the Authority payments of the principal of, premium, if any, and interest on this bond in immediately available funds by 12:00 noon at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise. In the event that the Authority's Depository has not received the County's deposit by 12:00 noon on the scheduled day, the County shall immediately pay to the Authority as invoiced by the Authority an amount to recover the Authority's administrative costs and lost investment earnings attributable to that late payment.

7. Sale of Bonds. The County hereby determines that it is in the best interest of the County to negotiate the sale of the Bonds to the Authority because the Clean Water Revolving Fund financing program provides significant interest savings to the County compared to a competitive sale in the municipal bond market. The Authorized Officers are hereby authorized to make application to the Authority and to the MDEQ for placement of the Bonds with the Authority.

8. Execution of Documents. The actions taken by the Authorized Officers with respect to the Bonds prior to the adoption of this Resolution are ratified and confirmed. The Authorized Officers are authorized to execute and deliver the Purchase Contract, Supplemental Agreement and County's Certificate to the Authority. Prior to the delivery of the Bonds to the Authority, any Authorized Officer is hereby authorized to make such changes to the form of Bond contained in Section 6 of this Resolution as may be necessary to conform to the requirements of Act 227, Public Acts of Michigan 1985, as amended ("Act 227"), including, but not limited to changes in the principal maturity and interest payment dates and references to additional security required by Act 227.

9. Approval of Bond Counsel. The representation of the County by Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield"), as bond counsel is hereby approved, notwithstanding the representation by Miller Canfield of the Authority which may include advising the Authority with respect to this borrowing.

10. Approval of Bond Details. The Authorized Officers are each hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this Resolution, the interest rate per annum on the Bonds shall not exceed two and one-half percent (2.50%) per annum, and the Bonds shall mature in annual installments not to exceed twenty (20) in number.

11. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than twenty (20) years.

12. Authorization of Other Actions. The Authorized Officers are each authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, to enable the sale and delivery of the Bonds as contemplated herein.

13. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Commissioners: \_\_\_\_\_

\_\_\_\_\_

NAYS: Commissioners: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on December 16, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
County Clerk

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

17484494.1\078015-00082

COUNTY OF ST. CLAIR BOARD OF COMMISSIONERS'  
RESOLUTION 09-57

St. Clair County Support of the Application for Official Designation of the Southeast  
Michigan Resource Conservation and Development Council Area for Program  
Assistance from USDA

**WHEREAS**, Southeast Michigan is the only area within the State of Michigan that does not have an independent Resource Conservation and Development Council (RC&D) to focus on improvement of quality of life through natural resources conservation and community development; and

**WHEREAS**, a RC&D Council would be able to assist the people of the area to take better care of their natural resources; better utilize the services of the USDA and other local, state and federal agencies; and at the same time, improve their community's economy, environment and quality of life; and

**WHEREAS**, the United States Department of Agriculture's Natural Resources Conservation Service is in the process of seeking official designation for the RC&D Council in Southeast Michigan, which would be established as a community-based program and governed by local leaders from the counties of Lenawee, Macomb, Monroe, Oakland, St. Clair, Washtenaw and Wayne; and

**WHEREAS**, St. Clair County and its citizens will benefit from the official designation of an RC&D Council that seeks to enhance the quality of life for the area's residents by providing environmental and economic benefits vital to the health and well-being of the community.

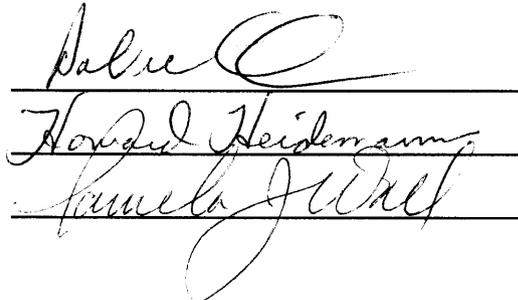
**NOW, THEREFORE, BE IT RESOLVED**, that the St. Clair County Board of Commissioners on this 16<sup>th</sup> day of December, 2009, supports the application for official designation of the Southeast Michigan Resource Conservation and Development Council, to be submitted by the USDA Natural Resources Conservation Service, and that this support be communicated to the USDA Secretary of Agriculture, other communities within Southeast Michigan, and to all other interested parties.

**DATED: December 16, 2009**

Reviewed and Approved As To Form By:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060



RELATIVE TO ANNUAL COUNTY AT LARGE DRAIN ASSESSMENTS

WHEREAS, pursuant to provisions of the Michigan Drain Code, the Drain Commissioner has submitted to the County Board of Commissioners, a listing of County Drains and the associated County At Large Drain Assessments showing the money to be paid by and assessed against the County for drain purposes for the year 2009 (attached as Exhibit A); and

WHEREAS, the payments of said amounts must be reviewed and approved by the County Board of Commissioners for the purpose of authorizing the payment or transfer of said amounts from the County's general fund to the drain funds; and

WHEREAS, the County has previously budgeted \$200,000 for "Drains- Public Benefit" for Fiscal Year 2009;

NOW, THEREFORE, BE IT RESOLVED:

1. That the County At Large Drain Assessment Roll for 2009 is marked as "Exhibit A", attached hereto and made a part hereof by reference.
2. That the Drain Commissioner's County At Large Drain Assessments, totaling \$203,756.13, are hereby approved, and the amounts apportioned therein shall be paid and assessed against the County at Large, according to such apportionment of benefits provided and as agreed to by the County.
3. All resolutions and parts of resolutions in conflict with this Resolution are, to the extent of the conflict, rescinded.

DATED: December 14, 2009

Reviewed and Approved by:

  
\_\_\_\_\_  
St. Clair County Corporation Counsel

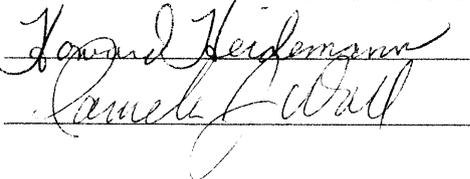
  
\_\_\_\_\_  
  
\_\_\_\_\_

Exhibit A  
 2009 COUNTY AT LARGE  
 DRAIN ASSESSMENTS  
 (Drains - Public Benefit)

<u>Drain</u>	<u>Amount</u>	<u>Drain</u>	<u>Amount</u>
Baird	\$ 1,791.43	McCormick & Br	\$ 74.14
Black Segate & Reid IC	34.53	Metcalf	1,504.04
Blue River Gardens	16,123.99	Miller	18.00
Bunce Creek & Huffman	46,459.28	Moore & Branches	5,548.77
Butler	22.64	Moore Creek & Branches	881.88
Carrigan & Br 1	5,393.11	Neuman	45.00
Chase Ext Coon Ck IC	1,723.56	Newland IC	770.96
Columbus & St Clair	99.79	No 209	3,519.23
Cox Doty - N of Railroad	5,548.32	No 211	20,287.42
Dana	23,156.45	Oakwood SS	529.63
Dawson	337.33	Ostrander	213.90
Dowling	54.00	Palms Road	79.60
E Br Jordan Creek	2,248.40	Pohly	78.53
Eddie-Smilely (#205)	568.38	Potter	94.48
Fueslein	547.73	Robbins	9,874.84
Hannah	277.62	Routley	14.99
Hannan & N. Belle River	1,432.37	Scheffler	5,257.06
Harris	90.44	Schneider-China	277.45
Hathaway	5,432.14	Shanahan	7,413.13
Howe Brandymore Br#1 & Br.A	62.32	Sheldon	202.85
Jordan Creek & Extensions	1,893.58	South Br Pine River-maintenance	2,587.42
Kells	21.01	South Br Pine River-WWTP const	21,764.46
Kelly	27.23	Sullivan	2,260.98
Kenney	80.19	Thompson F.G.	1,432.59
Kenockee-Clyde	50.10	W Branch Baird	1.13
Kriesch	99.12	Warner	321.04
Liverance	9.00	Wheeler	1,250.00
Lynn Mussey State	24.12	Wolf	18.24
Marsac Creek Br 1	3,799.19	Wolf #2	27.00
		Total	\$ 203,756.13

**RESOLUTION 09-55**

**APPROVING ANNUAL WAGE ADJUSTMENTS  
FOR  
THE COUNTY ASSOCIATION OF NON-UNION EMPLOYEES (CANUE)**

WHEREAS, the employees of the County Association of Non-Union Employees hereafter called CANUE are employees with no affiliation with or membership in a labor organization or recognized as an affiliated group of employees with the right and ability to collectively bargain with the County of St. Clair; and

WHEREAS, the St. Clair County Board of Commissioners has exclusive and unilateral right and authority to establish the compensation plan for determining the annual wage and salary compensation of employees of CANUE; and

WHEREAS, the St. Clair County Board of Commissioners does hereby exercise its exclusive and unilateral right to establish the compensation plan for determining the annual wage and salary compensation of employees of CANUE,

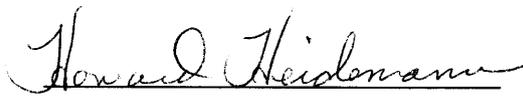
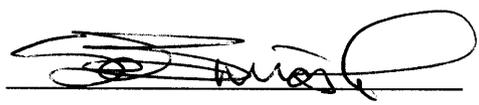
NOW THEREFORE, BE IT RESOLVED, that the Exempt Employee Compensation Structure (Attached Exhibit "A") for the period January 1, 2010 through December 31, 2010 is hereby approved and adopted. Furthermore, if any collective bargaining agreement receives a wage adjustment, then the CANUE schedule will be adjusted by the same percentage.

**Dated: December 16, 2009**

Reviewed and Approved by:

Board of Commissioners:

  
\_\_\_\_\_  
GARY FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**2010 County Association of Non-Union Employees - Wage Structure**

**Job Group I: Office**

Professionals		Merit Step 1	Merit Step 2	Merit Step 3	Merit Step 4	Merit Step 5	Merit Step 6	Merit Step 7	Merit Step 8	W.R.
Wage Range	A	20,795	21,627	22,492	23,392	24,327	25,300	26,312	27,364	A
Wage Range	B	22,492	23,392	24,327	25,300	26,312	27,364	28,458	29,596	B
Wage Range	C	24,327	25,300	26,312	27,364	28,458	29,596	30,780	32,011	C
Wage Range	D	26,312	27,364	28,458	29,596	30,780	32,011	33,292	34,624	D
Wage Range	E	28,458	29,596	30,780	32,011	33,292	34,624	36,009	37,450	E
Wage Range	F	30,780	32,011	33,292	34,624	36,009	37,450	38,948	40,507	F
Wage Range	G	33,292	34,624	36,009	37,450	38,948	40,507	42,126	43,811	G

**Job Group II:  
Professional/Technical**

Wage Range	A	25,300	26,312	27,364	28,458	29,596	30,780	32,011	33,292	A
Wage Range	B	27,364	28,458	29,596	30,780	32,011	33,292	34,624	36,009	B
Wage Range	C	29,596	30,780	32,011	33,292	34,624	36,009	37,450	38,948	C
Wage Range	D	32,011	33,292	34,624	36,009	37,450	38,948	40,507	42,126	D
Wage Range	E	34,624	36,009	37,450	38,948	40,507	42,126	43,811	45,563	E
Wage Range	F	37,450	38,948	40,507	42,126	43,811	45,563	47,386	49,281	F
Wage Range	G	40,507	42,126	43,811	45,563	47,386	49,281	51,252	53,301	G
Wage Range	H	43,811	45,563	47,386	49,281	51,252	53,301	55,433	57,650	H
Wage Range	I	47,386	49,281	51,252	53,301	55,433	57,650	59,956	62,354	I
Wage Range	J	51,252	53,301	55,433	57,650	59,956	62,354	64,848	67,442	J
Wage Range	K	55,433	57,650	59,956	62,354	64,848	67,442	70,140	72,946	K
Wage Range	L	59,956	62,354	64,848	67,442	70,140	72,946	75,863	78,898	L
Wage Range	M	64,848	67,442	70,140	72,946	75,863	78,898	82,054	85,336	M

**Job Group III: Division  
Heads/Supervisors**

Wage Range	A	32,011	33,292	34,624	36,009	37,450	38,948	40,507	42,126	A
Wage Range	B	34,624	36,009	37,450	38,948	40,507	42,126	43,811	45,563	B
Wage Range	C	37,450	38,948	40,507	42,126	43,811	45,563	47,386	49,281	C
Wage Range	D	40,507	42,126	43,811	45,563	47,386	49,281	51,252	53,301	D
Wage Range	E	43,811	45,563	47,386	49,281	51,252	53,301	55,433	57,650	E
Wage Range	F	47,386	49,281	51,252	53,301	55,433	57,650	59,956	62,354	F
Wage Range	G	51,252	53,301	55,433	57,650	59,956	62,354	64,848	67,442	G
Wage Range	H	55,433	57,650	59,956	62,354	64,848	67,442	70,140	72,946	H
Wage Range	I	59,956	62,354	64,848	67,442	70,140	72,946	75,863	78,898	I
Wage Range	J	64,848	67,442	70,140	72,946	75,863	78,898	82,054	85,336	J
Wage Range	K	70,140	72,946	75,863	78,898	82,054	85,336	88,750	92,300	K
Wage Range	L	75,863	78,898	82,054	85,336	88,750	92,300	95,992	99,832	L

**Job Group IV: Department  
Heads**

Wage Range	A	34,624	36,009	37,450	38,948	40,507	42,126	43,811	45,563	A
Wage Range	B	37,450	38,948	40,507	42,126	43,811	45,563	47,386	49,281	B
Wage Range	C	40,507	42,126	43,811	45,563	47,386	49,281	51,252	53,301	C
Wage Range	D	43,811	45,563	47,386	49,281	51,252	53,301	55,433	57,650	D
Wage Range	E	47,386	49,281	51,252	53,301	55,433	57,650	59,956	62,354	E
Wage Range	F	51,252	53,301	55,433	57,650	59,956	62,354	64,848	67,442	F
Wage Range	G	55,433	57,650	59,956	62,354	64,848	67,442	70,140	72,946	G
Wage Range	H	59,956	62,354	64,848	67,442	70,140	72,946	75,863	78,898	H
Wage Range	I	64,848	67,442	70,140	72,946	75,863	78,898	82,054	85,336	I
Wage Range	J	70,140	72,946	75,863	78,898	82,054	85,336	88,750	92,300	J
Wage Range	K	75,863	78,898	82,054	85,336	88,750	92,300	95,992	99,832	K
Wage Range	L	82,054	85,336	88,750	92,300	95,992	99,832	103,826	107,978	L
Wage Range	M	88,750	92,300	95,992	99,831	103,826	107,978	112,297	116,789	M
Wage Range	N	95,992	99,831	103,826	107,978	112,297	116,789	121,461	126,319	N
Wage Range	O	103,826	107,978	112,297	116,789	121,461	126,319	131,372	136,626	O
Wage Range	P	112,297	116,789	121,460	126,319	131,371	136,626	142,091	147,775	P
Wage Range	Q	121,460	126,319	131,371	136,626	142,091	147,775	153,686	159,834	Q
Wage Range	R	131,371	136,626	142,091	147,775	153,686	159,834	166,227	172,876	R
Wage Range	S	142,091	147,775	153,686	159,834	166,227	172,876	179,791	186,983	S

**Resolution 09-54**

**RELATIVE TO "PER DIEMS"  
FOR BOARDS AND COMMISSIONS**

**WHEREAS**, it is the duty of the St. Clair County Board of Commissioners annually, to determine the "Per Diems" to be paid to members of Boards and Commissions in cases where no provision is made by Board action or statute; and

**WHEREAS**, it is the opinion of the St. Clair County Board of Commissioners, that in such cases the "Per Diem" to be paid to members of various appointed Boards and Commissioners should be \$30.00 per day, in addition to such mileage allowance for travel, as the Board of Commissioners from time to time may determine.

**NOW THEREFORE, BE IT RESOLVED:**

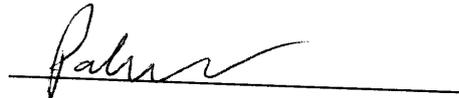
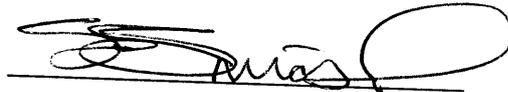
- 1) That for the year 2010, the "Per Diem" to be paid to members of Boards and Commissions appointed by the St. Clair County Board of Commissioners, shall be \$30.00 per day, plus such mileage allowance for travel as the Board of Commissioners from time to time may determine.
- 2) That such payments shall be limited to those Boards and Commissions for which the payment of "Per Diem" is specifically allowed by statute and not otherwise prohibited.
- 3) All resolutions and parts of resolutions, insofar as the same conflict with the provisions of this resolution be, and the same are hereby rescinded

**DATED: December 16, 2009**

Reviewed and Approved As To Form By:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060



**RESOLUTION 09-53**  
**ESTABLISHING SALARIES**  
**OF SPECIFIC COUNTY ELECTED AND NON-ELECTED OFFICERS FOR 2010**

WHEREAS, the St. Clair County Board of Commissioners has responsibility to establish the salary levels of all County Elected and Non-elected Officers; and

WHEREAS, the St. Clair County Board of Commissioners has reviewed and evaluated the compensation of said Officers and recommends that said compensation is appropriate.

NOW, THEREFORE, BE IT RESOLVED:

- 1) That the salary levels of County Elected and Non-elected Officers, be, and the same hereby are established as specified as follows.

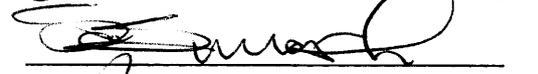
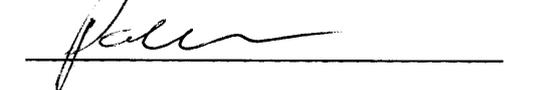
<u>Officer</u>	<u>Annual Salary</u>
Surveyor	\$7,569
Drain Commissioner	\$58,847
Treasurer	\$63,715
Clerk/Register	\$68,067
Prosecuting Attorney	\$107,778
Sheriff	\$83,981
Magistrates	\$51.54 per hour

- 3) That the salary and benefits assigned herein to each classification shall be for one (1) year (2010) effective January 1, 2010.
- 4) All resolutions and parts of resolutions, insofar as the same conflict with the provisions of this resolution be, and the same are hereby rescinded.

Dated: December 16, 2009

Reviewed and Approved as to Form by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron MI 48060

  
\_\_\_\_\_  
  
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\_\_\_\_\_

RESOLUTION 09-52

**Establishing Compensation to be Paid to Members  
of the St. Clair County Road Commission**

**Whereas**, it is the statutory duty of the St. Clair County Board of Commissioners, at the October Session of each year to determine the compensation to be paid to the Members of the St. Clair County Road Commission, appointed by the Board of Commissioners; and

**Whereas**, the St. Clair County Board of Commissioners has given due consideration to this matter.

**Now, Therefore, Be it Resolved:**

1. That the following schedule may be, and the same is hereby adopted, reflecting the compensation for the officials named herein, for the year 2010:
2. Effective January 1, 2010

A. Member, Road Commission	\$6,517 plus mileage allowance
B. Chairperson, Road Commission	\$8,587 plus mileage allowance
3. Each member of the Board will be allowed a mileage allowance equal to the distance from their residence to the Central Service Centerboard **times 34 weekly meetings, times the applicable IRS rate**. This amount will be distributed on the Commissioners paycheck in an equal amount and will comply with all applicable compensation laws. This salary structure replaces the previous salary plus per diems structure.
4. Each member of the Board will be entitled to the same healthcare, prescription, dental, and life insurances, and pension benefits that are provided to the St. Clair County Road Commission United Steelworkers of America employees.
5. Each member of the Board shall only be eligible for specified benefits as authorized by official action of the St. Clair County Board of Commissioners.
6. All resolutions and parts of resolutions in conflict with this resolution are, to the extent of the conflict, hereby rescinded.

**Date: December 16, 2010**

Reviewed and Approved by:

  
\_\_\_\_\_  
GARY FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

Board of Commissioners:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**Resolution 09-51**

**Supporting Community College Baccalaureate Authority  
House Bill 4837**

**Whereas**, talent, defined as acquired knowledge and skills bringing innate human capacities to their fullest realization, is the single most conducive factor for a region's economic and community development; and

**Whereas**, the goal of higher education is to cultivate talent in the aforementioned sense; and

**Whereas**, due to the absence of a permanent university campus in Michigan's Thumb Area, and the great distances that must be traveled by residents to reach such campuses; and

**Whereas**, both the Lt. Governor's Commission on Higher Education and Economic Growth and a recent study by an independent consultant for the Michigan Department of Labor and Economic Growth advocate authority for public community colleges in Michigan to award applied baccalaureate degrees in selected fields of institutional strength characterized by strong labor market demand and inadequate university capacity; and

**Whereas**, the Community College Act of 1966 (PA 331, as amended) prohibits public community colleges from offering baccalaureate degrees; and

**Whereas**, public community colleges in 17 states now offer baccalaureate degrees in applied technology fields in response to strong labor market demand and lack of university capacity to meet demand; and

**Whereas**, many community colleges support efforts by the Michigan Community College Association to secure permissive legislation for such authority; and Representative John Walsh (R-Livonia) has introduced House Bill 4837, which would authorize community colleges to offer baccalaureate degrees in concrete technology, nursing and culinary arts; and

**Now, Therefore, Be It Resolved** that the St. Clair County Board of Commissioners formally endorses House Bill 4837 and encourages community colleges to pursue such planning endeavors as may lead to offering baccalaureate degrees that are appropriate for their communities, while continuing to strengthen its core business of certificate and associate degree programs.

**Be It Further Resolved** that the County Clerk forward a suitable copy of this Resolution to Governor Granholm, the Michigan Association of Counties, Michigan State Representatives Jennifer Haase, Phillip Pavlov and John Espinoza, as well as State Senator Jud Gilbert.

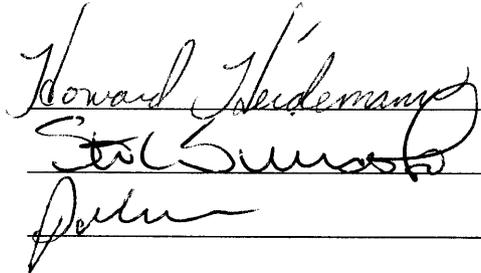
**DATED: December 2, 2009**

Reviewed and Approved As To Form By:



GARY A. FLETCHER

County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060



**RESOLUTION 09-50**

**ST. CLAIR COUNTY 2010 GENERAL APPROPRIATIONS RESOLUTION**

WHEREAS, the Uniform Budgeting and Accounting Act, Public Act 621 of 1978, as amended, requires that each local unit of government adopt a balanced budget for certain funds; and

WHEREAS, the County Administrator/Controller has considered the needs of the various department contained in the budget and has proposed a budget to the Board of Commissioners' as required by statute; and

WHEREAS, the Board of Commissioners' has received the proposed budget and have made recommendations for modification to the Administrator/Controller; and

WHEREAS, the Board of Commissioners' has held the required Public Hearing regarding the proposed budget: and

WHEREAS, the Board of Commissioners' annually adopts a budget and authorizes appropriations subject to the conditions set forth in its annual General Appropriations Resolution: and

WHEREAS, the budget contains anticipated revenues and expenditures from various grant programs, which will also require approval of agreements with granting agencies at various times during the fiscal year.

THEREFORE BE IT RESOLVED, that the 2010 St Clair County General Fund Budget, as attached and marked "Exhibit A" is hereby adopted on a basis consistent with the Public Act 621 of 1978, as amended,

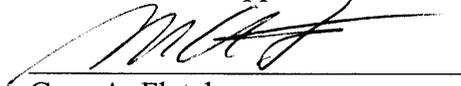
BE IT FURTHER RESOLVED, that the revenues received by the County under Public Acts 106 and 107 of 1985 (Convention Facility Tax revenue) shall not be used to reduce the County's operating millage as defined by Public Act 2 of 1986 and that 50% of the actual Convention Facility Tax revenue not used to reduce the County's operating tax rate will be transferred to the Substance Abuse Fund with the remaining revenues to be deposited in the General Fund.

BE IT FURTHER RESOLVED, that the revenues received by the County under Public Act 264 of 1987 (Health and Safety Fund Act) shall not be used to reduce the County's operating millage and that 12/17 of the actual revenues will be appropriated for public health prevention programs, and 5/17 of the actual revenues will be appropriated for jail facilities, in accordance with the Act.

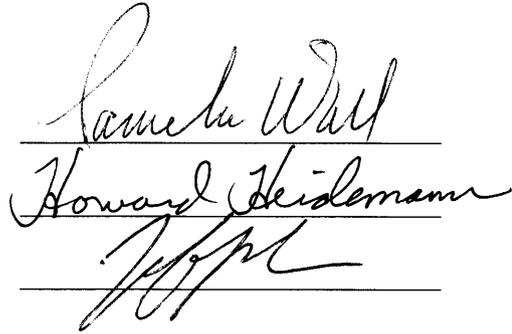
BE IT FURTHER RESOLVED, that the adopted budget is based on current estimates of revenues and expenditures, and that the Board of Commissioners', upon recommendation by the Administrator/Controller, may find it necessary to adjust budgeted revenues and expenditures from time to time during the year.

Dated: November 18, 2009

Reviewed and Approved As To Form By:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, Michigan



**ST. CLAIR COUNTY  
2010 GENERAL FUND  
BUDGETED CHANGES TO AVAILABLE FUND BALANCE**

11/18/2009

Estimated Available Fund Balance at December 31, 2009	\$	8,471,491
Add: 2010 Budgeted Revenues		56,417,136
Less: 2010 Budgeted Expenditures		<u>56,417,136</u>
Estimated Available Fund Balance at December 31, 2010	\$	<u><u>8,471,491</u></u>

**ST. CLAIR COUNTY**  
**ADOPTED 2010 GENERAL FUND BUDGET** 11/18/2009

**REVENUES**

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2010 ADOPTED</b>
<b><u>130 Judicial</u></b>		
131	Circuit Court	138,172
136	District Court	2,301,443
	Mental Health Court	60,000
138	Courthouse Security	40,000
141	Friend of Court	2,070,651
	Incentive Payments	228,142
	JASP Program	34,935
148	Probate Court	263,926
149	Family Division-Circuit Court	182,375
		<u>5,319,644</u>
<b><u>170 General Government</u></b>		
191	Elections	25,000
215	Clerk	716,000
225	Equalization	239,600
229	Prosecuting Attorney	467,895
	Drug Forfeitures	15,000
	Child Protective Investigations - Title IV-E	26,000
231	Victims Rights	61,600
236	Register of Deeds	657,000
253	County Treasurer	39,343,948
257	Cooperative Extension	-
	Co-op. Ext. - 21st Century Grant	50,000
	Co-op. Ext. - Great Start Grant	73,806
	Co-op. Ext. - 4-H Programming	4,500
259	Information Technology	30,000
275	Drain Commissioner	253,456
		<u>41,963,805</u>
<b><u>300 Public Safety</u></b>		
301	Sheriff	1,534,268
	Secondary Road Patrol	183,034
	COPS Technology Grant	177,707
	COPS More Grant	286,000
	Safe Communities Grant	85,000
	Operation Stonegarden Grant	700,000
320	Criminal Justice Training Grant	14,000
325	Communications/Radio	1,259,253
	Communications Training Grant	18,000
331	Marine Law Enforcement	230,000
334	Dive Team	-
351	Corrections/Jail	3,304,758

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2010 ADOPTED</b>
<b><u>300 Public Safety (Continued)</u></b>		
	Inmate Billing	195,000
	Probation Resident Services Grant	280,000
	Substance Abuse Treatment Grant	104,639
426	Emergency Preparedness	35,800
	Annual Breakfast	10,000
	07 UAISI Grant	130,000
428	Hazardous Materials Handling	3,000
430	Animal Shelter	436,500
		<u>8,986,959</u>
<b><u>600 Health and Welfare</u></b>		
648	Medical Examiner	10,000
661	Public Guardian	91,728
	Veterans Lapeer Contract	45,000
		<u>146,728</u>
	Totals	<u><u>56,417,136</u></u>

**ST. CLAIR COUNTY**  
**ADOPTED 2010 GENERAL FUND BUDGET**

11/18/2009

**EXPENDITURES**

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2010 ADOPTED</b>
<b><u>100 Legislative</u></b>		
101	Board of Commissioners	204,120
103	Other Legislative Activities	1,190,500
<b><u>Appropriations to other Funds:</u></b>		
	Road Commission	-
	Health Department	2,036,518
	Child Care - Probate	2,908,176
	Child Care - Welfare	265,000
	Family Independence Agency	214,262
	Airport	-
	Public Improvement	400,000
	Planning	440,439
	Community Development Block Grant	10,000
	Administrative Building Debt Fund	876,245
	Communications Tower Debt Service	221,098
		<u>8,766,358</u>
<b><u>130 Judicial</u></b>		
131	Circuit Court	1,976,294
136	District Court	2,477,277
	Mental Health Court	60,000
138	Courthouse Security	441,120
141	Friend of Court	2,834,457
	JASP Program	104,806
148	Probate Court	888,817
149	Family Division-Circuit Court	1,847,720
151	Adult Probation	14,383
153	District Court Probation	678,698
		<u>11,323,572</u>
<b><u>170 General Government</u></b>		
172	Administrator/Controller	396,497
191	Elections	248,682
201	Accounting	373,353
215	Clerk	898,555
225	Equalization	890,783
226	Human Resources	411,375
229	Prosecuting Attorney	2,527,968
	Drug Forfeitures	15,000
	Child Protective Investigations - Title IV-E	10,000
231	Victims Rights	10,800
233	Purchasing	201,428

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2010 ADOPTED</b>
<b><u>170 General Government (Continued)</u></b>		
236	Register of Deeds	173,352
244	Boundary Commission	200
253	County Treasurer	460,810
257	Cooperative Extension	251,606
	Co-op. Ext. - 21st Century Grant	50,000
	Co-op. Ext. - Great Start Grant	73,806
	Co-op. Ext. - 4-H Programming	4,500
259	Information Technology	2,232,536
265	Buildings and Grounds	1,466,101
	FIA Building Lease Maintenance	754,665
	Jail/Juvenile Facility Maintenance	461,100
275	Drain Commissioner	632,414
289	Motor Pool	12,500
		<u>12,558,031</u>
<b><u>300 Public Safety</u></b>		
301	Sheriff	6,599,042
	Secondary Road Patrol	183,034
	COPS Technology Grant	177,707
	COPS More Grant	286,000
	Safe Communities Grant	85,000
	Operation Stonegarden Grant	700,000
320	Criminal Justice Training Grant	14,000
325	Communications/Radio	1,803,325
	Communications Training Grant	18,000
331	Marine Law Enforcement	271,667
334	Dive Team	27,317
351	Corrections/Jail	10,265,145
	Inmate Billing	92,234
362	Other Correctional Activities	280,000
	Substance Abuse Treatment Grant	103,820
426	Emergency Preparedness	259,872
	2007 UAISI Grant	130,000
	Annual Breakfast	10,000
428	Hazardous Materials Handling	18,172
430	Animal Shelter	363,016
		<u>21,687,351</u>
<b><u>440 Public Works</u></b>		
445	Drains - Public Benefit	<u>400,000</u>
<b><u>600 Health and Welfare</u></b>		
648	Medical Examiner	275,651
649	Mental Health	955,672
661	Public Guardian	248,083
681	Veteran's Burial	10,000

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2010 ADOPTED</b>
<b><u>600 Health and Welfare (Continued)</u></b>		
682	Veteran's Counselor	169,195
689	Soldiers and Sailors Relief	1,000
	Veteran's Lapeer Contract	35,000
		<u>1,694,601</u>
<b><u>850 Other Functions</u></b>		
890	Contingencies	327,223
	6 Month position replacement wait adjustment	(340,000)
		<u>(12,777)</u>
	Totals	<u><u>56,417,136</u></u>

**RESOLUTION 09-49**

**WAIVING INVESTMENT INTEREST EARNED ON TAXES  
COLLECTED BY LOCAL UNITS**

**WHEREAS**, the General Property Tax Act of Michigan, being No. 206 of P.A. of 1893, as amended, provides that townships and city treasurers charged with the responsibility of collecting taxes, shall account for and deliver to the County Treasurers, and the School District Treasurers, taxes collected within 10 business days after the first and fifteenth day of each month; and

**WHEREAS**, Public Act No. 169 of 1988, addressed the subject of investment interest earned on tax collections, providing that an agreement can be made between a collecting unit and a taxing unit regarding investment interest earned; and

**WHEREAS**, to divide and distribute investment interest owed to the County of St. Clair by the local tax collecting units would impose a severe administrative burden on the local collecting units; and

**WHEREAS**, in the opinion of this Board of Commissioners, the accounting costs incidental to the distribution of investment interest would likely surpass the amount of investment interest; and

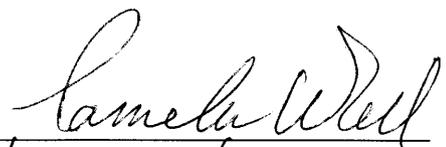
**WHEREAS**, this Board is not required to, but may, in its discretion, waive receipt of investment interest amounts attributed to collecting taxes for the year 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that the payment of any investment interest which may be due and owing to the County from any local tax collecting unit for the 2009 Tax collections, is hereby waived.

**DATED: November 18, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
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COUNTY OF ST. CLAIR BOARD OF COMMISSIONERS'  
RESOLUTION 09-48

Affirming Support of and Partnership with the 2010 Census and  
Appointing a Complete Count Committee

**WHEREAS**, April 1, 2010 has been designated as Census Day in the County of St. Clair; and

**WHEREAS**, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

**WHEREAS**, our organization is committed to ensuring every resident of St. Clair County is counted; and

**WHEREAS**, a united voice from business, government, community-based and faith based organizations, educators, media and others will allow the 2010 Census message to reach a broader audience and provide trusted advocates who can speak positive conversations about the 2010 Census; and

**WHEREAS**, the first 2010 Census orientation meeting will be held on November 11, 2009 at 6 p.m. in the Donald E. Dodge Auditorium at the County Administrative Office Building to engage all municipal leaders in our endeavor.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of St. Clair Board of Commissioners hereby affirms our support of and partnership with the 2010 Census and Appoints the Complete Count Committee as follows:

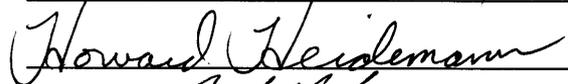
Rick Garcia, United Way  
Pat McClellan, Community Mental Health  
Tom Raymond, Cottrellville Township  
Jennie Posey, County of St. Clair

Mellea Panduren, Volunteer Action Center  
Rev. Kevin Totty, Cornerstone Baptist Church  
Laura Newsome, Council on Aging  
Kristine Morris, County of St. Clair

**DATED: November 4, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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RESOLUTION 09-47

APPROPRIATION OF SENIOR CITIZENS MILLAGE FUNDS  
FOR CALENDAR YEAR 2010

WHEREAS: the Citizens of St. Clair County voted approval of a special millage levy for Senior Citizens services for a period of four (4) years; and

WHEREAS: the Commission On Aging, appointed by the County Board of Commission, reviewed and recommended approval of certain appropriations.

NOW, THEREFORE, BE IT RESOLVED:

1. That the appropriation of the Senior Citizens Millage Fund for Calendar Year 2010 is as follows:

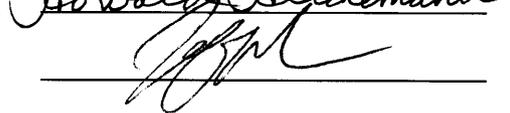
Catholic Social Services of St. Clair County	94,497
St. Clair County Council On Aging	2,628,409
Safe Horizons	9,615
Lakeshore Legal Aid	170,975
St. Clair County Public Guardian	11,845
Visiting Nurse Association	303,704
Area Agency On Aging 1B	15,808
Tax Appeals	7,000
St. Clair County Commission On Aging	31,044
Contingency Fund	<u>303,152</u>
Total	<b>3,576,049</b>

See Exhibits "A" and "B" attached.

DATED: November 18, 2009

Reviewed and Approved as to form by:

  
\_\_\_\_\_  
GARY A. FLETCHER  
Corporation Counsel  
522 Michigan Street  
Port Huron, Michigan

  
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**SENIOR CITIZENS MILLAGE FUND  
CALENDAR YEAR 2010 ALLOCATIONS**

EXHIBIT "A"

<b>CATHOLIC SOCIAL SERVICES</b>	94,497
Counseling	
<b>COUNCIL ON AGING</b>	2,628,409
Adult Day Care	122,291
Chore Services	107,854
Foster Grandparents	32,097
Homemaker/Personal Care Services	770,962
Home Repair Services	128,807
Outreach Services - Resource Advocacy	240,467
Programs	575,662
Transportation	243,853
Group Meals	64,780
Home Delivered Meals	341,636
<b>SAFE HORIZONS</b>	9,615
Emergency Shelter	5,341
Support Group Counseling	4,274
<b>LAKESHORE LEGAL AID</b>	170,975
Legal Services	
<b>PUBLIC GUARDIAN</b>	11,845
Guardianship	
<b>VISITING NURSE ASSOCIATION</b>	303,704
Respite Care Services	107,123
Personal Care Services	104,494
Adult Day Care- Dietary Supplem't	2,429
Bereavement Support Group	36,889
"Un-Met" Needs - Staff Compensation	52,769
<b>COMMISSION ON AGING</b>	31,044
Administration/Planning	
<b>AREA AGENCY ON AGING IB</b>	15,808
County Assessment - Match	
<b>TAX APPEALS, REGULAR - Set Aside</b>	7,000
<b>CONTINGENCY FUND</b>	303,152
<b>TOTALS</b>	<b>3,576,049</b>

Prepared: 10-22-2009

**SENIOR CITIZENS MILLAGE FUND  
CALENDAR YEAR 2010 ALLOCATIONS**

EXHIBIT "B"

<b>PROJECTED REVENUE AT JANUARY 01, 2008</b>		3,576,049
<b>CATHOLIC SOCIAL SERVICES</b>		94,497
Counseling		
<b>COUNCIL ON AGING</b>		2,628,409
Adult Day Care	122,291	
Chore Services	107,854	
Foster Grandparents	32,097	
Homemaker/Personal Care Services	770,962	
Home Repair Services	128,807	
Outreach Services	240,467	
Programs	575,662	
Transportation	243,853	
Group Meals	64,780	
Home Delivered Meals	341,636	
<b>SAFE HORIZONS</b>		9,615
Emergency Shelter	5,341	
Support Group Counseling	4,274	
<b>LAKESHORE LEGAL AID</b>		170,975
Legal Services		
<b>PUBLIC GUARDIAN</b>		11,845
Guardianship		
<b>VISITING NURSE ASSOCIATION</b>		303,704
Respite Care Services	107,123	
Personal Care Services	104,494	
Adult Day Care- Dietary Supplem't	2,429	
Bereavement Support Group	36,889	
"Un-Net" Needs - Staff/Program	52,769	
<b>COMMISSION ON AGING</b>		31,044
Administration/Planning		
<b>AREA AGENCY ON AGING IB</b>		15,808
County Assessment - Match		
<b>TAX APPEALS, REGULAR - Set Aside</b>		7,000
<b>CONTINGENCY FUND</b>		303,152
<b>TOTALS</b>		3,576,049
<b>PROJECTED FUND BALANCE AT DECEMBER 31, 2007</b>		0



**ST. CLAIR COUNTY BOARD OF COMMISSIONERS'  
RESOLUTION 09-45**

**SUPPORT FOR MICHIGAN LIGHTHOUSE ASSISTANCE PROGRAM  
(MLAP) GRANT**

**Whereas**, the St. Clair County Parks and Recreation Commission is currently doing its due diligence on behalf of St. Clair County prior to accepting ownership of the Fort Gratiot Light Station from the United States Coast Guard; and

**Whereas**, the St. Clair County expects to accept the deed to the Fort Gratiot Light Station when the final environmental and legal issues are resolved; and

**Whereas**, in anticipation of the pending transfer of the Fort Gratiot Light Station to St. Clair County, the President of the Port Huron Museum has been authorized and directed to file an application to the Michigan Lighthouse Assistance Program for \$40,000 for the Replacement/Repair of roofing for four historic buildings and selected masonry repair, on the Fort Gratiot Light Station site (Duplex Keepers' Building, Fog Signal Building, Single Keeper's Dwelling, and Equipment Building); and

**Whereas**, the Port Huron Museum has pledged the required \$20,000.00 local match from funds raised by the Friends of the Fort Gratiot Lighthouse; and

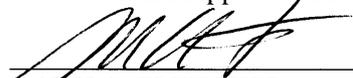
**Whereas**, upon approval of the Application by the Michigan Department of Energy, Labor and Economic Growth, the President shall be authorized to sign the Michigan Lighthouse Assistance Program grant agreement, any grant agreement amendments, other agreement-related documents and the required historic preservation easement.

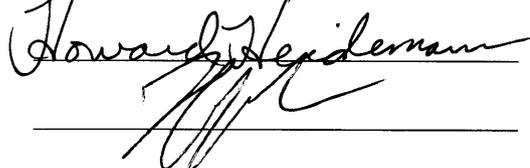
**Now Therefore Be It Resolved**, that the St. Clair County Board of Commissioners, in anticipation of being the owner of the Fort Gratiot Light Station at the time of the proposed work, does wholeheartedly support the Port Huron Museum's application to the Michigan Lighthouse Assistance Program;

**And Be It Further Resolved**, that the St. Clair County Board of Commissioners is prepared to work with the Port Huron Museum thru the St. Clair County Parks and Recreation Commission to contract for the identified work in compliance with the MLAP grant requirements and the provisions of the National Historic Lighthouse Preservation Act of 2000.

**DATED: November 18, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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**RESOLUTION 09-44**  
**ADOPTING COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN**  
**THE COUNTY OF ST. CLAIR COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AND**  
**ST. CLAIR COUNTY SHERIFF'S DEPARTMENT**  
**AND**  
**ST. CLAIR COUNTY CORRECTIONS COMMAND OFFICERS - COAM**

WHEREAS, the ST. CLAIR COUNTY CORRECTIONS COMMAND OFFICERS - COAM is recognized by the Michigan Employment Relations Commission and the County of St. Clair and the St. Clair County Sheriff's Department as the exclusive representative of certain employees of the St. Clair County and,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, pursuant to the presentation made to the Board of Commissioners, the Collective Bargaining Agreement for the period July 1, 2007 through June 30, 2012 is hereby approved and adopted.

Date: October 21, 2009

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060

  
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**RESOLUTION 09-43**  
**ADOPTING COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN**  
**THE COUNTY OF ST. CLAIR COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AND**  
**ST. CLAIR COUNTY SHERIFF'S DEPARTMENT**  
**AND**  
**ST. CLAIR COUNTY CORRECTIONS DEPUTIES**  
**AND PROFESSIONAL EMPLOYEES POAM**

WHEREAS, the ST. CLAIR COUNTY CORRECTIONS DEPUTIES AND PROFESSIONAL EMPLOYEES - POAM is recognized by the Michigan Employment Relations Commission and the County of St. Clair and the St. Clair County Sheriff's Department as the exclusive representative of certain employees of the St. Clair County and,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

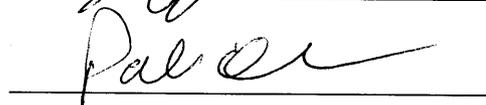
NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement pursuant to the presentation made to the Board of Commissioners, the Collective Bargaining Agreement for the period of July 1, 2006 through June 30, 2011 is hereby approved and adopted.

Date: October 21, 2009

Reviewed and Approved by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060



RESOLUTION 09-42  
COUNTY BOARD OF COMMISSIONERS  
COUNTY OF ST. CLAIR, STATE OF MICHIGAN

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF  
MICHIGAN TRANSPORTATION FUND REFUNDING BONDS, SERIES 2009

WHEREAS, the County of St. Clair, State of Michigan (the "County"), previously issued its \$6,000,000 Michigan Transportation Fund Bonds, Series 1999, dated as of June 1, 1999 (the "Prior Bonds"), under the provisions of Section 18c of Act 51, Public Acts of Michigan, 1951, as amended ("Act 51"); and

WHEREAS, the County has received a request to proceed with the refunding of the Prior Bonds from the Board of County Road Commissioners of the County of St. Clair based on a proposal from Stifel, Nicolaus & Company, Inc. to act as managing underwriter (the "Underwriter") for the Bonds (hereinafter defined), at a negotiated sale; and

WHEREAS, the Board of County Commissioners determines that if the County is able to accomplish a net savings of two and one-half percent (2.50%) of debt service costs, then it is in the best interest of the County to refund all or a portion of the Prior Bonds; and

WHEREAS, Act 34, Public Acts of Michigan, 2001, as amended, the Revised Municipal Finance Act ("Act 34"), permits the County to authorize, within limitations which shall be contained in the authorization resolution of the governing body, an officer to sell and deliver and receive payment for obligations, approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters and procedures necessary to complete the transaction authorized; and

WHEREAS, the Board of County Commissioners wishes to authorize the Managing Director of the Board of County Road Commissioners of the County of St. Clair, or his designee (the "Authorized Officer") to sell and deliver and receive payment for the proposed issue of refunding bonds without the necessity of the Board of County Commissioners taking further action prior to sale and delivery of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Bonds, designated MICHIGAN TRANSPORTATION FUND REFUNDING BONDS, SERIES 2009 (the "Bonds"), are authorized to be issued in the aggregate principal sum of not to exceed \$2,800,000, as finally determined by the Authorized Officer upon the sale thereof, for the purpose of refunding all or a portion of the Prior Bonds and paying costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be sold through a negotiated sale and shall be awarded, subject to the parameters of this resolution, upon entry of an order (the "Order") by the Authorized Officer.

The issue shall consist of bonds registered as to principal and interest of the denomination of \$5,000 or multiples of \$5,000 not exceeding for each maturity the aggregate principal amount of such maturity, and shall be dated as of the date of delivery, or such other date as determined in the Order.

The Bonds shall mature on August 1 in the years 2010 to 2014, inclusive, or such other dates as shall be determined by the Authorized Officer in the Order, and shall be payable in the principal amounts, at the times and in the manner determined at the time of sale and confirmed in the Order. The Bonds shall bear interest semiannually at a rate or rates determined upon sale thereof and as shall be set forth in the Order, but in any event not exceeding seven percent (7%) per annum, payable on February 1 and August 1 of each year, commencing August 1, 2010, or such other date as shall be determined in the Order.

The Bonds shall be subject to redemption as approved by the Order, as permitted by law and in the manner and with notice as set forth in the form of the Bonds contained in Paragraph 6 hereof.

Interest shall be paid by check or draft drawn on the Transfer Agent (hereinafter defined) and mailed to the registered owner of the Bonds at the registered address, as shown on the registration books of the County maintained by the Transfer Agent. Interest shall be payable to the registered owner of record as of the fifteenth (15th) day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the County to conform to market practice in the future. The principal of the Bonds shall be payable at the corporate trust office of U.S. Bank National Association, Detroit, Michigan as registrar, transfer agent and paying agent for the Bonds (the "Transfer Agent"). The County may select another bank or trust company located in the State of Michigan to serve as transfer agent upon notice to the registered owner of the Bonds not less than sixty (60) days prior to an interest payment date.

2. The Bonds shall be issued initially in book-entry-only form through The Depository Trust Company in New York, New York ("DTC"). So long as the Bonds are in the book-entry-only form, the Transfer Agent shall comply with the terms of the Letter of Representations to be entered into among the County and DTC, which provisions shall govern registration, notices and payment, among other things, and which provisions are incorporated herein with the same effect as if fully set forth herein. In the event the County determines that the continuation of the system of book-entry-only transfer through DTC (or successor securities depository) is not in the best interest of the DTC participants, beneficial owners of the Bonds, or the County, the County will notify the Transfer Agent, whereupon the Transfer Agent will notify DTC of the availability through DTC of the bond certificates. In such event, the County shall issue and the Transfer Agent shall transfer and exchange bonds as requested by DTC of like principal amount, series and maturity, in authorized denominations to the identifiable beneficial owners in replacement of the beneficial interest of such beneficial owners in the Bonds.

3. The Bonds shall be executed in the name of the County with the manual or facsimile signatures of the Chairperson of the County Board of Commissioners and the County Clerk and shall have the seal of the County, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer of the Transfer Agent.

4. For the purpose of providing moneys to pay the principal of and interest on the Bonds and in accordance with the provisions of Section 18c of Act 51, there is hereby irrevocably appropriated sufficient of the moneys received, and to be received, by the Board of County Road Commissioners from the Michigan Transportation Fund. The Board of County Road Commissioners is hereby directed during each year that while any of the principal of and interest on the Bonds remains outstanding and unpaid to set aside and allocate into an account to be designated ST. CLAIR COUNTY MICHIGAN TRANSPORTATION FUND REFUNDING BONDS, SERIES 2009 DEBT RETIREMENT FUND (the

“Debt Retirement Fund”), sufficient moneys received during each year from the Michigan Transportation Fund pursuant to law to pay the next maturing installment of the principal of and interest on the Bonds.

Pursuant to the authorization of Section 18c of Act 51, and as additional security for the prompt payment of the principal of and interest on the Bonds, the Board does hereby agree on behalf of the County that in the event the funds pledged for the payment of the principal of and interest on the Bonds are at any time insufficient to pay the same as they severally become due, the County Treasurer shall advance sufficient moneys from the general funds of the County to make up the deficiency, reimbursement for any such advance to be made from the first subsequent revenues received by the Road Commission from the Michigan Transportation Fund not pledged or required to be set aside and used for the payment of the principal of and interest on the Bonds, or other bonds, notes and evidences of indebtedness.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided in this resolution.

5. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of all or a portion of the Prior Bonds as provided in this section. Upon receipt of the proceeds of sale of the Bonds, the accrued interest, if any, shall be deposited in the Debt Retirement Fund for the Bonds. Any net original issue premium received on sale and delivery of the Bonds shall be deposited in the appropriate account consistent with State and federal law, and if required by State or federal law, may be used to reduce the principal amount of Bonds issued, as determined in the Order. From the proceeds of the Bonds there shall next be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated 2009 BOND ISSUANCE FUND (the “2009 Bond Issuance Fund”), which may be established by the County or by the Escrow Agent (hereinafter defined). Moneys in the 2009 Bond Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the 2009 Bond Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds.

The balance of the proceeds of the Bonds, together with other available funds of the County, if any, shall be deposited in an escrow fund (the “Escrow Fund”) consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the “Escrow Securities”) and used to pay the principal of and interest on all or a portion of the Prior Bonds as determined by an Authorized Officer at the time of sale. The Escrow Fund shall be held by U.S. Bank National Association, Detroit, Michigan (the “Escrow Agent”) pursuant to an escrow agreement (the “Escrow Agreement”) which shall irrevocably direct the transfer agent for the Prior Bonds to take all necessary steps to pay the principal of and interest on the Prior Bonds being refunded when due, and to call the Prior Bonds being refunded for redemption on the first date such Prior Bonds may be called for redemption. Any Authorized Officer is hereby authorized and directed to execute the Escrow Agreement on behalf of the County. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment

to pay the principal of, interest and redemption premium on the Prior Bonds being refunded when due at maturity or call for redemption as required by this section. Upon establishment of the Escrow Fund, any debt retirement funds held by the County for the Prior Bonds being refunded shall be transferred to the Escrow Fund in amounts specified by the County's financial advisor. The Authorized Officer is authorized to purchase or cause to be purchased, Escrow Securities, including United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

The Authorized Officer is hereby authorized and directed, for and on behalf of the County, in consultation with the County's financial advisor, to determine if, and when, to refund the Prior Bonds and the portion thereof, if any, to be refunded; provided, however, that the Bonds shall not be issued unless the Authorized Officer determines that the net present value savings to the County is equal to or greater than two and one-half percent (2.50%) of the debt service on the portion of the Prior Bonds being refunded.

6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be approved by the Authorized Officer and Bond Counsel:

R-1  
UNITED STATES OF AMERICA  
STATE OF MICHIGAN

COUNTY OF ST. CLAIR

MICHIGAN TRANSPORTATION FUND REFUNDING BOND, SERIES 2009

Interest Rate                      Maturity Date                      Date of Original Issue      CUSIP  
\_\_\_\_\_ %                      August 1, \_\_\_\_\_                      \_\_\_\_\_, 2009

Registered Owner:      Cede & Co.

Principal Amount:      Dollars

The COUNTY OF ST. CLAIR, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, payable on August 1, 2010 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of U.S. Bank National Association, Detroit, Michigan, or such other transfer agent as the County may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to an interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the County kept by the Transfer Agent, by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For the prompt payment of this bond, both principal and interest, the full faith, credit and resources of the County are hereby irrevocably pledged.

Pursuant to the authorization of Section 18c of Act 51, and as additional security for the prompt payment of the principal of and interest on the Bonds, the Board of County Commissioners has agreed on behalf of the County that in the event the funds pledged for the payment of the principal of and interest on the Bonds are at any time insufficient to pay the same as they severally become due, the County Treasurer shall advance sufficient moneys from the general funds of the County to make up the deficiency, reimbursement for any such advance to be made from the first subsequent revenues received by the Road Commission from the Michigan Transportation Fund not pledged or required to be set aside and used for the payment of the principal of and interest on the Bonds, or other bonds, notes and evidences of indebtedness.

This bond comprises one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$ \_\_\_\_\_, issued for the purpose of paying the cost of refunding certain outstanding bonds of the County, under and in pursuance of the provisions of Act 34, Public Acts of Michigan, 2001, and Act 51, Public Acts of Michigan, 1951, as amended, and a resolution of the County Board of Commissioners adopted on October 21, 2009.

This bond and the interest hereon are payable primarily from funds received, and to be received, by the Board of County Road Commissioners of the County from the Michigan Transportation Fund pursuant to law, said fund being a special fund in the State Treasury wherein taxes imposed by law upon gasoline or other motor fuels and on certain motor vehicles and certain other taxes are required by law to be set aside as collected, and the resolution authorizing the issuance and sale of this bond irrevocably appropriates sufficient of said moneys to provide for the payment of the principal of and interest on this bond when due. In the event the funds pledged for the payment of this bond are for any reason insufficient to pay the principal of and interest thereon when due, the County Treasurer of the County is obligated to advance sufficient moneys from the general funds of the County to make up such deficiency.

This bond is not a general obligation of the State of Michigan.

Bonds of this issue maturing on or before August 1, 20\_\_ are not subject to redemption prior to maturity.

Bonds of this issue or portions thereof in multiples of \$5,000 maturing on or after August 1, 20\_\_ shall be subject to redemption prior to maturity at the option of the County in such order as the County shall determine and within any maturity by lot, on any date on or after August 1, 20\_\_ at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds to be redeemed by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the county. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided the County has money available for such redemption.

This bond is transferable only by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the registration books of the County kept by the Transfer Agent. Upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the County, including this bond and the series of bonds of which this is one, does not exceed any constitutional or statutory debt limitation.

IN WITNESS WHEREOF, the County, by its Board of Commissioners, has caused this bond to be signed in the name of the County with [the facsimile signatures of] its Chairman of the Board of Commissioners and the County Clerk, [and a facsimile of its corporate seal shall be [manually impressed/printed] hereon], all as of the date of original issue.

COUNTY OF ST. CLAIR  
STATE OF MICHIGAN

By \_\_\_\_\_  
Its Chairman, Board of Commissioners

(SEAL)

Countersigned:

By \_\_\_\_\_  
Its County Clerk

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described herein.

U.S. BANK NATIONAL ASSOCIATION  
Detroit, Michigan  
Transfer Agent

By \_\_\_\_\_  
Its Authorized Signatory

Date of Authentication: \_\_\_\_\_

7. The County has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, and based on the advice of the County's financial advisor, determines that a negotiated sale of the Bonds will allow greater flexibility in the timing of the sale and structure of the Bonds and the funding of the Escrow Fund in response to changing market conditions.

8. The County hereby appoints the Underwriter as senior managing underwriter for the Bonds, Bendzinski & Co, Municipal Finance Advisors as financial advisor for the Bonds and Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel for the Bonds. The County appoints Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel notwithstanding the potential concurrent representation of the Underwriter. The Authorized Officer is individually authorized to negotiate and, subject to the parameters set forth in this resolution, award the sale of the Bonds to the Underwriter pursuant to the Order and a Bond Purchase Agreement, if any, without further action of this Board of Commissioners. The Authorized Officer is authorized to execute and deliver a Bond Purchase Agreement on behalf of the County.

Pursuant to the provisions of Act 34, the Authorized Officer is further authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, bond and series designations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, allowable premium, and other matters necessary or convenient to complete the transaction authorized herein on terms favorable to the County; provided, however, that the interest rate per annum shall not exceed seven percent (7%), the final maturity date of the Bonds shall be no later than August 1, 2016 and the Bonds shall not be issued in an aggregate principal amount greater than the amount authorized by this resolution.

9. The Authorized Officer is authorized and directed to approve circulation of a preliminary Official Statement describing the Bonds and to deem such preliminary Official Statement as "near final" for purposes of compliance with Rule 15c2-12 of the U.S. Securities and Exchange Commission ("Rule 15c2-12" or the "Rule"), and thereafter to approve circulation of a final Official Statement with respect to the Bonds.

10. The County agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds pursuant to Rule 15c2-12.

11. The Authorized Officer is further authorized: (a) to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if, upon the advice of the County's financial advisor, the acquisition of such insurance would be of economic benefit to the County; (b) to obtain ratings on the Bonds; and (c) to take all other actions necessary or advisable, and make such other filings with other parties, to enable the sale and delivery of the Bonds as contemplated herein.

12. The County hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of interest on the Bonds from adjusted gross income for federal income purposes under the Internal Revenue Code of 1986, as amended, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds. The County hereby

designates the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

13. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded to the extent of such conflict.

AYES: Members Jeff Bohm, Howard Heidemann, Denny Kearns, Pat Quain, Steve Simasko,  
Pamela wall and Wallace Evans.

NAYS: Members None.

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
County Clerk

I HEREBY CERTIFY that the foregoing constitutes a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on October 21, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
County Clerk

17291600.2\078015-00082

**Resolution 09-41**

**APPORTIONING TAXES FOR 2009**

**WHEREAS**, it is the statutory duty of the St. Clair County Board of Commissioners, at its annual session in October of each year, to determine the amount of money to be raised for County purposes, and to apportion such amount; and

**WHEREAS**, it is further their duty to apportion the amount of state tax and indebtedness of the County to the State among the several townships and other taxing bodies of the County in proportion to the valuation of the taxable property therein, real and personal, as determined by it, which determination and apportionment shall be entered at large on its record; and

**WHEREAS**, the Board of Commissioners, by law, is required to direct that the several amounts of money proposed to be raised, as provided by statute, shall be spread upon the assessment rolls of the townships and cities.

**NOW THEREFORE BE IT RESOLVED:**

1. That the St. Clair County Board of Commissioners does hereby adopt the St. Clair County Tax Report for the year 2009.
2. That the apportionment and millage of taxes are to be spread in accordance with the statute in such case made and provided, as evidenced by the St. Clair County Tax Report for the year 2009.
3. That the St. Clair County Tax Report is marked Exhibit "A", attached hereto, and made a part of hereof by reference.
4. All resolutions and parts of resolutions in conflict with this resolution are to the extent of the conflict, hereby rescinded.

**DATED: October 21, 2009**

Reviewed and Approves as to Form by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS


**RESOLUTION 09-40**

**RESOLUTION PLEDGING LIMITED TAX FULL FAITH AND CREDIT  
FOR BONDS ISSUED FOR THE COX-DOTY AND BRANCHES AND STEIN DRAINAGE  
DISTRICT AND THE RAILROAD AND BRANCHES DRAINAGE DISTRICT**

County of St. Clair  
State of Michigan

WHEREAS, Act 40, Public Acts of Michigan, 1956, as amended (the "Drain Code"), authorizes any county to pledge its full faith and credit for the payment of bonds issued thereunder if the Board of Commissioners of the county has adopted a resolution by a majority vote of its members-elect to that effect; and

WHEREAS, pursuant to the Drain Code proceedings are being undertaken by the St. Clair County Drain Commissioner for the construction and financing of improvements to the county drains in drainage districts designated as the Cox-Doty and Branches and Stein Drain Drainage District and as the Railroad and Branches Drain Drainage District, said improvements having been determined to be necessary for the public health; and

WHEREAS, pursuant to said proceedings for the Cox-Doty and Branches and Stein Drain Drainage District, a special assessment roll will be prepared and duly confirmed by the Drain Commissioner prior to the issuance of any obligations under the Drain Code as described below in the aggregate principal amount of not to exceed \$1,800,000 (the "Cox-Doty and Branches and Stein Drain Roll") being the amount of total estimated financed share cost of the improvements, which assessments are payable in annual installments over a period of not more than thirty (30) years, commencing 2009, by the Michigan Department of Transportation, Townships of Berlin, Emmett, Mussey, Riley each at large, the Village of Capac at large, the County of St. Clair at large, and benefited lands, according to apportionments duly determined by the Drain Commissioner acting pursuant to Section 262 of the Drain Code, said installments bearing interest at such rate of interest not exceeding the maximum rate permitted by the Drain Code and calculated to be sufficient to pay interest on obligations payable therefrom; and

WHEREAS, pursuant to said proceedings for the Railroad and Branches Drain Drainage District, a special assessment roll will be prepared and duly confirmed by the Drain Commissioner prior to the issuance of any obligations under the Drain Code as described below in the aggregate principal amount of not to exceed \$900,000 (the "Railroad and Branches Drain Roll"), being the amount of total estimated financed share cost of the improvements, which assessments are payable in annual installments over a period of not more than thirty (30) years, commencing 2009, by the Township of Mussey at large, the Village of Capac at large, the County of St. Clair at large, and benefited lands, according to apportionments duly determined by the Drain Commissioner acting pursuant to Section 262 of the Drain Code, said installments bearing interest at such rate of interest not exceeding the maximum rate permitted by the Drain Code and calculated to be sufficient to pay interest on obligations payable therefrom; and

WHEREAS, pursuant to the authorization provided in the Drain Code, the Drain Commissioner, by order, will authorize and provide for the issuance of bonds by the Cox-Doty and Branches and Stein Drain Drainage District payable from the collection of said special assessments against public

corporations identified and the benefited lands on said roll, said bonds being designated 2009 DRAINAGE DISTRICT BOND (GENERAL OBLIGATION LIMITED TAX), or such other designation as the Drain Commissioner shall determine (the "Cox-Doty and Branches and Stein Drain Bonds"), in the aggregate principal amount of not to exceed \$1,800,000, to provide funds to pay all or part of the costs of the improvements; and

WHEREAS, pursuant to the authorization provided in the Drain Code, the Drain Commissioner, by order, will authorize and provide for the issuance of bonds by the Railroad and Branches Drain Drainage District payable from the collection of said special assessments against the against public corporations identified and the benefited lands, and the benefited lands on said roll, said bonds being designated 2009 DRAINAGE DISTRICT BOND (GENERAL OBLIGATION LIMITED TAX), or such other designation as the Drain Commissioner shall determine (the "Railroad and Branches Drain Bonds"; and together with the Cox-Doty and Branches and Stein Drain Bonds, the "Bonds"), in the aggregate principal amount of not to exceed \$900,000, to provide funds to pay all or part of the costs of the improvements; and

WHEREAS, the said drainage improvements are immediately necessary to protect and preserve the public health, and it is to the best interest of the County of St. Clair (the "County") that the bonds to be issued by the Cox-Doty and Branches and Stein Drain Drainage District and the Railroad and Branches Drain Drainage District, in order to be sold at the lowest and most favorable interest cost possible to obtain, be secured by a pledge of the full faith and credit of the County as authorized by Section 276 of the Drain Code, in order to be sold at the lowest and most favorable interest cost possible;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ST. CLAIR, MICHIGAN:

1. That pursuant to the authorization provided in the Drain Code the Board of Commissioners of the County does hereby irrevocably pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Cox-Doty and Branches and Stein Drain Bonds when due, and pursuant to said pledge, in the event that the collection of special assessments on the Cox-Doty and Branches and Stein Drain Roll is insufficient to pay the Cox-Doty and Branches and Stein Drain Bonds or the interest thereon when due the amount unpaid shall be promptly advanced from County funds as a first budget obligation, and the County Treasurer is directed to immediately make such advancement to the extent necessary; and

That pursuant to the authorization provided in the Drain Code the Board of Commissioners of the County does hereby irrevocably pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Railroad and Branches Drain Bonds when due, and pursuant to said pledge, in the event that the collection of special assessments on the Railroad and Branches Roll is insufficient to pay the Railroad and Branches Drain Bonds or the interest thereon when due the amount unpaid shall be promptly advanced from County funds as a first budget obligation, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. That in the event that pursuant to said pledge of its full faith and credit the County advances out of County funds all or any part of said installments and interest, it shall be the duty of the County Treasurer, for and on behalf of the County, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid, including without

limitation the reassessment by the Drain Commissioner of the applicable special assessment roll as provided in Section 276 of the Drain Code.

3. That, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure of bond proceeds and moneys deemed to be bond proceeds.

4. To the extent required pursuant to Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), the County shall enter into an undertaking (the "Undertaking") for the benefit of the holders and beneficial owners of the Bonds to send certain information annually and to provide notice of certain events to certain information repositories pursuant to the requirements of the Rule. The County Treasurer, the County Administrator/Controller, the Deputy Controller and Finance Director are each authorized to execute and deliver the Undertaking in such form as is required pursuant to the Rule.

5. That all resolutions and parts of resolution insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

**RESOLUTION DECLARED ADOPTED**

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, Michigan, at its regular meeting held on October 21, 2009 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that notice of the aforesaid meeting held on October 21, 2009, contained or was accompanied by a notice that stated that the drainage district bonds to be issued by the Cox-Doty and Branches and Stein Drain Drainage District and the Railroad and Branches Drain Drainage District to pay part of the cost of improvements to the Cox-Doty and Branches and Stein Drain and the Railroad and Branches Drain will each include a limited tax full faith and credit pledge of the County of St. Clair.

I further certify that the following Commissioners were present at said meeting Jeff Bohm, Howard Heidemann, Denny Kearns, Pat Quain, Steve Simasko, Pamela Wall and Wallace Evans and that the following Commissioners were absent none.

I further certify that Commissioner Bohm moved adoption of said resolution and that Commissioner Kearns supported said motion.

I further certify that the following Commissioners voted for adoption of said resolution: Jeff Bohm, Howard Heidemann, Denny Kearns, Pat Quain, Steve Simasko, Pamela Wall and Wallace Evans, and that the following Commissioners voted against adoption of said resolution: none.

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County Clerk

13075012.2\078009-00003

**RESOLUTION 09-39**

**AMENDING THE 2009 GENERAL FUND BUDGET  
Amendment #2**

**WHEREAS**, under the provisions of the Uniform Budgeting and Accounting Act, P.A. 621 of 1978, as amended, amendments to governmental fund type budgets must be approved by the Legislative Body: and

**WHEREAS**, the Administrator/Controller has deemed, for various reasons including Board of Commissioner actions taken this year, that the 2009 General Fund budget and the Planning Fund budget of the County is in need of various amendments to maintain compliance with P.A. 621 of 1978, as amended (attached as Exhibit A and B): and

**WHEREAS**, the recommended General Fund budget and Planning Fund budget amendments will maintain a balanced budget.

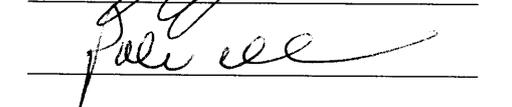
**NOW, THEREFORE BE IT RESOLVED**, that the 2009 General Fund budget and Planning Fund budget be amended as recommended and outlined in Exhibit A and B attached, in compliance with Public Act 621 of 1978, as amended.

**DATED: October 21, 2009**

Reviewed and Approved as to form by:



GARY A. FLETCHER  
Corporation Counsel  
522 Michigan St.  
Port Huron, Michigan 48060

## **Resolution 09-38**

### **Placing Proposed Renewal for Library System Operating Millage on Ballot**

**Whereas**, the Board of Commissioners of the County of St. Clair recognizes the value the County of St. Clair Library System provides to its citizens; and

**Whereas**, it is recognized the Library System provides services including patron education on the use of technology, data bases for informational use at home and in the library, wireless access at all our facilities, a collection of library materials including new recorded book titles, six (6) day per week delivery service, branch hours of operation included full day Saturday service, periodical collections, staff training and expanded free programs to all our patrons; and

**Whereas**, revenues have declined due to declining penal fine collection amounts, reduced State Aid funding, cost allocation increases and the elimination of the single business tax; and

**Whereas**, Article IX, Section 6 of the Michigan Constitution of 1963 provides that the fifteen (15) mill limitation on property taxes therein imposed may be altered by a vote of the majority of the qualified electors of the County; and

**Whereas**, it is the desire of the Board of Commissioners to permit the electorate of the County to express its view on the question of continuation of funding for the operation of the County Library System.

#### **Now, Therefore, Be it resolved that:**

The Clerk of the County of St. Clair is hereby directed to place on the ballot for the primary election of August 3, 2010, a proposition to renew the imposition of an addition not to exceed .7 tenths of a mill to be used primarily for funding the operation of County Library System for a four year period, and that the proposition shall be placed on the ballot in the following form:

Proposition \_\_\_\_\_

#### **RENEWAL OF THE LIBRARY SYSTEM OPERATING MILLAGE**

1. Shall St. Clair County levy a Library System Operating Millage of .7 mills per year, constituting a renewal of a previously authorized millage of .7 mills, for a period of four (4) years, 2010 through 2013, generating estimated tax revenues for the first year the millage is authorized and levied of approximately \$4,597,000 to be used and disbursed for the sole purpose of providing operating funds for the St. Clair County Library System and branches in the Village of Capac, the Townships of Clay, Ira and Kimball and the Cities of Algonac, Marine City, Marysville, Memphis, Port Huron, St. Clair and Yale?
2. Said election shall be held and conducted and the results of the said election shall be canvassed in accordance with the provisions of the State law pertaining to the submission of such questions to the electors entitled to vote thereon and that the County Clerk of St. Clair

County and the Treasurer of St. Clair County shall do and perform all acts required by law for the calling and effecting of such election, and that the said Clerk shall within five (5) days of said election file with the County Treasurer for St. Clair County a certified copy of the official declaration of the results of said election.

Adopted at a regular meeting of the Board of Commissioners of the County of St. Clair, on the 21<sup>st</sup> day of October, 2009.

**Dated: October 21, 2009**

Reviewed and Approved by:



Gary A. Fletcher  
Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060


**REVISED**

**RENEWAL OF THE LIBRARY SYSTEM OPERATING MILLAGE**

Shall St. Clair County levy a Library System Operating Millage of .7 mills per year, constituting a renewal of a previously authorized millage of .7 mills, for a period of four (4) years, 2010 through 2013, generating estimated tax revenues for the first year the millage is authorized and levied of approximately \$4,597,000 to be used and disbursed for the sole purpose of providing operating funds for the St. Clair County Library System and branches in the Village of Capac, the Townships of Burtchville, Clay, Ira and Kimball and the Cities of Algonac, Marine City, Marysville, Memphis, Port Huron, St. Clair and Yale?

**RESOLUTION 09-37**  
**RESOLUTION AUTHORIZING NOTICE OF INTENT**  
**AND DECLARING INTENT TO REIMBURSE FOR EXPENDITURES**

\_\_\_\_\_  
**COUNTY OF ST. CLAIR**  
State of Michigan  
\_\_\_\_\_

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan, on September 16, 2009.

PRESENT: Commissioners: Jeff Bohm, Howard Heidemann, Denny Kearns, Pat Quain,  
Steve Simasko, Pamela Wall and Wally Evans

ABSENT: Commissioners: None

\_\_\_\_\_

The following preamble and resolution were offered by Commissioner Heidemann and supported by Commissioner Kearns :

WHEREAS, the County of St. Clair (the "County") intends to issue general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in one or more series in an aggregate principal amount of not to exceed Fifteen Million Dollars (\$15,000,000), for the purposes of paying the costs of acquiring, constructing, rehabilitating, expanding and installing certain improvements to the County's landfill, including but not limited to, pump stations, wastewater force mains, sewer lines, septage bioreactor system, a landfill gas collection system, a landfill gas-to-energy facility, and related site improvements (the "Project"); and

WHEREAS, the County has been advised by the Michigan Department of Environmental Quality that financial assistance to accomplish the acquisition and construction of all or a portion of the Project is available through the State Revolving Fund ("SRF") loan program administered by the Michigan Municipal Bond Authority; and

WHEREAS, the County has made application for participation in the SRF loan program; and

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the County intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the County for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Clerk is hereby authorized and directed to publish or cause to be

published a notice of intent to issue the Bonds in the *Times Herald*, a newspaper of general circulation in the County.

2. Said notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS  
OF THE COUNTY OF ST. CLAIR, MICHIGAN  
OF INTENT TO ISSUE BONDS  
AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the County of St. Clair, State of Michigan (the "County"), intends to issue and sell its general obligation limited tax bonds in one or more series pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate principal amount of not to exceed Fifteen Million Dollars (\$15,000,000), for the purposes of paying the costs of acquiring, constructing, rehabilitating, expanding and installing certain improvements to the County's landfill, including but not limited to, pump stations, wastewater force mains, sewer lines, a septage bioreactor system, a landfill gas collection system, a landfill gas-to-energy facility, and related site improvements (the "Project").

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON SAID BONDS SHALL BE PAYABLE from the general funds of the County lawfully available for such purposes property taxes levied within applicable statutory and constitutional limitations. The County intends to pay principal of and interest on the Bonds with landfill tipping fees and funds from the sale of gas generated from the landfill gas-to-energy facility.

BOND DETAILS

BONDS OF A SERIES WILL BE PAYABLE in annual installments not to exceed twenty-five (25) in number and will bear interest at a rate not to exceed the maximum rate permitted by law, as determined at the time of sale.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE COUNTY IS FILED WITH THE COUNTY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE COUNTY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

\_\_\_\_\_  
County Clerk  
County of St. Clair

3. The Board of Commissioners does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the County's electors and taxpayers residing in the boundaries of the County of the County's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The County makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. §1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the County reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the County.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds of the County.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$15,000,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the County's use of the proceeds of the debt to be issued for the Project to reimburse the County for a capital expenditure made pursuant to this resolution.
- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. §1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. §1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the County in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1)

within one year of the reimbursement allocation described in (d) above.

- (g) Expenditures for the Project to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include and are in addition to (i) costs for the issuance of the debt, (ii) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the borrowing, and (iii) preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f).

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners: Bohm, Heidemann, Kearns, Quain, Simasko, Wall and Evans

NAYS Commissioners: None

RESOLUTION DECLARED ADOPTED

\_\_\_\_\_  
County Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on September 16, 2009, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
County Clerk

RESOLUTION 09-36  
RESOLUTION RATIFYING AUTHORIZATION  
COUNTY OF ST. CLAIR WATER SUPPLY SYSTEM NO. XIIA  
(COTTRELLVILLE TOWNSHIP) BONDS, SERIES 2009  
(LIMITED TAX GENERAL OBLIGATION)

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Minutes of a Standing Committee meeting of the Board of Commissioners of the County of St. Clair, State of Michigan held in said County on September 2, 2009.

PRESENT: Commissioners Steven Simasko, Dennis Kearns, Howard Heidemann, Wallace Evans, Jeffery Bohm and Pamela Wall

ABSENT: Commissioners Patrick Quain

The following preamble and resolution were offered by Commissioner Heidemann and supported by Commissioner Kearns:

WHEREAS, the Board of Commissioners of the County of St. Clair, State of Michigan (the "County"), adopted its Resolution Authorizing County Of St. Clair Water Supply System No. XIIA (Cottrellville Township) Bonds, Series 2009 (Limited Tax General Obligation) on August 19, 2009 (the "Bond Resolution"); and

WHEREAS, the County, by and through the Board of Public Works (the "Board of Public Works"), and the Township of Cottrellville, located in the County (the "Local Unit"), have entered into a contract (the "Contract") for the acquisition, construction and financing of improvements to the System in the form of water line extensions and related fixtures, equipment and sites therefor; and

WHEREAS, the Board of Public Works recommended for approval to the Board of County Commissioners of the County the Contract and the Bond Resolution on August 18, 2009; and

WHEREAS, the Section 308 of the Revised Municipal Finance Act, Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"), provides that if the County approves a municipal security that contains a limited tax full faith and credit pledge of the County after October 1, 2002, a notice of at least 1 meeting at which a decision will be made or discussed with respect to that municipal security shall contain a statement that the proposed municipal security will contain a full faith and credit pledge of the County; and

WHEREAS, the Meeting Notice attached as Exhibit A hereto was posted in conformance with Act 34.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ST. CLAIR, AS FOLLOWS:

1. The Bond Resolution is hereby ratified and confirmed and the Board of Public Works shall proceed as directed by the Bond Resolution.

2. The County hereby confirms that the posting required pursuant to Section 308 of Act 34 was done in due time and form as required.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are repealed.
4. This resolution shall become effective immediately upon its passage.

AYES           Members Kearns, Heidemann, Evans, Bohm, Wall and Simasko

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NAYS:           Members                     None

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RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a Standing Committee meeting held on September 2, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. I also hereby certify that the Meeting Notice attached hereto as Exhibit A was posted at least 18 hours prior to the meeting at which this resolution was considered.

\_\_\_\_\_  
County Clerk

**EXHIBIT A**

**MEETING NOTICE**

**COUNTY OF ST. CLAIR, STATE OF MICHIGAN**

At the Standing Committee meeting of the Board of Commissioners (the "Board") of the County of St. Clair, Michigan (the "County") to be held at the St. Clair County Administration Building, 2nd Floor - Board Room, 200 Grand River, Port Huron, MI 48060 on September 2, 2009 at 6:00 o'clock p.m. prevailing Eastern Time, the Board will consider the issuance of the County's not to exceed \$2,425,000 St. Clair County Water Supply System No. XIIIA (Cottrellville Township) Bonds, Series 2009 (Limited Tax General Obligation), which will contain a limited tax full faith and credit pledge of the County.

This notice is given pursuant to the requirements of Section 308, Act 34, Public Acts of Michigan, 2001, as amended.

Marilyn Dunn  
County Clerk  
County of St. Clair

DELIB:3125495.1\123953-00002

## RESOLUTION 09-35

### Approving Cooperative Reimbursement IV-D Program Agreement For the St. Clair County Prosecuting Attorney for the Year 2010

**WHEREAS**, the Michigan Department of Human Services proposes to renew its "Cooperative Reimbursement (IV-D) Program" wherein direct grants are made to the counties under the provisions and in accordance with Title IV-D of the Social Security Act, as amended and the provisions of part 302.34 and 304, Chapter III, Title 45, Code of Federal Regulations for the purpose of staffing sufficient personnel to assist in the collection of money for recipients of the FIP Program, and other service programs, as well as certain services rendered by the Prosecuting Attorney's Office; and

**WHEREAS**, payment shall be made on the basis of the program budget, a copy of which is attached hereto and made part hereof, provided that no more than Two Hundred Eleven Thousand Two Hundred Ninety-three and no/100ths (\$211,293) Dollars shall be paid from combined County and State funds during the life of this agreement and provided further that Seventy-one Thousand Eight Hundred Forty and no/100ths (\$71,840) Dollars of the above amount is the County's appropriation contributed to Title IV-D Program.

#### **NOW, THEREFORE BE IT RESOLVED THAT:**

1. The St. Clair County Board of Commissioners does hereby approve the execution of the Cooperative Reimbursement Program agreement between the Prosecuting Attorney for the County of St. Clair and the Michigan Department of Human Services.
2. The Chairperson of this Board is hereby authorized to execute said agreement for and on behalf of St. Clair County.
3. All resolutions and parts of resolutions, insofar as the same conflict with the provisions of this resolution be, and the same are hereby rescinded.

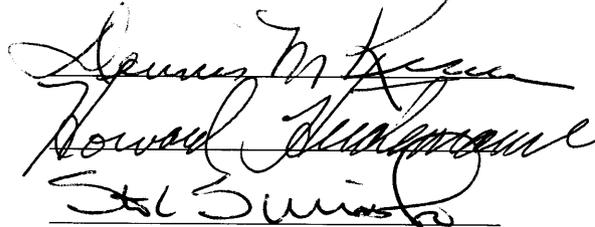
**DATED:** September 2, 2009

Reviewed and Approved as to Form by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS:



RESOLUTION 09-34  
RESOLUTION AUTHORIZING  
COUNTY OF ST. CLAIR WATER SUPPLY SYSTEM NO. XIIA  
(COTTRELLVILLE TOWNSHIP) BONDS, SERIES 2009  
(LIMITED TAX GENERAL OBLIGATION)

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Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan held in said County on August 19, 2009, at 6 : 00 o'clock p.m., Eastern Daylight Time.

PRESENT: Commissioners Bohm, Heidemann, Kearns, Quain, Simasko, Wall and Evans

ABSENT: Commissioners None

The following preamble and resolution were offered by Commissioner Wall and supported by Commissioner Kearns:

WHEREAS, the County of St. Clair, State of Michigan (the "County"), acting by and through its Board of Commissioners and pursuant to the authority conferred upon it by Act 185, Public Acts of Michigan, 1957, as amended (the "Act"), did, by resolution duly adopted by at least a two-thirds (2/3) vote of the members-elect of said Board of Commissioners, establish a Department of Public Works in and for the County for the administration of the powers conferred upon the County by the Act; and

WHEREAS, pursuant to the authorization of Section 2 of the Act, a Board of Public Works has been appointed and is functioning as the governing body of said Department of Public Works; and

WHEREAS, the County pursuant to the Act has previously established the St. Clair County Water Supply System No. XIIA (Cottrellville Township) (the "System"); and

WHEREAS, the County, by and through the Board of Public Works (the "Board" or the "Board of Public Works"), and the Township of Cottrellville, located in the County (the "Local Unit"), have entered into a contract (the "Contract") for the acquisition, construction and financing of improvements to the System in the form of water line extensions and related fixtures, equipment and sites therefor (the "Project"), which Contract is made a part of this resolution by this reference thereto; and

WHEREAS, the Contract has been duly approved by resolutions of the Board of Public Works and the legislative body of the Local Unit and has been fully executed by the Local Unit; and

WHEREAS, the Contract must be approved by resolution of the County Board of Commissioners and then executed by the Board of Public Works; and

WHEREAS, plans, specifications and estimates of cost of each aspect of the Project have been prepared by David Lewandowski, P.E., engineers of Port Huron, Michigan (the "Engineers"), and have been duly approved by the Board of Public Works; and

WHEREAS, under the provisions of the Contract, the Local Unit has obligated itself to pay the cost of the Project to be financed by the issuance of bonds of the County by paying the installments, plus interest, as specified in the Contract (the "Contractual Payments"), and has further obligated itself to collect sufficient moneys annually for the purpose of meeting the Contractual Payments, subject to statutory and constitutional limitations; and

WHEREAS, the County now proposes to issue its bonds, as authorized by the Act, in anticipation of and secured primarily by the Contractual Payments that the Local Unit has in the Contract obligated itself to provide in such amounts as may be necessary to pay the cost of constructing the Project, and all things necessary to the authorization and issuance of said series of bonds under the Act having been done, and the County being now empowered and desirous of authorizing the issuance of said bonds; and

WHEREAS, the Board of Public Works has approved this resolution and recommended its adoption by this Board of Commissioners;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ST. CLAIR, AS FOLLOWS:

1. The preliminary plans, specifications and estimates of cost for the Project as prepared by the Engineers are hereby accepted and approved, and it is hereby determined to be advisable and necessary for the public health of the County to acquire, construct and complete the Project as provided in said plans and specifications.
2. The Contract is hereby approved, confirmed and ratified. The County Clerk is authorized and directed to transmit such approval to the Board of Public Works. The Chairperson and the Secretary of the Board of Public Works are authorized and directed to execute the Contract for and on behalf of the County.
3. The total estimated cost of acquiring and constructing the Project, including payment of incidental expenses as specified in Section 5 of this resolution, in the amount of \$2,427,706 is hereby approved and confirmed.
4. The estimated period of usefulness of the Project is determined to be not less than twenty (20) years.
5. For the purpose of defraying part of the costs of the Project, including payment of engineering, legal, financial expenses and capitalized interest there be borrowed the sum of not to exceed Two Million Four Hundred Twenty-Five Thousand Dollars (\$2,425,000), and that in evidence thereof there be issued the bonds of the County in an equivalent aggregate principal amount, which bonds are sometimes hereinafter referred to in this resolution as the "bonds."
6. The bonds shall be designated ST. CLAIR COUNTY WATER SUPPLY SYSTEM NO. XIII (COTTRELLVILLE TOWNSHIP) BONDS, SERIES 2009 (LIMITED TAX GENERAL OBLIGATION), the principal of and interest thereon to be payable primarily out of the Contractual Payments required to be paid by the Local Unit pursuant to the Contract. Said bonds shall be registered as to principal and interest of the denomination of \$5,000 or multiples of \$5,000 up to the amount of a single maturity, numbered consecutively in order of authentication from 1 upwards, dated as of the date

of delivery, callable prior to maturity as hereinafter provided, and shall be payable annually on May 1 of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal</u>	<u>Year</u>	<u>Principal</u>
2010	\$50,000	2020	\$125,000
2011	125,000	2021	125,000
2012	125,000	2022	125,000
2013	125,000	2023	125,000
2014	125,000	2024	125,000
2015	125,000	2025	125,000
2016	125,000	2026	125,000
2017	125,000	2027	125,000
2018	125,000	2028	125,000
2019	125,000	2029	125,000

The bonds bear interest at a rate or rates determined on sale thereof, not exceeding six percent (6%) per annum, payable on May 1, 2010 and semiannually thereafter, by check drawn on the Paying Agent (hereafter defined) for the bonds and mailed to the registered owner at the registered address as shown on the registration books of the County maintained by the Paying Agent. Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this Section may be changed by the County to conform to market practice in the future. The principal of the bonds shall be payable at a bank or trust company qualified to act as paying agent, transfer agent and bond registrar and designated by the Board of Public Works in the notice of sale of the Bonds as published (the "Paying Agent") and the Board of Public Works and the County Treasurer each is hereby authorized to enter into all required contractual arrangements with the Paying Agent. In the event the bonds are not held in book-entry only form as described herein, then the Paying Agent shall also act as bond registrar and transfer agent. The County, through the Board of Public Works, may designate another qualified institution to serve as paying agent, transfer agent and bond register at any time by notice mailed to registered owners of the Bonds not less than sixty (60) days prior to an interest payment date.

The bonds are subject to redemption prior to maturity as provided in the form of the bonds set forth in Section 16 of this Resolution. The bonds may not be sold at a price that is less than 98.5% or more than 101% of the principal amount of the bonds.

7. The bonds may be issued in book-entry-only form through The Depository Trust Company in New York, New York ("DTC"). So long as the bonds are in the book-entry-only form, the Paying Agent shall comply with the terms of the Letter of Representations to be entered into among the County, the Paying Agent and DTC, which provisions shall govern registration, notices and payment, among other things, and which provisions are incorporated herein with the same effect as if fully set forth herein. The Chairman and the Secretary of the Board and the County Treasurer each is hereby authorized and directed to enter into the Letter of Representations with DTC in such form as determined by the Chairman or the Secretary of the Board or the County Treasurer, in consultation with bond counsel, to be necessary and appropriate. The Paying Agent is hereby authorized and directed to also enter into the Letter of Representations with DTC as agent for the County. In the event the County determines that the continuation of the system of book-entry-only transfer through DTC (or a successor

securities depository) is not in the best interest of the DTC participants, beneficial owners of the Bonds, or the County, the County will notify the Paying Agent, whereupon the Paying Agent will notify DTC of the availability through DTC of the bond certificates. In such event, the County shall issue and the Paying Agent as transfer agent shall transfer and exchange bonds as requested by DTC of like principal amount, series and maturity, in authorized denominations to be identifiable beneficial owners in replacement of the beneficial interest of such beneficial owners in the bonds, as provided herein.

8. The Board is hereby authorized to a) prepare the form of notice of sale in the form provided in Section 10 of this Resolution, fix a sale date, conduct the sale, and accept the best bid received at such sale; (b) publish such notice of sale in an authorized publication at least seven (7) full days prior to the date fixed for sale; and (c) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the bonds, including, if appropriate, making continuing disclosure undertakings, purchase of credit enhancements, and reducing the amount of the bonds sold and/or delivered if the Board of Public Works determines that the full amount of the bonds is not necessary to complete the project; and

9. A notice of sale of said bonds shall be published in the manner directed by the County Board of Commissioners, in The Bond Buyer, New York, New York, as provided in Section 8 of this resolution.

10. The notice of sale for said bonds shall be in substantially the following form:

OFFICIAL NOTICE OF SALE  
 \$2,425,000  
 COUNTY OF ST. CLAIR, STATE OF MICHIGAN  
 ST. CLAIR COUNTY WATER SUPPLY SYSTEM NO. XIII  
 (COTTRELLVILLE TOWNSHIP) BONDS, SERIES 2009

SEALED BIDS for purchase of the above bonds will be received at the St. Clair County Department of Public Works office, 21 Airport Drive, St. Clair, Michigan 48079, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 2009, until \_\_:\_\_ o'clock \_\_.m., Eastern \_\_\_\_\_ Time, at which time and place said bids will be publicly opened and read. Sealed bids will also be received on the same date and until the same time at the offices of the Municipal Advisory Council of Michigan, 660 Woodward, Suite 1445, Detroit, Michigan 48226 (the "MAC"), when, simultaneously, the bids will be opened and read. The Board of Public Works will meet on the same day to consider to award or rejection of bids.

FAXED BIDS: Signed bids may be submitted by fax to the MAC at (313) 963-0943; provided that faxed bids must arrive before the time of sale, the bidder bears all risks of transmission failure and the GOOD FAITH DEPOSIT MUST BE MADE AND RECEIVED as described in the section captioned "GOOD FAITH" below.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10018, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE CONFLICTS WITH THE INFORMATION PROVIDED BY BIDCOMP/PARITY AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE OF SALE SHALL CONTROL.

BOND DETAILS: Said bonds will be registered bonds of the denomination of \$5,000 or multiples thereof up to the amount of a single maturity, dated the date of delivery, numbered in order of registration and will bear interest from their date payable on May 1, 2010 and semiannually thereafter.

The bonds will mature annually on the 1st day of May as follows:

<u>Year</u>	<u>Principal</u>	<u>Year</u>	<u>Principal</u>
2010	\$50,000	2020	\$125,000
2011	125,000	2021	125,000
2012	125,000	2022	125,000
2013	125,000	2023	125,000
2014	125,000	2024	125,000
2015	125,000	2025	125,000
2016	125,000	2026	125,000
2017	125,000	2027	125,000
2018	125,000	2028	125,000
2019	125,000	2029	125,000

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

**INTEREST RATE AND BIDDING DETAILS:** The bonds shall bear interest at a rate or rates not exceeding 6% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only. All bonds maturing in any one year must carry the same interest rate. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY ONE YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY BONDS MATURING IN THE PRECEDING YEAR. The difference between the highest and lowest interest rate on the bonds shall not exceed three percent (3%). No proposal for the purchase of less than all of the bonds or at a price less than 98.5% or more than 101% of their par value will be considered. In submitting a proposal for the Bonds, the bidder agrees to the representation of the County of St. Clair (the "County"), by Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel.

**PRIOR REDEMPTION:** Bonds of this issue maturing in the years 2010 to 2019, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the years 2020 to 2029, inclusive, shall be subject to redemption prior to maturity, at the option of the County, in such order as the County shall determine, on any date on or after May 1, 2019, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the paying agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds or portions thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. Bonds so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the paying agent to redeem said bonds.

**PAYING AGENT AND REGISTRATION:** Principal and interest shall be payable at corporate trust office of \_\_\_\_\_, \_\_\_\_\_, Michigan, or such other paying agent as the Board of Public Works may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date. Interest shall be paid by check or draft mailed to the registered owner as shown by the registration books of the County on the fifteenth (15th) day of the month prior to any interest payment date. The bonds will be transferable only upon the registration books of the County kept by the paying agent.

**BOOK-ENTRY-ONLY:** The bonds will be issued in book-entry-only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and payment for the Bonds.

PURPOSE AND SECURITY: The bonds are to be issued under the provisions of Act 185, Public Acts of Michigan, 1957, as amended, and pursuant to a resolution duly adopted by the Board of Commissioners of the County for the purpose of paying costs of construction of water supply system improvements in the Township of Cottrellville (the "Local Unit").

The bonds are issued in anticipation of, and are payable primarily from, certain specified contractual payments to be paid by the Local Unit to the Board of Public Works, acting for and on behalf of the County, pursuant to a certain contract among said governmental units, whereby said Board, on behalf of the County, is to construct the aforesaid improvements. By the provisions of said contract and pursuant to the authorization provided by law, the Local Unit has pledged its limited tax full faith and credit for the payment of the contractual obligations. The County has irrevocably pledged to the payment of said bonds the total contractual payments, which payments are payable at such times and are established in such amounts as are required to pay the entire principal of and interest on the bonds promptly when due.

As additional security for the payment of the bonds and the interest thereon, the County, as authorized by law, has pledged its full faith and credit for the prompt and timely payment thereof, should the Local Unit's contractual payments prove insufficient for any reason.

The full faith and credit pledges of the Local Unit and the County are a limited tax general obligation of each, and the Local Unit and the County are required to pay their respective debt service commitments on the bonds as a first budget obligation from their respective general funds, including the collections of any ad valorem taxes which each is authorized to levy. However, the ability of the Local Unit and the County to levy such taxes is subject to applicable constitutional and statutory limitations.

The rights and remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditor's rights generally, now existing or hereafter enacted, and by application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$48,500 payable to the order of the Treasurer of the County will be required of the successful bidder. The successful bidder is required to submit its good faith deposit to the County as instructed by the County not later than Noon, prevailing Eastern Time, on the next business day following the sale. The good faith deposit will be applied to the purchase price of the bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the County. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS-TRUE INTEREST COST: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on May 1, 2010 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to \_\_\_\_\_, 2009, in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the County, computed in the manner specified above.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C., for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C., has made no inquiry as to any financial information, statements or materials contained in any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial information, statements or materials.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or by any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, at delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended (the "Code"). Such certificate will include (i) for those maturities where 10% of each such maturity of the bonds has been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, the price at which the first 10% of each such maturity was sold to members of the general public, and (ii) for those maturities where 10% of such maturity has not been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, an agreement by the successful bidder to provide bond counsel with the prices at which the first 10% of each such maturity is ultimately sold to members of the general public.

"QUALIFIED TAX EXEMPT OBLIGATIONS": The County has designated the bonds as "qualified tax-exempt obligations" for purposes of the deduction of interest expense by financial institutions pursuant to the Code.

BOND INSURANCE AT PURCHASER'S OPTION: If the bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the bonds. Any increased costs of issuance of the bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the County has requested and received a rating on the bonds from a rating agency, the County will pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE COUNTY.

CONTINUING DISCLOSURE: The County and the Local Unit have agreed by resolution to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission, (i) on or prior to the last day of the sixth month after the end of its fiscal year, commencing for the County with the fiscal year ended December 31, 2008 and for the Township of Cottrellville with the fiscal year ended March 31, 2009 certain annual financial

information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the Bonds, (ii) timely notice of the occurrence of certain material events with respect to the Bonds and (iii) timely notice of a failure by the County or the Local Unit to provide the required annual information on or before the dates specified in (i) above.

OFFICIAL STATEMENTS: A copy of the Official Statement relating to the Bonds may be obtained by contacting Stauder, Barch & Associates, Inc. at the address referred to below. The Official Statement is in a form deemed final by the County for purposes of paragraph (b)(1) of the Rule, but is subject to revision, amendment and completion in a final Official Statement.

After the award of the bonds, the County will provide on a timely basis a reasonable number of a final Official Statement, as that term is defined in paragraph (f)(3) of the Rule, at the expense of the County (and such additional copies of the final Official Statement as reasonably requested by, and at the expense of, the successful bidder or bidders) to enable the successful bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board. Requests for such additional copies of the final Official Statement shall be made to Stauder, Barch & Associates, Inc. within 24 hours of the award of the bonds.

DELIVERY OF BONDS: The County will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser to DTC in New York, New York. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds will be delivered at the time of the delivery of the bonds. If the bonds are not tendered for delivery by Noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the County shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the bonds shall be paid by the purchaser at the time of delivery.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on said bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for said bonds. All expenses in relation to the printing of CUSIP numbers on said bonds shall be paid for by the County; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

ADDITIONAL INFORMATION: Further information with respect to the bonds may be obtained from Stauder Barch & Associates, Inc., 3989 Research Park Drive, Ann Arbor, MI 48108; telephone (734) 668-6688, facsimile (734) 668-6723.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for St. Clair County Water Supply System No. XIIA (Cottrellville Township) Bonds, Series 2009."

Secretary  
Board of Public Works  
County of St. Clair, Michigan

11. The Chairman of the Board of Commissioners and the County Clerk are hereby authorized and directed to execute said bonds by means of their facsimile signatures when issued and sold for and on behalf of the County and to cause to be printed thereon a facsimile of the seal of the County. No bond of this series shall be valid until authenticated by an authorized officer of the Paying Agent. The Bonds shall be delivered to the Paying Agent for authentication and shall then be delivered to the purchaser in accordance with instructions from the Treasurer of the County or the Secretary of the Board upon payment of the purchase price for the bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Paying Agent for safekeeping.

In the event the bonds are not held in book-entry-only form, then any bond may be transferred upon the books required to be kept pursuant to this Section by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Paying Agent as transfer agent. Whenever any bond or bonds shall be surrendered for transfer, the Paying Agent as transfer agent shall authenticate and deliver a new bond or bonds, for like aggregate principal amount. The Paying Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

12. Said bonds and the interest thereon shall be payable primarily from the Contractual Payments received by the Board on behalf of the County, for the payment of which the Local Unit has in the Contract pledged its full faith and credit pursuant to the provisions of the Act. Pursuant to the provisions of Section 6, Article IX of the Michigan Constitution of 1963, the Local Unit has covenanted and agreed to levy taxes annually to the extent necessary to provide the funds to meet its Contractual Payments when due in anticipation of which the bonds are issued, which taxes shall be subject to statutory and constitutional limitations. All of such Contractual Payments are hereby pledged solely and only for the payment of principal of and interest on the bonds.

13. Pursuant to the authorization provided in the Act, the full faith and credit of the County is hereby pledged for the prompt payment of the principal of and interest on the bonds as the same shall become due. If for any reason there are not sufficient funds on hand from the Contractual Payments to pay the principal of and interest on the bonds when due, upon written notification by the Board to the County Treasurer of the amount of such deficiency, the County Treasurer shall promptly deposit into the debt retirement fund for said bonds the amount of such deficiency out of general funds of the County. If it becomes necessary for the County to so advance any such moneys, it shall be entitled to reimbursement from any surplus from time to time existing in the fund which said principal and interest are primarily liable, or from any other legally available source. The County recognizes and covenants that its full faith and credit pledge hereunder is a first budget obligation, and, to the extent necessary to provide funds to meet such pledge herein provided, it is obligated to levy ad valorem taxes against the taxable property in the County, which taxes, however, shall be subject to statutory and constitutional limitations.

14. It shall be the duty of the Board or the County Treasurer, after the adoption of this resolution and the sale of the bonds herein authorized, to open a special depository account with a bank or trust company to be designated by the Board or the County to be designated DEBT RETIREMENT FUND - ST. CLAIR COUNTY WATER SUPPLY SYSTEM NO. XIII (COTTRELLVILLE TOWNSHIP) BONDS, SERIES 2009, sometimes referred to as the "Debt Retirement Fund," into which

account shall be deposited accrued interest received upon delivery of the bonds, the amount provided for in Section 18 of this resolution to pay capitalized interest, and all Contractual Payments as received, and into which account any advances made by the County pursuant to Section 13 of this resolution shall be deposited. The moneys from time to time on hand in the Debt Retirement Fund shall be used solely and only for the payment of the principal of and interest on the bonds, or, to the extent of any surplus, to reimburse the County for any advances made pursuant to Section 13 hereof. The County shall have the right to invest moneys in the Debt Retirement Account as provided in the Contract, which investments may be in obligations other than those of the depository bank or trust company.

15. The operation, maintenance and administration of the System and the acquisition and construction of the Project shall be under the overall jurisdiction and control of the Board as agency of the County, and the provisions in the Contract relative to such operation, maintenance and administration are hereby recognized, approved and confirmed.

16. Said bonds shall be in substantially the following form:

R-\_\_\_

UNITED STATES OF AMERICA  
STATE OF MICHIGAN

COUNTY OF ST. CLAIR

ST. CLAIR COUNTY WATER SUPPLY SYSTEM NO. XIIA  
(COTTRELLVILLE TOWNSHIP) BOND, SERIES 2009  
(GENERAL OBLIGATION LIMITED TAX)

<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	_____ 1, 200__	_____ 1, 2009	

Registered Owner:

Principal Amount:

Dollars

The County of St. Clair, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on May 1, 2010, and semiannually thereafter. Principal of this bond is payable at corporate trust office of \_\_\_\_\_, \_\_\_\_\_, Michigan, or such other paying agent as the County may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Paying Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the payment date as shown on the registration books of the County maintained by the Paying Agent, by check or draft mailed to the registered owner at the registered address.

The bonds of this issue are payable primarily from the proceeds of contractual payments to be paid by the Township of Cottrellville, located in the County of St. Clair, State of Michigan (the "Local Unit"), to the Board of Public Works of the County of St. Clair (the "Board"), acting for and on behalf of the County, pursuant to a certain contract dated \_\_\_\_\_, 2009 (the "Contract"), between the County and the Local Unit, whereby said Board, on behalf of the County, is to construct water supply system improvements in the form of the construction and installation of extensions to the St. Clair County Water Supply System No. XIIA (Cottrellville Township). By the provisions of the Contract and pursuant to the authorization provided by law, the Local Unit has pledged its full faith and credit for the payment of its contractual payments. The County has irrevocably pledged to the payment of this issue of bonds the total contractual payments under the Contract, which said total payments are established in the amount required to pay the principal of and interest on the bonds of this issue when due. As

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

additional security for the payment of the bonds of this issue, the County, pursuant to the provisions of Act 185, Public Acts of Michigan, 1957, as amended, and at least a three-fifths (3/5) vote of the members-elect of its Board of Commissioners, has pledged its full faith and credit for the prompt payment of the principal of and interest thereon. The full faith and credit pledges of the Local Unit and the County are limited tax general obligations of each severally, and each is required to pay its respective debt service commitments on the bonds as a first budget obligation from its general funds, including the collection of any ad valorem taxes which each is authorized to levy. However, the ability of each to levy such taxes is subject to applicable constitutional and statutory limitations.

This bond is one of a total authorized issue of bonds of even Date of Original Issue aggregating the principal sum of \$2,425,000, issued pursuant to a resolution duly adopted by the Board of Commissioners of the County on \_\_\_\_\_, 2009 (the "Resolution"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 185, Public Acts of Michigan, 1957, as amended, for the purpose of paying costs of constructing water supply system improvements to service the Local Unit. For a complete statement of the funds from which and the conditions under which this bond is payable, and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Resolution.

Bonds of this issue maturing in the years 2010 to 2019, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the years 2020 to 2029, inclusive, shall be subject to redemption prior to maturity, at the option of the County, in such order as the County shall determine, on any date on or after May 1, 2019, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Paying Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owners of bonds or portions thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. Bonds so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Paying Agent to redeem said bonds.

In the event this bond is not held in book-entry-only form, then this bond is transferable only upon the books of the County kept for that purpose at the office of the Paying Agent by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Paying Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Resolution, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done precedent to and in the issuance of this bond, and the series of which this is one, have been done and performed in regular and due time and form as required by law.

This bond is not valid or obligatory for any purpose until the Paying Agent's Certificate of Authentication on this bond has been executed by the Paying Agent.

IN WITNESS WHEREOF, the County, by its Board of Commissioners, has caused this bond to be signed in the name of said County with the facsimile signature of the Chairman of the Board of Commissioners and to be countersigned with the facsimile signature of the County Clerk and a facsimile of the corporate seal of said County to be printed hereon, all as of the Date of Original Issue.

COUNTY OF ST. CLAIR

By                     /facsimile/                      
Chairman, Board of Commissioners

[SEAL]

                    /facsimile/                      
County Clerk

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

[FORM OF PAYING AGENT'S  
CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

This bond is one of the bonds described in the within-mentioned Resolution.

\_\_\_\_\_  
Paying Agent

By \_\_\_\_\_  
Authorized Signature

Date of Registration: \_\_\_\_\_

17. Nothing contained in this resolution or the Contract shall be construed to prevent the County from issuing additional bonds under the provisions of the Act for any of the purposes authorized by the Act, but any such bonds shall in no way have any lien on or be payable out of the Contractual Payments pledged to the payment of the bonds of this authorized issue, except such additional bonds as may be necessary may be issued to complete the Project pursuant to the authorization provided in Section 16 of the Contract.

18. An amount sufficient from the proceeds of sale bonds to pay interest on the bonds due on May 1, 2010 shall be deposited in the Debt Retirement Fund created pursuant to Section 14 of this Resolution. The remaining proceeds of sale of the bonds shall be deposited in a special depository account in a bank to be designated by the Board or the County, said account to be designated ST. CLAIR COUNTY WATER SUPPLY SYSTEM NO. XIII (COTTRELLVILLE TOWNSHIP) BONDS, 2009 CONSTRUCTION FUND (hereinafter referred to as the "construction fund"). The moneys from time to time in such fund shall be used solely and only to pay costs of acquiring and constructing the Project. Any premium and accrued interest paid at the time of delivery of the bonds shall be deposited into the Debt Retirement Fund.

19. The provisions of this resolution, together with the Contract, shall constitute a contract between the County and the owner or owners of the bonds from time to time, and after the issuance of such bonds, no change, variation or alteration of the provisions of this resolution and the Contract may be made which would lessen the security for the bonds. The provisions of this resolution and the Contract shall be enforceable by appropriate proceedings taken by such owner either at law or in equity.

20. The County covenants and agrees with the successive owners of the bonds that so long as any of the bonds remain outstanding and unpaid as to either principal or interest:

(a) The County and the Board, as agency of the County, will punctually perform all of their obligations and duties under this resolution and the Contract, including all collection, segregation and application of the Contractual Payments in the manner required by the provisions of this resolution.

(b) The County and the Board, as the agency of the County, will apply and use the proceeds of the sale of the bonds for the purposes and in the manner required by the Contract and this resolution. The County will maintain and keep proper books of record and account relative to the application of funds for the construction of the Project and the Contractual Payments received pursuant to the Contract or monies advanced by the County. Not later than three (3) months after the end of each year, the Board shall cause to be prepared a statement, in reasonable detail, sworn to by its chief accounting officer, showing the application of the proceeds of the sale of the bonds, the cash receipts from the Contractual Payments or monies advanced by the County during such year, and the application thereof, and such other information as may be necessary to enable any taxpayer or any holder or owner of the bonds, or anyone acting in their behalf, to be fully informed as to all matters pertaining to the construction of the Project and application of funds therefor or for the payment of bonds during such year. A certified copy of said statement shall be filed with the County Clerk and the Clerk of the Local Unit and a copy shall also be sent to the manager or managers of the account purchasing the bonds.

(c) The County will take or abstain from taking all actions required by the federal Internal Revenue Code and regulations thereunder as may be necessary to retain for the interest on the bonds the exemption from direct federal income taxation, including specifically all actions and abstention from actions as required by the Non-Arbitrage and Tax Compliance Certificate and related documents furnished in connection with the bonds.

21. The Board is hereby designated, for and on behalf of the County, to do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the bonds, including, if appropriate, making continuing disclosure undertakings, purchase of the credit enhancements, and reducing the amount of bonds sold and/or delivered if the Board determines that the full amount thereof is not necessary to complete the Project.

22. The Board, the County Administrator/Controller and the Deputy Controller are each hereby authorized to apply for prior approval to issue the bonds, if necessary, with the Michigan Department of Treasury.

23. The County shall enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds, as more specifically set forth in Exhibit A hereto (the "Undertaking"); provided, however, that the terms of the Undertaking are subject to completion and modification prior to delivery of the Bonds by the authorized officer of the County executing the Undertaking as such authorized officer shall deem necessary to comply with law or market requirements. The Director, Board of Public Works and the County Administrator each is authorized to execute and deliver the Undertaking on behalf of the County after completion and modification as provided in this Resolution.

24. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided in this resolution.

25. The County hereby designates the bonds as "qualified tax exempt obligations" under the provisions of Section 265(b) of the Internal Revenue Code of 1986, as amended, and the regulations thereunder (the "Code") for the purpose of permitting the deduction of certain expenses by financial institutions pursuant to Section 265(b) of the Code.

26. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are repealed.

27. The County hereby confirms that the posting required pursuant to Section 308 of Act 34 was done in due time and form as required.

28. This resolution shall become effective immediately upon its passage.

AYES Members Bohm, Heidemann, Kearns, Quain, Simasko, Wall and Evans

NAYS: Members None

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on August 19, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
County Clerk

EXHIBIT A  
CONTINUING DISCLOSURE UNDERTAKING

This Continuing Disclosure Undertaking (the "Undertaking") is executed and delivered by the County of St. Clair, State of Michigan (the "County"), in connection with the issuance of its St. Clair County Water Supply System No. XIIA (Cottrellville Township) Bonds, Series 2009 (Limited Tax General Obligation) (the "Bonds"). The County covenants and agrees for the benefit of the Bondholders, as hereinafter defined, as follows:

(a) *Definitions.* The following terms used herein shall have the following meanings:

"Audited Financial Statements" means the annual audited financial statement pertaining to the County prepared by an individual or firm of independent certified public accountants as required by Act 2, Public Acts of Michigan, 1968, as amended, which presently requires preparation in accordance with generally accepted accounting principles.

"Bondholders" shall mean the registered owner of any Bond or any person (a) with the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including any person holding a Bond through a nominee, depository or other intermediary) or (b) treated as the owner of any Bond for federal income tax purposes.

"EMMA" shall mean the MSRB's Electronic Municipal Market Access System, or such other system, Internet Web site, or repository hereafter prescribed by the MSRB for the submission of electronic filings pursuant to the Rule.

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means Rule 15c2-12 promulgated by the SEC pursuant to the Securities Exchange Act of 1934, as amended.

"SEC" means the United States Securities and Exchange Commission.

(b) *Continuing Disclosure.* The County hereby agrees, in accordance with the provisions of the Rule, to provide or cause to be provided to the MSRB through EMMA, on or before the last day of the 6th month after the end of the fiscal year of the County, the following annual financial information and operating data, commencing with the fiscal year ended December 31, 2009, in an electronic format as prescribed by the MSRB:

(1) Updates of the numerical financial information and operating data included in the official statement of the County relating to the Bonds (the "Official Statement") appearing in the Tables in the Official Statement as described below:

- a. Historical Valuation - Current year state equalized valuation ("SEV") and taxable value ("TV");
- b. Tax Base Composition - By Class and By Use - Analysis of current year TV by class and use;

- c. Major Taxpayers - Current year major taxpayers and current year SEV and TV thereof;
  - d. Tax Rates (Per \$1,000 of Valuation) - Current year tax rates;
  - e. Tax Rate Limitation - Current year tax rate limitations;
  - f. Tax Levies and Collections - Current year tax levies and collections;
  - g. County Reserve Fund – Current year revenue sharing payments;
  - h. Labor Force – Update as of current year;
  - i. Pension Fund - Fund Balance – Update as of current year;
  - j. Other Post-Employment Benefits – Update as of current year;
  - k. General Fund – Fund Balance – Update as of current year;
  - l. Debt Statement - Update as of current year;
  - m. Debt Ratios - Update as of current year; and
  - n. Legal Debt Margin - Update as of current year.
- (2) The Audited Financial Statements. provided, however, that if the Audited Financial Statements are not available by the date specified above, they shall be provided when available and unaudited financial statements will be filed by such date and the Audited Financial Statements will be filed as soon as available

Such annual financial information and operating data described above are expected to be provided directly by the County or by specific reference to documents available to the public through EMMA or filed with the SEC.

If the fiscal year of the County is changed, the County shall send a notice of such change to the MSRB through EMMA, prior to the earlier of the ending date of the fiscal year prior to such change or the ending date of the fiscal year as changed.

(c) *Notice of Failure to Disclose.* The County agrees to provide or cause to be provided, in a timely manner, to the MSRB through EMMA, in an electronic format as prescribed by the MSRB, notice of a failure by the County to provide the annual financial information with respect to the County described in subsection (b) above on or prior to the dates set forth in subsection (b) above.

(d) *Occurrence of Events.* The County agrees to provide or cause to be provided in a timely manner to the MSRB through EMMA, in an electronic format as prescribed by the MSRB, notice of the occurrence of any of the following events listed in (b)(5)(i)(C) of the Rule with respect to the Bonds, if applicable, if material:

- (1) principal and interest payment delinquencies
- (2) non-payment related defaults
- (3) unscheduled draws on debt service reserves reflecting financial difficulties
- (4) unscheduled draws on credit enhancements reflecting financial difficulties
- (5) substitution of credit or liquidity providers, or their failure to perform

- (6) adverse tax opinions or events affecting the tax-exempt status of the security
- (7) modifications to rights of security holders
- (8) bond calls
- (9) defeasances
- (10) release, substitution, or sale of property securing repayment of the securities
- (11) rating changes

(e) *Materiality Determined Under Federal Securities Laws.* The County agrees that its determination of whether any event listed in subsection (d) is material shall be made in accordance with federal securities laws.

(f) *Identifying Information.* All documents provided to the MSRB through EMMA shall be accompanied by the identifying information prescribed by the MSRB.

(g) *Termination of Reporting Obligation.* The obligation of the County to provide annual financial information and notices of material events, as set forth above, shall be terminated if and when the County no longer remains an “obligated person” with respect to the Bonds within the meaning of the Rule, including upon legal defeasance of all Bonds.

(h) *Benefit of Bondholders.* The County agrees that its undertaking pursuant to the Rule set forth in this Undertaking is intended to be for the benefit of the Bondholders and shall be enforceable by any Bondholder; provided that, the right to enforce the provisions of this Undertaking shall be limited to a right to obtain specific enforcement of the County’s obligations hereunder and any failure by the County to comply with the provisions of this Undertaking shall not constitute a default or an event of default with respect to the Bonds.

(i) *Amendments to the Undertaking.* Amendments may be made in the specific types of information provided or the format of the presentation of such information to the extent deemed necessary or appropriate in the judgment of the County, provided that the County agrees that any such amendment will be adopted procedurally and substantively in a manner consistent with the Rule, including any interpretations thereof by the SEC, which, to the extent applicable, are incorporated herein by reference. Such interpretations currently include the requirements that (a) the amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the County or the type of activities conducted thereby, (b) the undertaking, as amended, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, and (c) the amendment does not materially impair the interests of Bondholders, as determined by parties unaffiliated with the County (such as independent legal counsel), but such interpretations may be changed in the future. If the accounting principles to be followed by the County in the preparing of the Audited Financial Statements are modified, the

annual financial information for the year in which the change is made shall present a comparison between the financial statements as prepared on the prior basis and the statements as prepared on the new basis, and otherwise shall comply with the requirements of the Rule, in order to provide information to investors to enable them to evaluate the ability of the County to meet its obligations. A notice of the change in accounting principles shall be sent to the MSRB through EMMA.

IN WITNESS WHEREOF, the County has caused this Undertaking to be executed by its authorized officer.

COUNTY OF ST. CLAIR  
State of Michigan

BY THE BOARD OF PUBLIC WORKS

By \_\_\_\_\_

Its Director

Dated: \_\_\_\_\_, 2009

DELIB:3114503.2\123953-00002

## RESOLUTION 09-33

### REVISING RESOLUTIONS 06-28, 05-31, 01-42 AND 97-63 ADOPTING NEW FEE SCHEDULE FOR DOG LICENSE FEES AND RENUMERATION FOR ISSUING AND RECORDING DOG LICENSES.

WHEREAS, the Board of Commissioners of St. Clair County pursuant to M.S.A. 12.516 has the authority to prescribe the fees necessary to properly finance the Animal Control Program for the County of St. Clair, Michigan, and

WHEREAS, the current fee schedule has been in effect since January 1, 2008 for the sale of animals and September 20, 2006 for remaining sections,

NOW, THEREFORE, BE IT RESOLVED, that effective November 1, 2009, the following fee schedule shall be in effect:

#### ANNUAL LICENSE FEES:

##### Un-sterilized Male and Female Dogs

Prior to March 1 <sup>st</sup>	\$ 22.00
After March 1 <sup>st</sup> (Delinquent)	\$ 40.00

##### Sterilized Male and Female Dogs

Prior to March 1 <sup>st</sup>	\$ 12.00
After March 1 <sup>st</sup> (Delinquent)	\$ 40.00

#### ANNUAL KENNEL FEES:

Private Kennel (5 to 8 dogs)	\$ 50.00
Commercial & Service Kennel	
5 to 20 dogs	\$ 60.00
21 to 40 dogs	\$ 70.00
41 to 60 dogs	\$ 80.00
Re-inspection Fee	\$ 10.00

All fees double if paid after May 31st

#### ANIMAL SHELTER SERVICE AND SALE OF ANIMALS:

Entry fee for personally owned dead animals brought in for disposal.	\$ 15.00
Personally owned live animals brought in to be euthanized.	\$ 35.00
Quarantine of personally owned animals	\$ 10.00 per day
Entry of live dogs and cats except as state above.	\$ 15.00

#### RECLAIM FEES:

First Offense	\$ 30.00 plus \$ 10.00 per day
Second Offense	\$ 50.00 plus \$ 10.00 per day
Third Offense	\$ 70.00 plus \$ 10.00 per day

**SALE OF ANIMALS:**

All dogs and cats \$120.00

A refund of \$25.00 will be made, upon proof that said dog has been sterilized and proof has been filed with the Animal Control within thirty (30) days from the date the dog turned 6 months old.

**PERSONAL SERVICE CHARGES BY WARDENS:**

Pickup of healthy dogs and cats.	\$35.00
Pickup of dead dogs and cats for disposal	\$50.00
Pickup of owned dogs and cats to be euthanized	\$70.00
Pickup of stray dogs and cats	N/C

**USE OF LIVE TRAPS:**

Deposit on small animal traps	\$ 50.00
Deposit of dog traps	\$100.00
One week rental (7 days)	\$ 25.00
Daily rental	\$ 5.00

**RENUMERATION FOR ISSUING AND RECORDING DOG LICENSES:**

Payment to Treasurers and other agents selling dog licenses, per license issued \$1.50

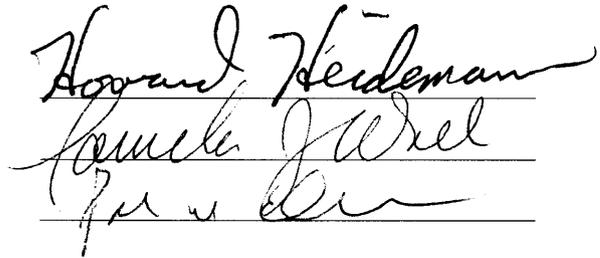
**BE IT FURTHER RESOLVED**, that this fee schedule shall remain in full force and effect until further action by this Board of Commissioners, and

**BE IT FURTHER RESOLVED**, that all resolutions and parts of resolutions in conflict with this resolution, are to the extent of the conflict, hereby rescinded.

DATED: August 19, 2009

Reviewed and approved by:

\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESOLUTION 09-32**  
**ST. CLAIR COUNTY INTERNATIONAL AIRPORT**  
**Rehabilitation of Runways 4/22 and 10/28**

EXTRACT FROM THE MINUTES OF A BOARD OF COMMISSIONERS MEETING OF THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS AT PORT HURON, MICHIGAN HELD ON AUGUST 19, 2009.

The following Resolution was introduced, read in full, considered and adopted:

**RESOLUTION 09-32**

**WHEREAS**, ON AUGUST 19, 2009, RESOLUTION ADOPTING THE EXECUTION OF THE SPONSOR CONTRACT BY THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS, OF PORT HURON, MICHIGAN, AND THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF OBTAINING FEDERAL AID FOR THE DEVELOPMENT OF THE ST. CLAIR COUNTY INTERANTIONAL AIRPORT, UNDER CONTRACT NO. 2009-0653.

**BE IT RESOLVED** by the members of the St. Clair County Board of Commissioners:

Section I. That the St. Clair County Board of Commissioners shall enter into a Sponsor Contract for development of the St. Clair County International Airport, and such Sponsor Contract shall be as set for herein below:

Section II. That the Chairperson of the St. Clair County Board of Commissioners is hereby authorized and directed to execute said Sponsor Contract in two (2) copies on behalf of the County of St. Clair, Michigan and the County Clerk is hereby authorized and directed to impress the official seal and to attest said execution:

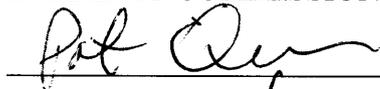
Section III. that the Sponsor Contract referred to herein below shall be attached:

**Dated: August 19, 2009**

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**Resolution 09-31**  
**Urging the Federal Government to Extend Unemployment Benefits**

**Whereas**, the St. Clair County Board of Commissioners implores the Congress of the United States and President Obama to enact an extension of unemployment benefits for those qualified workers who will be exhausting their unemployment benefits in unprecedented numbers starting this July; and

**Whereas**, Michigan's unemployment level has reached 15.2%, the highest it has been since 1983, and has consistently been the highest in the nation. 682,000 citizens are currently out of work and are struggling to stay in their homes and feed their families; and

**Whereas**, as of May 2009 there are 14,543 unemployed workers in St. Clair County alone. Starting in August there will be 479, September 391, October 419, November 531, December 336 for a grand total of 2,156 St. Clair County residents who will have exhausted their unemployment benefits; and

**Whereas**, this unemployment trend will continue to rise through 2010; and

**Whereas**, there are not enough jobs for those who are continuously seeking employment and there will not be enough jobs in the next year to fulfill the employment needs; and

**Whereas**, these individuals will have no source of income and will be in jeopardy of losing their homes, which will cause more foreclosures and the loss of family stability; and

**Whereas**, studies show that every \$1 spent on unemployment benefits generates \$2.15 in additional economic activity as workers support local businesses and use funds to purchase necessities; and

**Whereas**, St. Clair County's official unemployment rate for May was 17.6%. This statistic does not accurately reflect the correct number as those who have already exhausted their unemployment benefits are not counted in these figures.

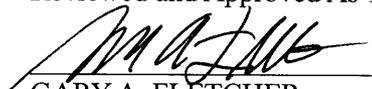
**Now, Therefore**, Be It Resolved By The Board of Commissioners Speaking For And On Behalf Of All County Citizens As Follows:

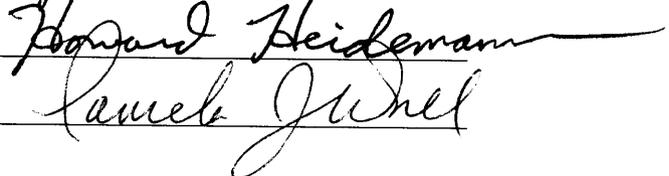
**That By These Presents**, the St. Clair County Board of Commissioners hereby urges the United States Congress and President to extend unemployment benefits for those qualified workers who have exhausted their benefits.

**Be It Further Resolved** that a suitable copy of this Resolution will be transmitted to President Barack Obama of the United States and the Michigan congressional delegation: Senators Carl Levin and Debbie Stabenow, and Congresswoman Candice Miller.

**DATED:** August 19, 2009

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
Samuel J. Jurek

**RESOLUTION 09-30  
ADOPTING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN  
THE COUNTY OF ST. CLAIR COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AND  
THE 72<sup>nd</sup> JUDICIAL DISTRICT COURT  
AND  
DISTRICT COURT EMPLOYEES CHAPTER OF LOCAL #1518 COUNCIL #25  
AFSCME, AFL-CIO**

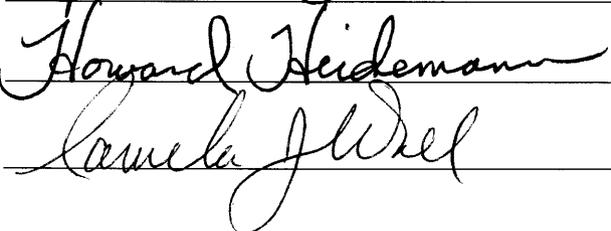
WHEREAS, the DISTRICT COURT EMPLOYEES CHAPTER OF LOCAL #1518 COUNCIL #25 AFSCME, AFL-CIO is recognized by the Michigan Employment Relations Commission and the County of St. Clair and the 72nd Judicial District Court as the exclusive representative of certain employees of the St. Clair County, and

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, pursuant to the presentation made to the Board of Commissioners, the Collective Bargaining Agreement for the period of July 1, 2008 through June 30, 2012 is hereby approved and adopted.

**Dated: August 19, 2009**

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, Michigan 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_

**ST. CLAIR COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 09-29**

**REGARDING ADOPTION OF THE ST. CLAIR COUNTY 2035 LONG RANGE  
TRANSPORTATION PLAN**

**WHEREAS**, the St. Clair County Transportation Study is charged by State law to conduct a comprehensive planning process at the County level; and

**WHEREAS**, the St. Clair County Transportation Study is responsible for developing and maintaining a countywide Long Range Transportation Plan; and

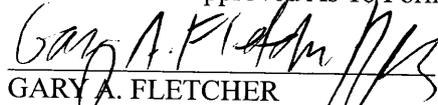
**WHEREAS**, the St. Clair County Metropolitan Planning Commission, in its capacity as Policy Committee for the St. Clair County Transportation Study, is charged pursuant to federal transportation legislation – the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) – with the formation and adoption of a long range transportation plan for the county; and

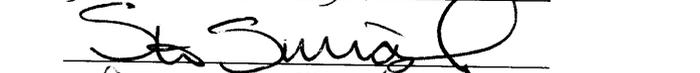
**WHEREAS**, after appropriate publication of notice of a public hearing on the proposed 2035 Long Range Transportation Plan, a public hearing was held at the St. Clair County Transportation Study meeting of July 8, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Clair County Board of Commissioners hereby adopts the St. Clair County 2035 Long Range Transportation Plan, which consists of: the Master Plan Summary Document; Technical Reports that detail land use, the environment, the economy, transportation, public facilities and services in the county; an analysis of alternative land use plans; and all maps, tables, and charts contained in those documents.

**DATED: July 15, 2009**

Reviewed and Approved As To Form By:

  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060


**ST. CLAIR COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 09-28**

**APPROVING THE INTERGOVERNMENTAL AGREEMENT  
ESTABLISHING THE ST. CLAIR COUNTY LAND BANK AUTHORITY**

**WHEREAS**, the Michigan Land Bank Fast Track Authority (“Authority”) was created as a public body corporate and politic with the Michigan Department of Energy, Labor and Economic Growth, a principal department of the executive branch of the state government, under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and is authorized to enter into an intergovernmental agreement with a county foreclosing governmental unit providing for the creation of a county authority to exercise the powers, duties, functions, and responsibilities of an authority under that act; and,

**WHEREAS**, the Treasurer of the County of St. Clair, Michigan is a foreclosing governmental unit under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and Section 78 of The General Property Tax Act, 1893 PA 206, MCL 211.78; and,

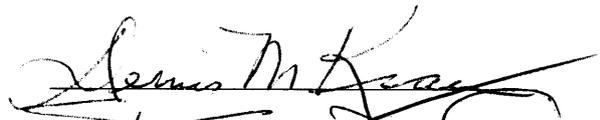
**WHEREAS**, the Authority and the Treasurer and the Board of Commissioners of the County of St. Clair, Michigan seek to establish a county authority for St. Clair County, as a separate legal entity and as a public body to exercise with in St. Clair County, Michigan the powers, duties, functions and responsibilities of an authority under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.774.

**NOW, THEREFORE, BE IT RESOLVED** that the St. Clair County Board of Commissioners approves the proposed Intergovernmental Agreement attached hereto as Exhibit 1 between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of St. Clair, Michigan creating the St. Clair County Land Bank Authority subject if necessary, to technical, typographical, or non-substantial modifications approved by the executive Director of, or legal counsel for, the Michigan Land Bank Fast Track Authority before the effective date of the Intergovernmental Agreement.

**DATED: July 1, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060


**ST. CLAIR COUNTY BOARD OF COMMISSIONERS  
RESOLUTION 09-27**

**REGARDING ADOPTION OF THE ST. CLAIR COUNTY MASTER PLAN 2030**

**WHEREAS**, the St. Clair County Metropolitan Planning Commission is charged pursuant to the Michigan Planning Enabling Act, Public Act 33 of 2008 of the Public Acts of the State of Michigan, with the formation and adoption of a plan for the development of the county; and

**WHEREAS**, the St. Clair County Board of Commissioners and Metropolitan Planning Commission have jointly established the need for the creation of a master plan for the county; and

**WHEREAS**, the Metropolitan Planning Commission has conferred with the public and local community leaders to discuss development issues and to create a future vision for St. Clair County; and

**WHEREAS**, the Metropolitan Planning Commission has drafted a master plan for the development of the county and provided opportunity for review and comment by the public, local communities, and various county, regional, and state agencies or departments; and

**WHEREAS**, on May 21, 2008 the St. Clair County Board of Commissioners received and reviewed the proposed Master Plan prepared by the Metropolitan Planning Commission and authorized distribution of the draft Master Plan to the Notice Group entities identified in Public Act 33 of 2008; and

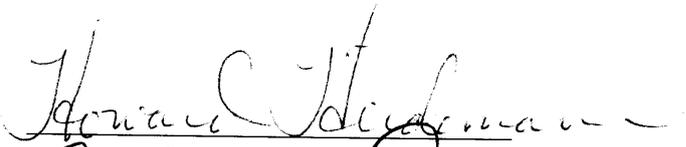
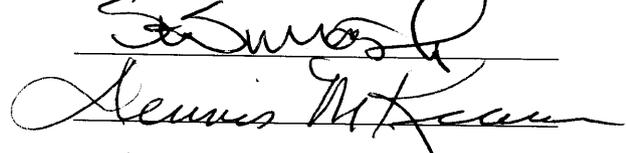
**WHEREAS**, the Metropolitan Planning Commission, after appropriate publication of a notice of a public hearing on the proposed master plan, held a public hearing on the proposed plan on June 17, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Clair County Board of Commissioners hereby adopts the St. Clair County Master Plan 2030, which consists of: the Master Plan Summary Document; Technical Reports that detail land use, the environment, the economy, transportation, public facilities and services in the county; an analysis of alternative land use plans; and all maps, tables, and charts contained in those documents.

**DATED: July 15, 2009**

Reviewed and Approved As To Form By:

  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

**RESOLUTION 09-26**

**AMENDING THE BYLAWS OF THE ST. CLAIR COUNTY  
CENTRAL DISPATCH ADVISORY BOARD**

**WHEREAS**, the St. Clair County Board of Commissioners established the Central Dispatch Advisory Board; and

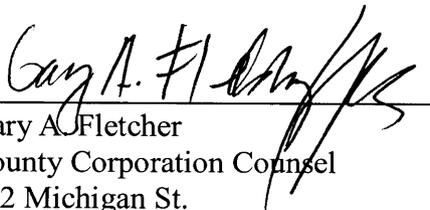
**WHEREAS**, the St. Clair County Board of Commissioners deems it appropriate to adopt bylaws for the purposes of setting forth the operational structure of the Board and generally providing for the governance of its activities; and

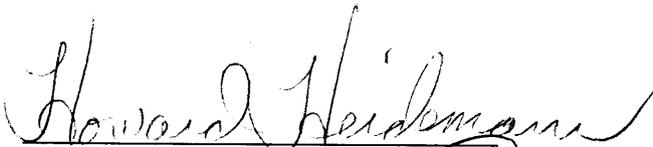
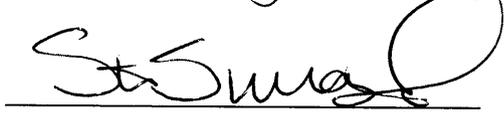
**NOW, THEREFORE, BE IT RESOLVED** that the St. Clair County Board of Commissioners hereby adopts and amends the bylaws of the St. Clair County Central Dispatch Advisory Board, as outlined in Exhibit A.

**BE IT FURTHER RESOLVED** that this Resolution shall be in full force and effect upon adoption.

**Dated: July 15, 2009**

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**RESOLUTION 09-25**

**WHEREAS**, the Area Agency on Aging 1-B has been supporting services to St. Clair County residents since 1974; and

**WHEREAS**, the Area Agency on Aging 1-B has assessed the needs of older county residents and developed a plan to provide assistance that addresses identified needs; and

**WHEREAS**, the proposed plan has been submitted for review by the public, and has been subjected to a public hearing; and

**WHEREAS**, the comments at the public hearings on the proposed plan were mostly favorable, and constructive changes in the plan were made as a result of some comments; and

**WHEREAS**, the St. Clair County Board of Commissioners appoints two representatives to the AAA 1-B Board of Directors, a County Commissioner and a County resident who is at least 60 years of age; and

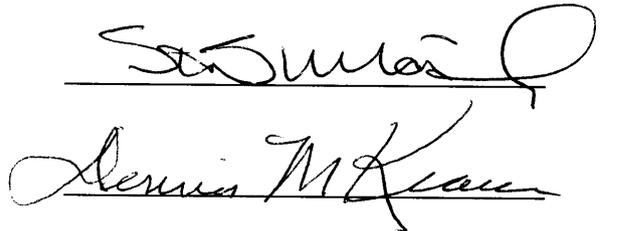
**WHEREAS**, the Michigan Office of Services requires that County Boards of Commissioners be given the opportunity to review and approve an Area Agency on Aging's annual implementation plans; and

**NOW, THEREFORE, BE IT RESOLVED** that the St. Clair County Board of Commissioners hereby approves the FY 2010 Annual Implementation Plan of the Area Agency on Aging 1-B, for the purpose of conveying such support to the Area Agency on Aging 1-B and the Michigan Office of Services to the Aging.

**Dated: July 15, 2009**

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_

**COUNTY OF ST. CLAIR BOARD OF COMMISSIONERS'  
RESOLUTION 09-24**

**DESIGNATING APRIL 1, 2010 AS CENSUS DAY IN THE COUNTY OF ST. CLAIR**

**WHEREAS**, the kick off day for the 2010 Census is April 1, 2010; and

**WHEREAS**, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs; and

**WHEREAS**, more than \$300 billion per year in federal and state funding is allocated to states and communities based on census data; and

**WHEREAS**, census data ensures fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts; and

**WHEREAS**, the 2010 Census creates jobs that stimulate economic growth and increase employment opportunities in our community; and

**WHEREAS**, the information collected by the census is protected by law and remains confidential for 72 years; and

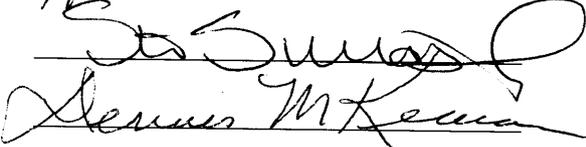
**WHEREAS**, as a 2010 Census partner, the County of St. Clair will support the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage community participation; encourage people in the County of St. Clair to place an emphasis on the 2010 Census and to participate in events that will raise overall awareness of the 2010 Census to ensure a full and accurate count; support census takers as they help our community to complete an accurate count.

**NOW, THEREFORE, BE IT RESOLVED**, that the County of St. Clair Board of Commissioners hereby designates April 1, 2010 as Census Day in the County of St. Clair and joins the rest of the nation as a 2010 Census Partner.

**DATED: July 15, 2009**

Reviewed and Approved As To Form By:

  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

**RESOLUTION 09-23  
BOARD OF COMMISSIONERS  
COUNTY OF ST. CLAIR**

**RESOLUTION REGARDING  
ST. CLAIR COUNTY WATER SUPPLY SYSTEM NO. XIIA  
(COTTRELLVILLE TOWNSHIP)**

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, Michigan, held in the Ira Township Hall on June 17, 2009.

PRESENT: Members: Commissioners Bohm, Heidemann, Kearns, Quain, Wall and Evans

ABSENT: Members: Commissioner Simasko

The following preamble and resolution were offered by Commissioner Kearns and supported by Commissioner Wall.

WHEREAS, the Township of Cottrellville (the "Local Unit") presented to the St. Clair County Board of Public Works a request that the County of St. Clair (the "County") through the Department of Public Works (the "DPW") created by the County pursuant to Act 185, Public Acts of Michigan, 1957, as amended, to administer the powers granted to the County under said act, issue bonds in one or more series in the aggregate total amount not to exceed \$3,500,000, payable from contractual payments to be made by the Local Unit to the County through the DPW and secured secondarily by a pledge of the County's limited tax full faith and credit, said bonds to finance costs of acquiring, constructing, equipping and financing necessary improvements to St. Clair County Water Supply System No. XIIA (Cottrellville Township) serving the Local Unit (the "Project"); and

WHEREAS, the Board of Public Works reviewed said request and the financial and engineering aspects of the Project and determined the same to be feasible if undertaken by the County and the Project is within the scope of the authority of the County and the DPW but is not financially desirable to be undertaken by the Local Unit alone, and to be necessary for the public health, safety and welfare

specifically of the Local Unit and its inhabitants and generally of the County; and

WHEREAS, the Board of Public Works has recommended to this Board that the Project be given tentative approval and that the Board of Public Works be authorized to undertake initial steps toward the financing and construction of the Project, subject, however, to certain conditions;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Board does hereby give its initial and tentative approval to the Project and does authorize the Board of Public Works to undertake the financing and construction of the Project, subject, however, to final approval of this Board upon submission to this Board of the documents evidencing agreement between the Local Unit and the DPW acting for and on behalf of the County for the acquisition, construction, equipping, financing and operation of the Project. The Local Unit will pledge its limited tax full faith and credit to the payment of its contractual obligations to the County, requiring the Local Unit to levy taxes annually to the extent necessary to provide funds to meet all or part of such contractual obligations when due, subject to constitutional and statutory tax rate limitations.

2. The DPW shall contract for the necessary engineering services to determine specifications and draw plans for the Project or shall receive assignment from the Local Unit of such contract and the Board of Public Works shall enter into negotiations with the Local Unit and other parties involved for the execution of contracts covering the acquisition, construction, equipping, financing and operation of the Project.

3. The DPW shall employ the following consultants in connection with the completion of the Project:

As Bond Counsel: Miller, Canfield, Paddock and Stone, P.L.C.  
Detroit, Michigan

As Financial Consultants: Stauder, Barch & Associates, Inc.  
Ann Arbor, Michigan

As Engineers: David Lewandowski, P. E., Consulting Engineer  
1603 McPherson Street  
Port Huron, Michigan

4. Based upon information supplied by the Board of Public Works, this Board hereby estimates the total cost of constructing the Project to be not more than \$3,500,000 including all engineering fees, financing costs and contingencies, such estimate is subject, however, to revision upon submission of final cost estimates or receipt of bids for the Project.

5. All agreements between the DPW and the Local Unit shall be subject to final approval and ratification by this Board.

6. The DPW is hereby authorized through its the Director, and the Chairman and the Secretary of the Board of Public Works, to execute and file the necessary orders, applications and supporting documents with the Michigan Department of Treasury to obtain an order of prior approval for the bonds if required.

7. The Board makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the County reasonably expects to be reimbursed for the expenditures described in (b) below with proceeds of debt to be incurred by the County.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from the funds of the Board received from the Local Unit.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$3,500,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the County's use of the proceeds of the debt to

be issued for the Project to reimburse the County for a capital expenditure made pursuant to this resolution.

- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the County in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.
- (g) Expenditures for the Project to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include and are in addition to (i) costs for the issuance of the debt, (ii) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the borrowing, and (iii) preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Project, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction).

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners: Commissioner Bohm, Heidemann, Kearns, Quain, Wall and Evans

ABSENT: Commissioners: Commissioner Simasko

NAYS: Commissioners: None

**RESOLUTION DECLARED ADOPTED.**

  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, Michigan, at a regular meeting held on June 17, 09 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

DELIB:3089232.1\123953-00002

## RESOLUTION 09-22

### Approving and Authorizing Application for a Renewal Energy Renaissance Zone (RERZ) for the Energy Components Group, LLC. (ECG) Project

WHEREAS, the St. Clair City Council has passed a Resolution requesting the County's assistance in applying for the creation of a Renewable Energy Renaissance Zone (RERZ) in support of the Energy Components Group, LLC. project, and

WHEREAS, ECG has committed to invest approximately \$21 Million and create 250 jobs over the next five years to establish an alternative energy manufacturing facility creating precision machined alloy components and subassemblies for the solar and wind industries, and

WHEREAS, the City of St. Clair does not qualify as a distressed community under the Renaissance Zone act and, therefore the application must be processed through county government, and

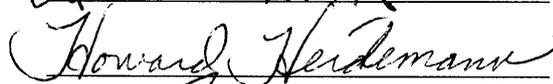
WHEREAS, the investment associated with the project and the created jobs will be a substantial boost to the local economy, creating nonautomotive employment in alternative energy, which is a target market for diversifying the St. Clair County economy,

NOW, THEREFORE, BE IT RESOLVED that the St. Clair County Board of Commissioners approves and authorizes the filing of an applicant by St. Clair County to the State of Michigan to declare the project site of Energy Components Group, LLC. as a Renewable Energy Renaissance Zone for a period of six calendar years, including the three year mandatory phase out period, beginning in 2010 and ending in 2015 and further agrees to forego the pertinent local taxes during this time period.

Dated: **June 17, 2009**

Reviewed and approved as to form by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, Michigan 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**RESOLUTION 09-21**

**ADOPTING A FINAL PROJECT PLAN FOR WASTEWATER SYSTEM IMPROVEMENTS  
AND  
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

**WHEREAS**, the County of St. Clair, Michigan recognizes the need to make improvements to its existing wastewater treatment and collection system; and

**WHEREAS**, the County of St. Clair, Michigan authorized CTI & Associates, Inc. to prepare a Project Plan, which recommends the construction of a pretreatment system for leachate to meet the City or Port Huron Sewer Ordinance standards, construction of a forcemain (and ancillary components) to transport leachate to the City of Port Huron Sewer Interconnect, construction of upgrades/expansion for the existing gas collection and control system, construction of a gas-to-energy facility, and continued septage bioreactor construction, and

**WHEREAS**, said Project Plan was presented at a Public Hearing held on June 10, 2009 and all public comments have been considered and addressed;

**NOW THEREFORE BE IT RESOLVED**, that the County of St. Clair, Michigan, formally adopts said Project Plan and agrees to implement the selected alternative (as described above).

**BE IT FURTHER RESOLVED**, that the Landfill Manger, a position currently held by Matthew Williams, is designated as the authorized representative for all activities associated with the project referenced above in accordance with County policies, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

Yeas: 6

Abstain: 0

Nays: 0

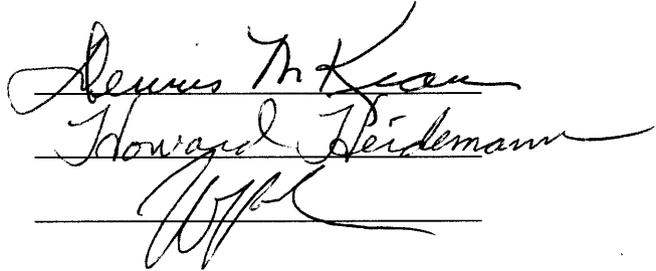
Absent: 1

I certify that the above Resolution was adopted by the County of St. Clair, Michigan Board of Commissioners (*the governing body of the applicant*) on June 17, 2009.

Reviewed and Approved As To Form By:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060



**ST. CLAIR COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION 09-20**

**RESOLUTION IMPOSING 2009 PROPERTY TAX LEVY PURSUANT TO PUBLIC ACT 357 OF 2004, AND NOTICE OF CERTIFICATION OF COUNTY ALLOCATED TAX LEVY**

**WHEREAS**, St. Clair County is authorized under the General Property Tax Act, Public Act 206 of 1893, as amended, to levy and collect County allocated property taxes; and

**WHEREAS**, the General Property Tax Act has been amended by Public Act 357 of 2004, being MCL 211.44a, to require all Michigan Counties to impose a summer tax levy with the full amount of County Operating allocated tax to be levied and collected as a summer tax starting in 2008.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Public Act 357 of 2004, the St. Clair County allocated tax shall be levied and collected on July 1, 2009, at the rate of 5.3265 mills for the purpose of County Operating and;

To be collected on December 1, 2009, at the rates of  
.7000 mills for Library;  
.4954 mills for Parks;  
.2803 mills for Drug Task Force;  
.5000 mills for Senior Citizens; and

**BE IT FURTHER RESOLVED**, that the Treasurer of each city, village and township in St. Clair County is directed to account for and deliver the County allocated tax collections for 2009 in accordance with the provisions of Public Act 357 of 2004; and

**BE IT FURTHER RESOLVED**, that this Resolution constitutes certification of the levy of the County allocated tax and authorized collection of the County allocated tax on July 1, & December 1, 2009, at the rate of 100% of the amount allocated after application of the "Headlee" millage reduction fraction; and

**BE IT FURTHER RESOLVED**, that the County Clerk shall deliver a copy of this Resolution by first class mail to the Treasurer of each city, village and township in St. Clair County.

**Dated: June 3, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
  
\_\_\_\_\_  
\_\_\_\_\_

**RESOLUTION 09-19  
ADOPTING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN  
THE COUNTY OF ST. CLAIR COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AND  
THE ST. CLAIR COUNTY PROSECUTING ATTORNEY  
AND  
THE ASSOCIATION OF PROFESSIONAL EMPLOYEES OF THE ST. CLAIR  
COUNTY PROSECUTING ATTORNEY**

WHEREAS, the ASSOCIATION OF PROFESSIONAL EMPLOYEES OF THE ST. CLAIR COUNTY PROSECUTING ATTORNEY is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of the St. Clair County and,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

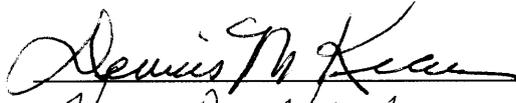
NOW THEREFORE, BE IT RESOLVED, pursuant to the presentation made to the Board of Commissioners, the Collective Bargaining Agreement for the period January 1, 2007 through December 31, 2011 is hereby approved and adopted.

**Dated: May 20, 2009**



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Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, Michigan 48060



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**RESOLUTION 09-18**

**RESOLUTION RELATIVE TO SALE BY SHERIFF OF UNCLAIMED STOLEN  
PROPERTY**

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**WHEREAS**, the Sheriff of St. Clair County has in his possession the recovered stolen property described in Exhibit "A" attached hereto, and said property has remained unclaimed for more than six (6) months since its recovery; and

**WHEREAS**, Act. No 54 of the Public Acts of 1959 requires the Sheriff to request authority from the Board of Commissioners to dispose of the unclaimed recovered stolen property at a public sale to be held by the Sheriff upon five (5) days notice thereof, having been published in a newspaper of general circulation in the County and to deposit the proceeds of the sale, less expenses with the County Treasurer to the credit of the general fund.

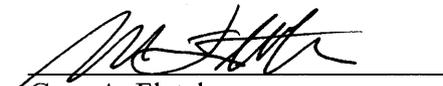
**NOW, THEREFORE, BE IT RESOLVED:**

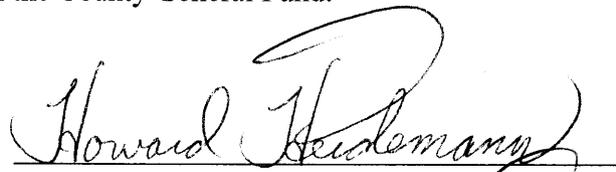
1. That Tim Donnellon, Sheriff of St. Clair County, Michigan, may be and he is hereby authorized and directed to conduct a public sale for the purpose of selling the unclaimed stolen property described in Exhibit "A", attached hereto and made part hereof by reference;

2. That the said Sheriff is hereby directed to published a notice of said sale in a newspaper of general circulation in the County of St. Clair at least five (5) days before said sale, and that said notice shall describe the property described in Exhibit "A" and shall state the time and place of such public sale at which the property may be purchased by the highest bidder; and

3. That the said Sheriff shall conduct such public sale and shall deposit the proceeds of the sale, after deducting the cost of the sale, together with any other money included in the notice, with the County Treasurer to the credit of the County General Fund.

**Dated: May 20, 2009**

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, Michigan 48060

  
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# 2009

ITEM#	QUANTITY	MAKE	DESCRIPTION	MODEL #	SERIAL#
1	2	GE	Clear Rope Lights 15 ft		
2	1	JVC	CD Receiver	KD-55050	149V-7632
3	1	Sony	AM/FM Compact Disc Player	CDX-SW200	6513242
4	1	JVC	CD Receiver	KD-G210	130V6636
5	1	Jensen	CD Player	CD315X	none
6	1	JVC	CD Receiver	KD-G110	O6037536
7	1	Profile	Mosfet Bridgeable 2 ch. Amp 400 watts	California 2400	94200718
8	1	Lanzar	Vibe Bridgeable 2 ch. Amp 360 watts	Vibe211	O40301801
9	1	Pioneer	AM/FM CD Player	XU/UC	CHPG083985UC
10	1	Sony	AM/FM CD Player	CDX-L510X	3672107
11	1	Pioneer	AM/FM CD Player	XU-UC	DGPG057304UC
12	1	JVC	CD Receiver	KD-G110	110I7591
13	1	JVC	CD Player	KD-LH1000	087X5836
14	1	Sanyo	AM/FM CD Player	ECD-T1550	OP312507996
15	9	Playstation	Playstation Games & 8 MB Memory Card	none	none
16	6		Bike pegs	none	none
17	1box	YU-GI-HO	Approx. 6500 YU-GI-HO Trading Cards	none	none
18	1	Mongoose	Men's 26", 21 spd bike, orange/red, silver & black	XR-75	FSD06H54834

## RESOLUTION 09-17

### **Amending Emergency Management Resolutions 06-01, 02-23, 00-27 and 91-47**

RESOLUTION ESTABLISHES POLICIES TO STRENGTHEN THE PREPAREDNESS OF ST. CLAIR COUNTY TO MITIGATE, PREPARE, RESPOND AND RECOVERY AS A RESULT OF ANY THREATENED OR ACTUAL TERRORIST ATTACK, MAJOR DISASTERS AND OTHER EMERGENCIES; TO ESTABLISH AN OFFICER FOR THIS PURPOSE; TO PROVIDE FOR THE COORDINATION AND UTILIZATION OF RESOURCES IN THE COUNTY IN AN EMERGENCY OR DISASTER SITUATION; AND TO PROVIDE A MEANS THROUGH WHICH THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS MAY EXERCISE THE AUTHORITY AND DISCHARGE THE RESPONSIBILITIES VESTED IN THEM BY THIS RESOLUTION AND ACT NO. 390 OF THE PUBLIC ACTS OF 1976, AS AMENDED.

#### Article I - Short Title

Section 101. This resolution shall be known as the "Homeland Security/Emergency Management Resolution".

#### Article 2 - Definitions

Section 201. For the purpose of this resolution, certain words used herein are defined as follows:

- (a) "Act" means the Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended. (Amended, Act 50 of the Public Acts of 1990; Act No. 132 of the Public Acts of 2002)
- (b) "All-hazards preparedness" refers to preparedness for *manmade or natural* disasters, and other emergencies.
- (c) "Board" shall mean the County Board of Commissioners.
- (d) "Chairperson" shall mean the member of the Board of Commissioners selected to be its Chairperson.
- (e) "*Comprehensive Emergency Management Program*" means the plan developed and maintained by the political subdivisions included in the program for the purpose of responding to all emergency or disaster situations by identifying and organizing the disaster relief force.
- (f) "*County Heightened State of Alert*" means authorizing the Chairperson to safeguard the interests of the County, to prepare for impending manmade or natural emergencies, for a specific period of time, using powers provided in Act 390 of 1976 as amended, when good cause for action exists.
- (g) "Disaster" means an occurrence or threat of widespread or severe damage, injury or loss of life or property resulting from a natural or human-made cause, including but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure,

hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.

- (h) “Disaster relief force” means all agencies of county and municipal government, private and volunteer personnel, public officers and employees, and all other persons or groups of persons identified in the St. Clair County *Comprehensive Emergency Management Program* or those called into duty or working at the direction of a party identified in the plan to perform a specific disaster or emergency related task during a local state of emergency.
- (i) “District coordinator” means the Michigan Department of State Police District Emergency Management Coordinator. The District Coordinator serves as liaison between local emergency management programs and the Michigan State Police, Emergency Management Division in all matters pertaining to the mitigation, preparedness, response and recovery of emergency and disaster situations.
- (j) “First Responder” refers to those individuals who in the early stages of an incident are responsible for the protection and preservation of life, property, evidence, and the environment, including emergency response providers as defined in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101), as well as emergency management, public health, clinical care, public works, and other skilled support personnel (such as equipment operators) that provide immediate support services during prevention, response, and recovery operations.
- (k) “Governor’s state of disaster” means an executive order or proclamation by the Governor that implements the disaster response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of the county or municipal programs affected.
- (l) “Governor’s state of emergency” means an executive order or proclamation by the Governor that implements the emergency response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of the county or municipal programs affected.
- (m) “Heightened State of Alert” means an executive order or proclamation by the Governor that authorizes the Governor to safeguard the interests of the state, to prevent or respond to acts of terrorism, or to facilitate the apprehension of terrorists, for a specific period of time, using powers provided in Act 390 of 1976 as amended, when good cause for such an order or proclamation exists.
- (n) “Homeland Security/Emergency Management preparedness-related exercises” refers to homeland security-related exercises that train and test national decision makers and utilize resources of multiple county departments and agencies. Such exercises may involve State and local first responders when appropriate. Such exercises do not include those exercises conducted solely within a single county department or agency.
- (o) “Homeland Security/Emergency Management program” means a program established to coordinate mitigation, preparedness, response, and recovery

activities for all emergency, disaster and homeland security situations within a given geographic area made up of one or several political subdivision. Such a program has an appointed Homeland Security/Emergency Management Director and meets the program standards and requirements as established by the Department of State Police, Emergency Management/*Homeland Security* Division.

- (p) "Local state of emergency" means a declaration by the County Chairperson pursuant to the act and this resolution which implements the response and recovery aspects of the St. Clair County *Comprehensive Emergency Management Program* and authorizes certain actions as described in this resolution.
- (q) "major events" refers to terrorist attacks, major disasters, and other emergencies.
- (r) "preparedness" refers to the existence of plans, procedures, policies, training, and equipment necessary at the Federal, State, and local level to maximize the ability to prevent, respond to, and recover from major events. The term "readiness" is used interchangeably with preparedness.
- (s) "Vital records" means those records that contain information needed to continue the effective functioning of a government entity (jurisdiction, agency, department) and for the protection of the rights and interests of persons under emergency conditions in the event of an emergency or disaster situation.

Article 3 - Office of Homeland Security/Emergency Management:

Homeland Security/Emergency Management Director; Assistants; Deputies

Section 301. By the authority of this resolution there is hereby created an Office of Homeland Security/Emergency Management within St. Clair County government for the purpose of coordinating all mitigation, preparedness, response, and recovery activities within the county emergency management program area. The Board has established the position of Homeland Security/Emergency Management Director to staff this office and has appointed a person to fill this position. He/she has the personal attributes and experience necessary to carry out the duties and responsibilities of this position and shall act for, and at the direction of the Chairperson.

Section 302. There shall be at least one Deputy Director of Homeland Security/Emergency Management designated to assist the Director in planning and emergency operations and who shall serve where needed as needed upon activation of the Emergency Operations Center. He/she shall perform the duties of the Director of Homeland Security/Emergency Management in the absence of the Director during emergency operations.

Section 303. The Director shall appoint and provide for the training of assistants to fill the following volunteer positions within the disaster relief force:

- (a) Technical Advisors
- (b) Radio Officer (Radio Amateur Civil Emergency)
- (c) Deputy Director

Article 4 - Homeland Security/Emergency Management Director; County Preparedness Goal

Section 401. The County shall establish a preparedness goal.

- (a) The Director is the principal County official for coordinating the implementation of all-hazards preparedness in St. Clair County. In cooperation with other County departments and agencies, the Director coordinates the preparedness of County response assets, and the support for, and assessment of, the preparedness of local first responders.
- (b) To help ensure the preparedness of the County to prevent, respond to, and recover from threatened and actual terrorist attacks, major disasters, and other emergencies, the Director, in coordination with the heads of other appropriate County departments and agencies and in consultation with State and local governments, shall develop a County domestic all-hazards preparedness goal that will support the National and State preparedness goal. County departments and agencies will work to achieve this goal.
- (c) The County preparedness goal will establish measurable readiness priorities and targets that appropriately balance the potential threat and magnitude of terrorist attacks, major disasters, and other emergencies with the resources required to prevent, respond to, and recover from them.
- (d) The Director, in coordination with other appropriate County departments and agencies and in consultation with local governments, shall establish and maintain a comprehensive training program to meet the county preparedness goal. The program will identify standards and maximize the effectiveness of existing county programs and financial assistance and include training for the first responders, officials, and others with major event preparedness, prevention, response, and recovery roles. County departments and agencies shall include private organizations in the accreditation and delivery of preparedness training as appropriate and to the extent permitted by law.
- (e) The Director shall develop and maintain a system to collect, analyze, and disseminate lessons learned, best practices, and information from exercises, training events, research, and other sources, including actual incidents, and establish procedures to improve county preparedness to prevent, respond to, and recover from major events. The Director, in coordination with other County departments and agencies and local governments, will identify relevant classes of homeland-security related information and appropriate means of transmission for the information to be included in the system. County departments and agencies are directed, and local governments are requested, to provide this information to the Director to the extent permitted by law.

Article 5 - Homeland Security/Emergency Management Director; Duties

Section 501. The Homeland Security/Emergency Management Director shall comply with the standards and requirements as established by the Department of State Police, Emergency Management/*Homeland Security* Division, under the authority of the act, in accomplishing the following:

- (a) Direct and coordinate the development of the St. Clair County *Comprehensive Emergency Management Program*, which shall be consistent in content with the

Michigan Emergency Management Plan and supports the County preparedness goal.

- (b) Specify departments or agencies which must provide an *Emergency Support Function* to the plan or otherwise cooperate in its development.
- (c) Identify departments and agencies to be included in the *Comprehensive Emergency Management Program* as the disaster relief force.
- (d) Develop and maintain a county Resource Manual.
- (e) Coordinate the recruitment, appointment, and utilization of volunteer personnel.
- (f) Assure the emergency management program meets eligibility requirements for state and federal aid.
- (g) Coordinate and/or conduct training and exercise programs for the disaster relief force within the county and to test the adequacy of the *Comprehensive Emergency Management Plan*.
- (h) The Director shall work with other appropriate County departments and agencies as well as local governments and the private sector to encourage active citizen participation and involvement in preparedness efforts. The Director shall periodically review and identify the best community practices for integrating private citizen capabilities into local preparedness efforts.
- (i) The Director, in consultation with other County departments and agencies, local governments, and non-governmental organizations, shall develop a comprehensive plan to provide accurate and timely preparedness information to public citizens, first responders, units of government, the private sector, and other interested parties and mechanisms for coordination at all levels of government
- (j) Assist in the development of mutual aid agreements.
- (k) Director, in consultation with other County departments and agencies, local governments, and non-governmental organizations, shall develop a comprehensive plan to provide accurate and timely preparedness information to public citizens, first responders, units of government, the private sector, and other interested parties and mechanisms for coordination at all levels of government
- (l) Ensure the development of necessary standard operating procedures, which are consistent with the *Comprehensive Emergency Management Program*.
- (m) Oversee the implementation of all functions necessary during an emergency or disaster in accordance with the *Comprehensive Emergency Management Program*.
- (n) Coordinate county homeland security and emergency management activities with those of the state and adjacent jurisdictions.

- (o) Coordinate all preparedness activities, including maintaining primary and alternate Emergency Operations Center.
- (p) Encourage political subdivision within the county to adopt uniform emergency resolutions.
- (q) Identify mitigation opportunities within the county and encourage local units of government departments/agencies to implement mitigation measures.
- (r) Coordinate with all municipalities that are part of the county program in all matters pertaining to emergency management and homeland security.

Article 6 - Chairperson; Powers; Duties

Section 601. The Chairperson shall supervise the activities of the Homeland Security/Emergency Management Office on a continuous basis. With the advice and consent of the board, he/she shall formulate, review, and approve policy and operational guidelines for this office as needed.

Section 602. On an annual basis, the Chairperson shall review the performance of the Homeland Security/Emergency Management Director.

Section 603. The Chairperson shall, once every two years, review the *Comprehensive Emergency Management Program* and, upon deeming it adequate, shall annually certify the plan to be current and adequate for the ensuing two years.

Section 604. When circumstances within the county indicate that the occurrence or threat of occurrence of widespread or severe damage, injury, or loss of life or property from natural or human-made cause exists the Chairperson may declare a *heightened state of alert* or local state of emergency. Such a declaration shall be promptly filed with the Department of State Police, Emergency Management/*Homeland Security* Division. This declaration shall not be continued or renewed for a period in excess of 7 days except with the consent of the Board.

Section 605. If the Chairperson invokes such power and authority, he/she shall, as soon as reasonably expedient, convene the Board for one or more emergency meetings in accordance with the Open Meetings Act to perform its normal legislative and administrative duties as the situation demands, and will report to that body relative to emergency activities. Nothing in this resolution shall be construed as abridging or curtailing the powers of the Board unless specifically provided herein.

Section 606. The Chairperson, with the approval of the Board, shall establish procedures for the succession of government during disasters where officials are available for exercising the powers and discharging the duties of their respective offices. The instituted line of succession is as follows:

- (a) Vice Chairperson of the St. Clair County Board of Commissioners
- (b) Chairperson of the Judiciary and Public Safety Committee
- (c) Chairperson of the Ways and Means Committee
- (d) Chairperson of the Human Services Committee
- (e) Chairman of the Environmental/Public Works Committee
- (f) Commissioner

Section 607. The Chairperson may do one or more of the following under a local state of emergency:

- (a) Direct the Homeland Security/Emergency Management Director to implement the *Comprehensive Emergency Management Program*.
- (b) Issue directives as to travel restrictions on county or local roads.
- (c) Relieve county employees of normal duties and temporarily reassign them to other duties.
- (d) Activate mutual aid agreements.
- (e) Direct the overall disaster relief effort, including the disaster relief force, in accordance with the *Comprehensive Emergency Management Program*.
- (f) Notify the public and recommend in-place or evacuation or other protective measures.
- (g) Request a state of disaster or emergency declaration from the Governor as described in Article 6.
- (h) When obtaining normal approvals would result in further injury or damage, Chairperson may, until the Board convenes, waive procedures and formalities otherwise required pertaining to the following:
  - (1) For a period of up to 7 days, send the disaster relief force of the county to the aid of other communities as provided by mutual aid agreements.
  - (2) For a period of up to 7 days, appropriate and expend funds from the disaster contingency fund.
  - (3) For a period of up to 7 days make contracts, obtain and distribute equipment, materials and supplies for disaster purposes.
  - (4) Employ temporary workers.
  - (5) Purchase and distribute supplies, materials and equipment.
  - (6) Make, amend, or rescind ordinances or rules necessary for emergency management purposes which supplement a rule, order, or directive issued by the Governor or a state agency. Such an ordinance or rule shall be temporary and, upon the Governor's declaration that a state of disaster or state of emergency is terminated, shall no longer be in effect.

Section 608. If a state of disaster or emergency or heightened state of alert is declared by the Governor, assign and make available for duty the employees, property, or equipment of the county within or without the physical limits of the county as ordered by the Governor or the Director of the Michigan Department of State Police in accordance with the act.

## Article 7 - Governor Declaration Request

Section 701. If a disaster or emergency occurs that has not yet been declared to be a state of disaster or a state of emergency by the Governor, the Board hereby delegates to the Chairperson the authority to determine if the situation is beyond the control of the county. If the disaster or emergency is considered to be beyond the county's control, the Chairperson may request state assistance. The Homeland Security/Emergency Management Director shall immediately contact the MSP-EMHSD District Coordinator. The District Coordinator, in conjunction with the Homeland Security/Emergency Management Director, shall assess the nature and scope of the disaster or emergency, and they shall recommend the state personnel, services, and equipment that will be required for its prevention, mitigation, or relief.

Section 702. The Chairperson shall not request state assistance or a declaration of a state of disaster or a state of emergency for an emergency which has occurred or is occurring solely within the confines of a township, city, or village within the county unless requested to do so by the chief executive official of the affected township, city or village.

## Article 8 - County Departments; Liaison; Duties

Section 801. Each department/agency of county government identified by the Homeland Security/Emergency Management Director shall appoint a liaison who shall coordinate the Homeland Security activities of the department/agency and act as a liaison between his/her department or agency and the Office of Homeland Security/Emergency Management on all matters pertaining to homeland security.

Section 802. The head of each County department or agency shall undertake actions to support the county preparedness goal, including adoption of quantifiable performance measurements in the areas of training, planning, equipment, and exercises for County incident management and asset preparedness, to the extent permitted by law. Specialized County assets such as teams, stockpiles, and caches shall be maintained at levels consistent with the county preparedness goal and be available for response activities as set forth in the County *Comprehensive Emergency Management Program*, other appropriate operational documents, and applicable authorities or guidance..

Section 803. Each department identified shall appoint a minimum of two people to serve as successors in the event the Homeland Security/Emergency Management Liaison is not available or requires assistance. Successors shall be listed in the appropriate annex to the *Comprehensive Emergency Management Program*.

Section 804. Each department liaison shall be responsible for the following:

- (a) Prepare and continuously update *the Emergency Support Function(ESF)* to the St. Clair County *Comprehensive Emergency Management Program* providing for the delivery of homeland security and emergency management activities by that agency or department. The *ESF* shall be in the form prescribed by the Homeland Security/Emergency Management Director.

- (b) Recruit, appoint, and organize private, volunteer and other personnel to the part of the disaster relief force to perform specific duties as assigned in the Emergency Action Guidelines.
- (c) Coordinate the agency's or department's homeland security and emergency management efforts with those of other county agencies.
- (d) Attend training courses relevant to the function of the agency or department, and ensure staff is trained so as to be able to implement assigned emergency functions.
- (e) Participate in periodic exercises to enhance the adequacy of the respective agency's or department's response capability.
- (f) Develop internal Standard Operating Procedures (SOP's) to accomplish emergency notification and assigned emergency tasks.
- (g) Provide the Homeland Security/Emergency Management Director with a list of personnel and resources available within the agency or department and provide a list of those that may be needed by the department during times of emergency.
- (h) Identify and provide for the protection of vital records.
- (i) Implement the directives of the Chairperson or his/her designee under a *heightened state of alert* or local state of emergency.

#### Article 9 - Volunteers; Appointment; Reimbursement

Section 901. Each county department, commission, board, or other agency of county government is authorized to appoint volunteers to augment its personnel in time of emergency functions assigned in the *Comprehensive Emergency Management Program*. Such individuals are part of the disaster relief force and shall be subject to the rules and operational control set forth by the respective department, commission, board, or agency through which the appointment was made, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

#### Article 10 - Rights of Disaster Relief Force

Section 10.01. In accordance with the act, personnel of the disaster relief force while on duty shall have the following rights:

- (a) If they are employees of a county, municipality, or other governmental agency regardless of where serving, have the powers, duties, rights privileges, and immunities and receive the compensation incidental to their employment.
- (b) If they are not employees of the county, municipality, or other governmental agency be entitled to the same rights and immunities as are provided for by law for the employees of the state.

#### Article 11 - Temporary Seat of Government

Section 11.01. The board shall provide for the temporary movement and reestablishment of essential government offices in the event that existing facilities cannot be used.

#### Article 12 - Liability

Section 12.01. As provided for in the act and this resolution, the county or any political subdivision, or the agents or representatives of any political subdivision, shall not be liable for personal injury or property damage sustained by the disaster relief force. In addition, any member of the disaster relief force engaged in disaster relief activity shall not be liable in a civil action for damages resulting from an act or omission arising out of and in the course of the person's good faith rendering of that activity, unless the person's act or omission was the result of that person's gross negligence or willful misconduct. The right of a person to receive benefits or compensation to which he or she may otherwise be entitled to under the worker's compensation law, or any pension law, or act of congress will not be effected as a result of said activity.

Section 12.02. As provided for in the act, any person owning or controlling real estate or other premises who voluntarily and without compensation grants the County a license or privilege, or otherwise permits the County to inspect, designate, and use the whole or any part or parts of the real estate or premises for the purpose of sheltering persons during an actual, impending, mock, practice disaster, together with his or her successors in interest, if any, is not civilly liable for negligently causing death of, or injury to, any person on or about the real estate or premises under the license, privilege or permission or for loss or damage to the property of the person.

#### Article 13 - Sovereignty

Section 13.01. Should any section, clause, or provision of this resolution be declared by the courts invalid for any reason, such declaration shall not affect the validity of this resolution as a whole or part thereof, other than the section, clause, or provision so declared to be invalid.

#### Article 14 - Repeals

Section 14.01. All resolutions or parts of resolutions inconsistent herewith are hereby repealed.

#### Article 15 - Annual review

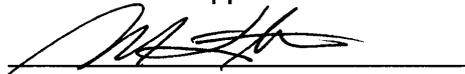
Section 15.01. This resolution shall be reviewed annually by the Board and changes shall be made if necessary.

#### Article 16 - Effective date

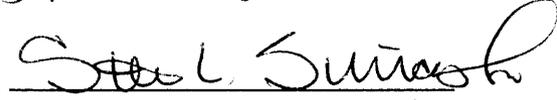
Section 16.01. This resolution shall have immediate effect.

Dated: May 06, 2009

Reviewed and Approved as to form by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060



**ST. CLAIR COUNTY  
2009 GENERAL FUND BUDGET**

EXHIBIT "B"

5/6/2009

**AMENDMENTS**

**REVENUES**

DEPT.#	DEPARTMENT	2009 ADOPTED BUDGET	PROPOSED BOC AMENDMENT 5/20/2009	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC AMENDMENT	FINAL 2009 AMENDED BUDGET
<b>100 Legislative</b>										
	Other Legislative Activities	-	-	-	-	-	-	-	-	-
<b>130 Judicial</b>										
131	Circuit Court	138,472		138,472		138,472		138,472		138,472
136	District Court	2,668,291		2,668,291		2,668,291		2,668,291		2,668,291
138	Courthouse Security	40,000		40,000		40,000		40,000		40,000
141	Friend of Court	2,434,078	10,222	2,444,300		2,444,300		2,444,300		2,444,300
	Incentive Payments	262,233		262,233		262,233		262,233		262,233
	FOC - GF/GP	-		-		-		-		-
	FOC - JASP	42,240		42,240		42,240		42,240		42,240
148	Probate Court	263,926		263,926		263,926		263,926		263,926
149	Family Division-Circuit Court	172,267		172,267		172,267		172,267		172,267
		<u>6,021,507</u>		<u>6,031,729</u>		<u>6,031,729</u>		<u>6,031,729</u>		<u>6,031,729</u>
<b>170 General Government</b>										
191	Elections	70,000		70,000		70,000		70,000		70,000
215	Clerk	757,000		757,000		757,000		757,000		757,000
225	Equalization	300,000		300,000		300,000		300,000		300,000
226	Human Resources	-		-		-		-		-
229	Prosecuting Attorney	528,895		528,895		528,895		528,895		528,895
	Drug Forfeitures	10,000		10,000		10,000		10,000		10,000
	Child Protective Investigations	18,000		18,000		18,000		18,000		18,000
231	Victims Rights	61,600		61,600		61,600		61,600		61,600

DEPT.#	DEPARTMENT	PROPOSED BOC				2009 ADOPTED BOC				FINAL 2009			
		AMENDMENT	BUDGET	AMENDED BUDGET	AMENDMENT	AMENDMENT	BUDGET	AMENDED BUDGET	AMENDMENT	AMENDMENT	BUDGET	AMENDED BUDGET	AMENDMENT
		5/20/2009											
<b>General Government - Continued</b>													
	Purchasing	-	-	-	-	-	-	-	-	-	-	-	-
236	Register of Deeds		824,000		824,000		824,000		824,000		824,000		824,000
253	County Treasurer		43,666,025		43,487,367		43,487,367		43,487,367		43,487,367		43,487,367
257	Cooperative Extension		-		-		-		-		-		-
	Co-op. Ext. - 21st Century Grant		50,000		50,000		50,000		50,000		50,000		50,000
	Co-op. Ext. - Great Start Grant		51,519		51,519		51,519		51,519		51,519		51,519
259	Information Technology		47,000		47,000		47,000		47,000		47,000		47,000
275	Drain Commissioner		273,419		273,419		273,419		273,419		273,419		273,419
289	Motor Pool		-		-		-		-		-		-
			<u>46,657,458</u>		<u>46,478,800</u>		<u>46,478,800</u>		<u>46,478,800</u>		<u>46,478,800</u>		<u>46,478,800</u>
<b>300 Public Safety</b>													
301	Sheriff		1,464,461		1,464,461		1,464,461		1,464,461		1,464,461		1,464,461
	Secondary Road Patrol		198,000		198,000		198,000		198,000		198,000		198,000
	Operation Stonegarden Grant		-	2,310,000	2,310,000		2,310,000		2,310,000		2,310,000		2,310,000
	Michigan Drive Safely Grant		80,000		80,000		80,000		80,000		80,000		80,000
	COPS More Grant		-		-		-		-		-		-
	Edward Byrne Memorial JAG Grant		-		-		-		-		-		-
	COPS Technology Grant		-		-		-		-		-		-
320	Criminal Justice Training Grant		15,000		15,000		15,000		15,000		15,000		15,000
325	Communications		1,164,106	42,899	1,207,005		1,207,005		1,207,005		1,207,005		1,207,005
	Communications Training Grant		12,000		12,000		12,000		12,000		12,000		12,000
331	Marine Law Enforcement		231,000		231,000		231,000		231,000		231,000		231,000
	Dive Team		-		-		-		-		-		-
351	Corrections/Jail		2,917,595	183,093	3,100,688		3,100,688		3,100,688		3,100,688		3,100,688
	Inmate Billing		224,000		224,000		224,000		224,000		224,000		224,000
	ICE		517,771		517,771		517,771		517,771		517,771		517,771
362	Other Corrections Activities		-		-		-		-		-		-
	Probation Resident Services		380,400		380,400		380,400		380,400		380,400		380,400
	Substance Abuse Treatment Grant		102,096		102,096		102,096		102,096		102,096		102,096
426	Emergency Preparedness		36,000		36,000		36,000		36,000		36,000		36,000

DEPT.#	DEPARTMENT	2009 ADOPTED BUDGET		PROPOSED BOC AMENDMENT 5/20/2009		BOC AMENDED BUDGET		BOC AMENDED BUDGET		FINAL 2009 AMENDED BUDGET	
		BUDGET	AMENDMENT	AMENDED BUDGET	AMENDMENT	AMENDED BUDGET	AMENDMENT	AMENDED BUDGET	AMENDMENT	AMENDED BUDGET	AMENDMENT
	<b>Public Safety - Continued</b>										
	07 UAI/IS Grant	150,000	-	180,000	-	180,000	-	180,000	-	180,000	-
	06 UAI/IS Grant	-	-	50,000	-	50,000	-	50,000	-	50,000	-
	04 Solution Planning	-	-	-	-	-	-	-	-	-	-
	Annual Breakfast	10,000	-	10,000	-	10,000	-	10,000	-	10,000	-
	Homeland Security	-	-	-	-	-	-	-	-	-	-
	Hazardous Materials Handling	3,000	-	3,000	-	3,000	-	3,000	-	3,000	-
	Cert Dep Grant	-	-	-	-	-	-	-	-	-	-
	04 Hazardous Mitigation	422,000	-	422,000	-	422,000	-	422,000	-	422,000	-
	Animal Shelter	7,927,429	-	10,543,421	-	10,543,421	-	10,543,421	-	10,543,421	-
	<b>600 Health and Welfare</b>										
	648 Medical Examiner	5,000	-	5,000	-	5,000	-	5,000	-	5,000	-
	Lapeer Veteran's Contract	45,000	-	45,000	-	45,000	-	45,000	-	45,000	-
	661 Public Guardian	97,057	-	97,057	-	97,057	-	97,057	-	97,057	-
		147,057	-	147,057	-	147,057	-	147,057	-	147,057	-
	<b>Total Revenues</b>	<b>60,753,451</b>		<b>63,201,007</b>		<b>63,201,007</b>		<b>63,201,007</b>		<b>63,201,007</b>	

ST. CLAIR COUNTY  
2009 GENERAL FUND BUDGET

EXHIBIT "B"

5/6/2009

AMENDMENTS

EXPENDITURES

PROPOSED

DEPT.#	DEPARTMENT	2009 ADOPTED BUDGET	AMENDMENT	BOC AMENDMENT	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC ADJUSTMENT	FINAL 2009 AMENDED BUDGET
		5/20/2009									
<b>100</b>	<b>Legislative</b>										
101	Board of Commissioners	230,975			230,975		230,975		230,975		230,975
103	Other Legislative Activities	1,412,500			1,412,500		1,412,500		1,412,500		1,412,500
	Employee of the Quarter/Year										
	<b>Appropriations to other Funds:</b>										
	Road Commission										
	Health Department	2,827,329			2,827,329		2,827,329		2,827,329		2,827,329
	Child Care - Probate	4,588,772	16,336		4,605,108		4,605,108		4,605,108		4,605,108
	Child Care - Welfare	440,000			440,000		440,000		440,000		440,000
	Family Independence Agency	244,750			244,750		244,750		244,750		244,750
	Airport	224,663			224,663		224,663		224,663		224,663
	Public Improvement	500,000			500,000		500,000		500,000		500,000
	Planning	492,200			492,200		492,200		492,200		492,200
	Brownfield Redevelopment										
	Community Development Block Grant	10,000			10,000		10,000		10,000		10,000
	Administrative Building Debt Fund	907,970			907,970		907,970		907,970		907,970
	Communications Towers Debt Service	375,000			375,000		375,000		375,000		375,000
		<u>12,254,159</u>			<u>12,270,495</u>		<u>12,270,495</u>		<u>12,270,495</u>		<u>12,270,495</u>
<b>130</b>	<b>Judicial</b>										
131	Circuit Court	2,087,403			2,087,403		2,087,403		2,087,403		2,087,403
136	District Court	2,774,422			2,774,422		2,774,422		2,774,422		2,774,422
138	Court Security	489,118			489,118		489,118		489,118		489,118
141	Friend of Court	2,852,748	30,666		2,883,414		2,883,414		2,883,414		2,883,414
	FOC - JASP	99,070			99,070		99,070		99,070		99,070
148	Probate Court	855,612			855,612		855,612		855,612		855,612
149	Family Division-Circuit Court	2,122,710			2,122,710		2,122,710		2,122,710		2,122,710

DEPT.#	DEPARTMENT	2009 ADOPTED BUDGET	PROPOSED BOC AMENDMENT 5/20/2009	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC ADJUSTMENT	FINAL 2009 AMENDED BUDGET
151	Judicial - Continued	13,733	13,733	13,733	13,733	13,733	13,733	13,733	-	13,733
153	Adult Probation	682,827	682,827	682,827	682,827	682,827	682,827	682,827	-	682,827
	District Court Probation	11,977,643	12,008,309	12,008,309	12,008,309	12,008,309	12,008,309	12,008,309	-	12,008,309
<b>170</b>	<b>General Government</b>									
172	Administrator/Controller	390,786	390,786	390,786	390,786	390,786	390,786	390,786	-	390,786
191	Election	123,931	123,931	123,931	123,931	123,931	123,931	123,931	-	123,931
201	Accounting	446,705	446,705	446,705	446,705	446,705	446,705	446,705	-	446,705
215	Clerk	971,547	971,547	971,547	971,547	971,547	971,547	971,547	-	971,547
225	Equalization	984,691	12,000	996,691	996,691	996,691	996,691	996,691	-	996,691
226	Human Resources	585,305	585,305	585,305	585,305	585,305	585,305	585,305	-	585,305
229	Prosecuting Attorney	2,603,724	2,603,724	2,603,724	2,603,724	2,603,724	2,603,724	2,603,724	-	2,603,724
	Drug Forfeitures	10,000	10,000	10,000	10,000	10,000	10,000	10,000	-	10,000
	Child Protective Investigation Grant Title IV-E	5,000	5,000	5,000	5,000	5,000	5,000	5,000	-	5,000
231	Victims Rights	10,800	10,800	10,800	10,800	10,800	10,800	10,800	-	10,800
233	Purchasing	218,103	218,103	218,103	218,103	218,103	218,103	218,103	-	218,103
236	Register of Deeds	226,249	226,249	226,249	226,249	226,249	226,249	226,249	-	226,249
244	Boundary Commission	200	200	200	200	200	200	200	-	200
253	County Treasurer	490,855	490,855	490,855	490,855	490,855	490,855	490,855	-	490,855
257	Cooperative Extension	330,853	330,853	330,853	330,853	330,853	330,853	330,853	-	330,853
	Co-op. Ext. - 21st Century Grant	50,000	50,000	50,000	50,000	50,000	50,000	50,000	-	50,000
	Co-op. Ext. - Great Start Grant	73,316	73,316	73,316	73,316	73,316	73,316	73,316	-	73,316
259	Information Technology	2,417,738	(49,207)	2,368,531	2,368,531	2,368,531	2,368,531	2,368,531	-	2,368,531
265	Buildings and Grounds	1,538,540	1,538,540	1,538,540	1,538,540	1,538,540	1,538,540	1,538,540	-	1,538,540
	FIA Building Lease Maintenance	974,434	974,434	974,434	974,434	974,434	974,434	974,434	-	974,434
	Jail/Juvenile Facility Maintenance	501,974	(51,325)	450,649	450,649	450,649	450,649	450,649	-	450,649
275	Drain Commissioner	678,842	3,000	681,842	681,842	681,842	681,842	681,842	-	681,842
289	Motor Pool	12,500	12,500	12,500	12,500	12,500	12,500	12,500	-	12,500
		13,646,093	13,560,561	13,560,561	13,560,561	13,560,561	13,560,561	13,560,561	-	13,560,561

DEPT.#	DEPARTMENT	2009 ADOPTED BUDGET	PROPOSED BOC AMENDMENT 5/20/2009	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC ADJUSTMENT	AMENDED BUDGET	FINAL 2009 AMENDED BUDGET
300	Public Safety								
301	Sheriff	6,076,495	184,545	6,261,040		6,261,040		6,261,040	
	Secondary Road Patrol	213,181		213,181		213,181		213,181	
	Operation Stonegarden Grant	-	2,310,000	2,310,000		2,310,000		2,310,000	
	Michigan Drive Safety Grant	80,000		80,000		80,000		80,000	
	COPS More Grant	-		-		-		-	
	Edward Byrne Memorial JAG Grant	-		-		-		-	
	COPS Technology Grant	-		-		-		-	
320	Criminal Justice Training Grant	15,000		15,000		15,000		15,000	
325	Communications	1,881,712	11,550	1,893,262		1,893,262		1,893,262	
	Communications Training Grant	12,000		12,000		12,000		12,000	
331	Marine Law Enforcement	272,667		272,667		272,667		272,667	
334	Dive Team	10,658		10,658		10,658		10,658	
351	Corrections/Jail	10,157,107	(6,310)	10,150,797		10,150,797		10,150,797	
	ICE	204,158		204,158		204,158		204,158	
	Inmate Billing	133,162		133,162		133,162		133,162	
362	Other Correctional Activities	430,400		430,400		430,400		430,400	
	Probation Resident Services	-		-		-		-	
	Substance Abuse Treatment Grant	101,599		101,599		101,599		101,599	
426	Emergency Preparedness	307,543		307,543		307,543		307,543	
	07 UAISI Grant	150,000	30,000	180,000		180,000		180,000	
	06 UAISI Grant	-	50,000	50,000		50,000		50,000	
	04 Solution Planning	-		-		-		-	
	Homeland Security	-		-		-		-	
428	Annual Breakfast	10,000		10,000		10,000		10,000	
	Hazardous Materials Handling	20,172		20,172		20,172		20,172	
	04 Hazardous Mitigation	-		-		-		-	
	Cert Dap Grant	-		-		-		-	
430	Animal Shelter	430,664		430,664		430,664		430,664	
		<u>20,506,518</u>		<u>23,086,303</u>		<u>23,086,303</u>		<u>23,086,303</u>	

DEPT.#	DEPARTMENT	2009 ADOPTED BUDGET	PROPOSED BOC AMENDMENT 5/20/2009	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC AMENDMENT	AMENDED BUDGET	BOC ADJUSTMENT	Final 2009 AMENDED BUDGET
440	Public Works									
445	Drains - Public Benefit	200,000		200,000		200,000		200,000	-	200,000
600	Health and Welfare									
648	Medical Examiner	270,436	3,928	274,364		274,364		274,364	-	274,364
649	Mental Health	955,672		955,672		955,672		955,672	-	955,672
661	Public Guardian	268,472		268,472		268,472		268,472	-	268,472
681	Veteran's Burial	21,300		21,300		21,300		21,300	-	21,300
682	Veteran's Counselor	191,144		191,144		191,144		191,144	-	191,144
	Lapeer Veterans Contract	35,000		35,000		35,000		35,000	-	35,000
689	Soldiers and Sailors Relief	1,000		1,000		1,000		1,000	-	1,000
		<u>1,743,024</u>		<u>1,746,952</u>		<u>1,746,952</u>		<u>1,746,952</u>		<u>1,746,952</u>
850	Other Functions									
890	Contingencies	426,014	(97,627)	328,387		328,387		328,387	-	328,387
	<b>Total Expenditures</b>	<u>60,753,451</u>		<u>63,201,007</u>		<u>63,201,007</u>		<u>63,201,007</u>		<u>63,201,007</u>

**RESOLUTION 09-16**

**REVISING RESOLUTION 08-32 ESTABLISHING FRINGE BENEFITS FOR THE  
COUNTY ELECTED, NON-ELECTED, CONFIDENTIAL AND NON-UNION  
EMPLOYEES**

WHEREAS, the ST. CLAIR COUNTY BOARD OF COMMISSIONERS has the responsibility to establish the fringe benefits of all County elected, non-elected and confidential and non-union employees; and

WHEREAS, the ST. CLAIR COUNTY BOARD OF COMMISSIONERS has reviewed and evaluated the Retirement package of said Officers and employees and recommends that the said retirement package is appropriate.

NOW, THEREFORE, BE IT RESOLVED:

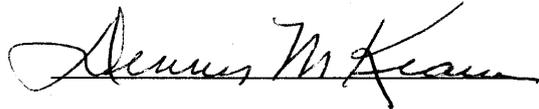
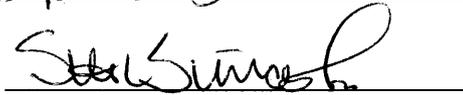
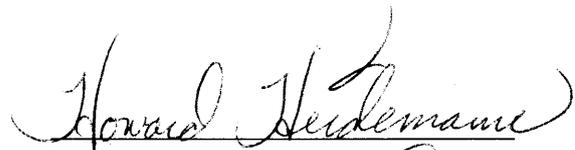
1. That the St. Clair County Board of Commissioners shall provide eligible employees the opportunity to contribute to a 457 Deferred Compensation Plan rather than contribute to the Retiree Health Care Trust Fund Account.
2. That the retirement benefits assigned shall be effective upon adoption by the Board of Commissioners and shall remain in effect until amended by Resolution and/or Policy.
3. That the Employee Handbook shall be updated at the earliest possible date to reflect the retirement changes as outlined in Exhibit A.
4. All resolutions and parts of resolutions, insofar as the same conflict with the provisions of this resolution, are hereby rescinded.

**Dated: May 20, 2009**

Reviewed and Approved by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060



**County Association of Non-Union Employees  
Employee Handbook  
3.1:G. RETIREMENT**

Section 1: All full time regular employees shall, upon their date of hire, participate in the St. Clair County Employees Retirement Plan. Specific terms and conditions of retirement not herein defined are subject to the terms and conditions provided by the retirement plan custodians and shall not be subject to nor require separate approval.

Section 2: The Defined Benefit Pension and the Retiree Health Care Plan are completely separate Retirement Plan programs with separately designated methods for funding set forth in this Agreement. The assets of the separate programs may be commingled for investment purposes but shall be and are separate funds for accounting and actuarial purposes.

- A. The Retirement Board shall have fiduciary responsibility for retiree pension.
- B. The County Administrator/Controller shall have fiduciary responsibility for the Retiree Health Care Trust Account.

Section 3: The St. Clair County Retirement System provides eligible employees (hired before 01/01/09) with a Defined Benefit Pension Plan. A defined benefit plan is a retirement plan that establishes an annual and monthly pension amount based on an employee's years of service and final average compensation. Participation in the Defined Benefit Plan is mandatory among eligible employees as defined and set forth in Section 1. Terms and conditions of the Defined Benefit Plan are addressed in the Retirement Plan booklet. Employee and Employer contributions are as follows.

- A. The employee shall contribute five percent (5%) of his or her eligible gross bi-weekly wage.
- B. Effective January 1, 2008 and every calendar year thereafter the employer shall contribute an actuarially determined amount.

SECTION 4: The St. Clair County Retirement System provides eligible employees the opportunity to prefund retiree health care coverage by contributing to a Health Care Trust Account. Employee participation in the Health Care Trust Account is optional. The option is exercised upon date of eligibility to participate in the retirement plan and once exercised is irrevocable. An employee is required to complete and submit to the Human Resources Department a retiree health care prefunding election form within 30 days of adoption of the resolution by the Board of Commissioners. The employee that fails to submit a timely form shall be considered to have elected not to prefund retiree health care coverage. A description of the retiree health care coverage is provided in the Retirement Plan booklet. Eligibility for retiree health care coverage is as follows:

- A. An employee subject to the original plan must have eight (8) or more actual years of service contributions in the Retirement Plan to be entitled to health care coverage at no premium cost as a retiree.
- B. An employee subject to the modified plan must have twenty (20) or more actual years of service contributions in the Retirement Plan to be entitled to health care coverage at no premium cost as a retiree.

- C. An employee that chooses not to participate in the prefunding of retiree health care or that does not meet the actual years of service contributions stipulated in the preceding subsections A and B, shall be entitled to purchase retiree health care coverage based on the following conditions:
  - i. The full time employee shall have eleven (11) or more actual years of service contributions to the Retirement Plan.
  - ii. The employee, as a retiree, shall be required to pay the entire premium cost determined by the County on a month-to-month basis as a deduction from his or her monthly pension payment.
  - iii. The employee with contributions in the Health Care Trust Account shall be entitled to pay the health care premium costs from his or her contributions. When contributions are depleted the retiree shall be subject to the preceding [ii].
  - iv. The employee, upon making an application for retirement, must choose to purchase or not purchase health care coverage. The employee, as a retiree, may not choose to purchase health care at a later time. In other words, the employee, as a retiree, must participate in the purchase of health care coverage upon initial retirement or he or she shall be forever ineligible for health care coverage.
  - v. The employee, as a retiree, shall not be entitled to purchase health care coverage intermittently from the Retirement Plan. Failure to pay the monthly premium, whether intentionally or unintentionally disqualifies the retiree for health care coverage. In other words, the retiree shall not be entitled to discontinue and later re-enroll for health care coverage.

SECTION 5: Contributions to the Retiree Health Care Trust Account shall be calculated on the first \$50,000 of an employee's eligible wages as defined in this article. This amount may be adjusted annually in proportion to the average annual employee percentage wage adjustment. The contribution of employees hired before December 31, 2008 shall be as follows:

<u>Effective Date</u>	<u>Employee Contribution</u>
01-01-09	0.5%
01-01-10	1.0%
01-01-11	1.5%
01-01-12	2.0%
01-01-13	2.5%

SECTION 6: Employees hired before January 1, 2009 with sufficient years of service and age to retire by December 31, 2011 shall be entitled to select the following contribution option.

- A. The employee shall contribute five percent (5%) of his or her eligible bi-weekly wage as defined in Section 3:A. The employee contribution shall be attributed to pension.
- B. The County shall contribute thirteen percent (13%) of the employee's eligible bi-weekly wage. The County's contribution shall be attributed to both pension and health care, as annually adopted by the Board of Commissioners.

- C. In selecting this option the employee agrees to and shall retire on or before December 31, 2011 and shall sign a waiver stating such. By doing so, they are not obligated to pay the contributions outlined in section 5.
- D. In selecting this option the employee must complete and sign a retirement application form designating a retirement date no later than December 31, 2011. The employee shall also sign a form that authorizes the County to deduct from the employee's pay an amount that equals the health care contributions stipulated in section 5 of this article to be paid by the employee who fails to retire on or before December 31, 2011. The employee that fails to timely complete and submit both forms shall not be entitled to this contribution option.
- E. The employee that fails to retire or otherwise leave employment no later than December 31, 2011 shall be required to pay an amount equal the contributions that otherwise would have been made to the Health Care Trust Account. Contributions due shall be made by payroll and/or in a lump sum at the employee's discretion but shall be paid in full within ninety (90) calendar days after December 31, 2011 or the employee will be subject to pay one percent (1%) daily compounded interest.

SECTION 7: The County's combined Retirement Plan contributions for Defined Benefit Pension and to the Health Care Trust Account shall be no more than thirteen percent (13%) for employees hired on or before December 31, 2008. Employees hired on or after January 1, 2009 shall only be entitled to participate in a defined contribution or deferred compensation plan as determined by the Board of Commissioners and as outlined in Section 15.

Section 8: An employee shall have the option to contribute to a 457 Deferred Compensation Plan rather than contribute to the Retiree Health Care Trust Fund Account. An employee that contributes to the 457 Deferred Compensation Plan shall not be entitled to retiree health care paid by the Retirement System upon retirement. Terms and conditions of the 457 Deferred Compensation Plan follow:

- A. Effective upon the earliest possible date following approval of the resolution by the Board of Commissioners, the employee shall be entitled to select one of the following contribution options to be matched by the County.

<u>Employee Contribution</u>	<u>County Contribution</u>
1.0%	0.5%
2.0%	1.0%
3.0%	1.5%
4.0%	2.0%
5.0%	2.5%

- B. "ALL CONTRIBUTIONS" to the 457 Deferred Compensation Plan shall mean the contributions of the employee and the County. Contributions shall mean all contributions except as otherwise defined.
- C. Upon retirement the employee may at his or her discretion use contributions to the 457 Deferred Compensation Plan to purchase retiree health care from the Retirement System provided the employee has a minimum of eleven (11) or more years of contributed service in the Retirement System.

- D. An employee must elect or not elect to contribute to the 457 Deferred Compensation Plan upon full time regular employment with the County. The election once executed is irrevocable. Employees wishing to adjust their employee contribution election amount, may do so in accordance with the terms of the 457 Plan and applicable County policy.
- E. An employee shall not be entitled to contribute to the Retiree Health Care Trust Fund Account and the 457 Deferred Compensation Plan at the same time. An employee shall have the option to contribute to a 457 Deferred Compensation Plan account rather than contribute to the Retiree Health Care Trust Fund Account. An employee that contributes to the 457 Deferred Compensation Plan shall not be entitled to retiree health care paid by the Retirement System upon retirement.
- F. All contributions in the 457 Deferred Compensation Plan are immediately fully vested.

Section 9: An employee subject to the Original Retirement Plan shall mean the plan in effect prior to January 1, 1993. The Original Retirement Plan shall continue to provide an annual multiplier of two percent (2%) accumulating to a maximum of seventy-five percent (75%) at thirty-seven and one-half (37-1/2) years. An employee subject to the Original Retirement Plan shall be eligible for health care upon eligibility to receive a pension. Health care shall be subject to the exclusive purview of the Board of Commissioners which shall have authority to amend, modify or discontinue in part or the whole any benefit, provision, or condition of coverage.

Section 10: An employee subject to the Modified Retirement Plan shall mean the plan adopted effective January 1, 1993 with a graduated multiplier as follows:

<u>Years of Service</u>	<u>Annual Multiplier</u>
1 through 10	1.75% - accumulative
11 through 19	2.00% - accumulative
20 through 24	2.00% - retroactive
25 and above	2.40% - retroactive

The employee subject to the Modified Retirement Plan shall be eligible for health care upon attaining twenty (20) actual years of service. Years of actual service shall mean that period of time employed and contributing, including repayment of previous employment credit, to the St. Clair County Employee Retirement Plan and excluding, by way of example, reciprocity through other retirement plans or the purchase of military service time.

Section 11: An employee subject to either the Original Retirement Plan or Modified Retirement Plan shall have their pension benefit computed on the base salary, and where applicable service recognition, and shall not include compensation from the following:

- A. Overtime or compensatory time payoff.
- B. Vacation accrual payoff upon separation from employment.
- C. Sick day accrual payoff upon separation from employment.
- D. Compensation paid as an allowance, reimbursement or premium.

Final average compensation (FAC) is computed on the best three (3) of the last ten (10) years of service effective January 1, 2005.

Section 12: An employee shall be eligible upon satisfying one of the following three criteria (in accordance with the Employees' Retirement System Ordinance):

- A. The employee has attained the age of fifty-five (55) years and has twenty-five (25) or more years of credited service.
- B. The employee has attained the age of sixty (60) years and has eight (8) years or more years of credited service.
- C. The employee's combined years and months of actual service and age equal eighty (80) years, provided the employee shall also have completed twenty-five (25) years of actual service.

Years of actual service shall mean that period of time employed and contributing to the St. Clair County Employee Retirement Plan and excluding, by way of example, reciprocity through other retirement plans or purchase of military service time.

SECTION 13: An employee shall only be entitled to withdraw his or her contributions to the Defined Benefit Plan upon termination of employment.

- A. An employee is not required to withdraw his or her contributions upon termination of employment.
- B. Contributions left in the plan are deferred until such time as the former employee is eligible to receive a pension.
- C. The employee that withdraws his or her contributions shall terminate all right to receive a pension benefit from the plan.
- D. The employee that withdraws his or her contributions shall be entitled to a rate of interest on the contributions determined by the Retirement Board which shall be consistent with the interest rate attributed to all employee accounts regardless of union affiliation.

SECTION 14: An employee shall only be entitled to withdraw his or her contributions to the Health Care Trust Account upon termination of employment.

- A. An employee is not required to withdraw his or her contributions upon termination of employment.
- B. Contributions left in the plan are deferred until such time as when the former employee shall be entitled to a retirement pension.
- C. The employee that leaves his or her contributions in the Health Care Plan Trust Account shall only be entitled to health care coverage in conjunction with receiving a pension.
- D. The employee that withdraws his or her contributions shall terminate all right to receive health care coverage from the plan at no premium cost to the retiree. The

employee shall be allowed to withdraw only his or her contributions plus interest/yield up to 2% if there were earnings.

- E. The employee that leaves his or her contributions in the Health Care Trust Account but who has insufficient actual years of services to qualify for coverage shall be entitled to purchase coverage when meeting all the conditions stipulated in Section 4 of this article.

SECTION 15: Employees hired on or after January 1, 2009 shall not be eligible to participate in the County Defined Benefit Plan or the Retiree Health Care Plan.

As of January 1, 2009, all newly hired regular full time employees shall be eligible to participate in a Defined Contribution Plan. The Defined Contribution Plan has distinct differences from the Defined Benefit Retirement Plan: there is no guarantee of a specific benefit, only what the employee decides to withdraw upon termination from employment; the employee chooses how to direct his or her investment. The employee should fund this plan with the goal to cover both pension and retiree healthcare needs. The benefit is portable.

Participation in the new Plan is voluntary for eligible full time regular employees. Terms and conditions of the new Plan are as follows:

The employee may contribute up to a maximum of 8% of total wages through payroll deduction each pay period. Wages is defined as W-2 compensation less fringe benefits, bonuses, overtime, off schedule payments and longevity, etc. Employees wishing to adjust their employee contribution election amount, may do so in accordance with the terms of the 457 Plan and applicable County policy.

The County will match the employee contribution dollar for dollar up to a maximum of 8% of total wages.

- A. The minimum employee contribution rate is one (1) percent.
- B. An employee shall be entitled to select one of the following contribution options to be matched by the County:

<u>Employee Contribution</u>	<u>County Contribution</u>
1.0%	1.0%
2.0%	2.0%
3.0%	3.0%
4.0%	4.0%
5.0%	5.0%
6.0%	6.0%
7.0%	7.0%
8.0%	8.0%

- C. An employee is not required to withdraw his or her contributions upon termination of employment.
- D. Upon separation of County employment, the County match is subject to forfeiture by the employee based on a 5 year graded vesting schedule:

<u>Years of Service</u>	<u>Vesting Amount</u>
1 year of service	20%
2 years of service	40%
3 years of service	60%
4 years of service	80%
5 years of service	100%

For example: if an employee participating in the Defined Contribution Plan terminates employment with two (2) years of service, the employee would receive 40% of the County match. The remaining 60% would be forfeited and used to reduce future County match obligations to other participants.

- E. Retirement age: Age 65 or the age at which Participants have the right to retire and receive, under the basic defined benefit pension plan of the employer, immediate retirement benefits without actuarial or similar reduction because of retirement before some later specified age.

**RESOLUTION 09-15**

**AMENDING THE 2009 GENERAL FUND BUDGET**

**WHEREAS**, under the provisions of the Uniform Budgeting and Accounting Act, P.A. 621 of 1978, as amended, amendments to governmental fund type budgets must be approved by the Legislative Body: and

**WHEREAS**, the Administrator/Controller has deemed, for various reasons including Board of Commissioner actions taken this year, that the 2009 General Fund budget of the County is in need of various amendments to maintain compliance with P.A. 621 of 1978, as amended (attached as Exhibit A and B): and

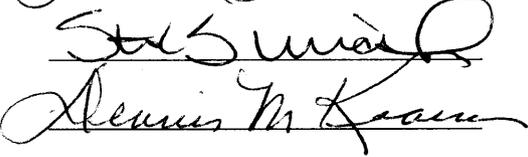
**WHEREAS**, the recommended General Fund budget amendments will maintain a balanced budget.

**NOW, THEREFORE BE IT RESOLVED**, that the 2009 General Fund budget be amended as recommended and outlined in Exhibit A and B attached, in compliance with Public Act 621 of 1978, as amended.

**DATED: May 20, 2009**

Reviewed and Approved as to form by:

  
\_\_\_\_\_  
GARY A. FLETCHER  
Corporation Counsel  
522 Michigan St.  
Port Huron, Michigan 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_

ST. CLAIR COUNTY  
2009 BUDGET ADJUSTMENTS DETAIL

5/6/2009

EXHIBIT "A"

GENERAL FUND

Adj. #	Acct. No.	Details	Revenues		Expenditures	
			Increase	Decrease	Increase	Decrease
1	101253	Treasurer - Interest revenue estimate reduction		200,000		200,000
	101890	Contingencies				
	910021	Sheriff - Operation Stonegarden Grant	2,310,000		2,310,000	
	101648	Medical Examiner - add Dr. Spitz contract correction			3,928	3,928
	101890	Contingencies				
	101141	Friend of Court - add share of ImageSoft contract		10,222	30,666	30,666
	101259	Information Technology - reduction due to FOC sharing cost			10,222	
	101890	Contingencies				
	101259	Information Technology - reduction due to Office Automation Fund sharing cost of			18,541	18,541
	101890	ImageSoft contract				
	101890	Contingencies				
	101301	Sheriff - add DVD Recorder			1,709	1,709
	101890	Contingencies				
	101301	Sheriff - add toplights for P.H. Township Contract car			2,300	2,300
	101890	Contingencies				
	101325	Communications - add Protel equipment maintenance charge			11,550	11,550
	101890	Contingencies				
	101351	Jail - add Security System maintenance agreement			47,200	47,200
	101890	Contingencies				

Adj. #	Acct. No.	Details	Revenues		Expenditures	
			Increase	Decrease	Increase	Decrease
<b>Proposed to BOC on May 6, 2009</b>						
1	101325 101890	Communications - add revenue for change from \$.41 to \$.42 per line/per month Contingencies	34,574		34,574	
	101225 101275 101890	Equalization - add BS&A software Drain Commissioner - add BS&A software Contingencies			12,000 3,000	15,000
	910064	Emergency Management - 07 UAISI Grant adjustment	30,000		30,000	
	101253 101890	Treasurer - add Cost Allocation transfer in from Funds 617 (DTR) and 619 (School Tax) of \$12,401 and \$8,941, respectively Contingencies	21,342		21,342	
	101351 101351 101301 101301 101301 101301	<b>Sheriffs Reorganization</b> Jail - add revenue for 8 (to 120 prisoners) federal prisoners Jail - add revenue for phones for the additional prisoners Sheriff - eliminate 1 PT Special Deputy Sheriff - add back Captain position (less 20% charged to Drug Task Force) Sheriff - add back Road Sergeant position Sheriff - add back 2 FT Facilities Information Clerks (less 17.5% charged to Child Care Fund)	178,120 4,973		81,244 93,425	4,968
	101103 101301	Other Legislative Activities - add appropriation to Child Care Fund for portion of 2 FT Facilities Information Clerks Sheriff - reduce for charging 17.5% of 2 current PT Facilities Information Clerks to Child Care Fund			9,431	5,549
	101103	Other Legislative Activities - add appropriation to Child Care Fund for portion of 2 PT Facilities Information Clerks			2,775	
	101351 101351 101301 101301	Jail - reduce cost of doing blood draws by using Jail Nurses for 8 months in 2009 Jail - reduce fringes for DROP employees McCormick and Neumann Sheriff - reduce fringes for DROP employee Carr Sheriff - reduce for transferring 3 top-end Deputies to DTF and 1 top-end Deputy to Secondary Road and recruiting 4 new low-end Deputies				4,600 27,452 14,886 52,000

Adj. #	Acct. No.	Details	Revenues		Expenditures	
			Increase	Decrease	Increase	Decrease
<b>Proposed to BOC on May 6, 2009</b>						
<b><u>Sheriffs Reorganization (Continued)</u></b>						
1	101351	Jail - reduce for charging 17.5% of Security System maintenance contract to Child Care Fund				8,260
	101103	Other Legislative Activities - add appropriation to Child Care Fund for portion of Jail Security System maintenance contract		4,130		
	101351	Jail - add 2 PT Corrections Officers (at net reduction) to cover scheduled overtime			56,555	
	101301	Sheriff - add 2 FT Deputy positions from 7/1 to 12/31		62,190		
	101301	Sheriff - eliminate Director of Service Bureau position from 5/1			67,843	
	101890	Contingencies		83,088		
<b>(End of Sheriff's Reorganization)</b>						
	101325	Communications - add revenue from CN Railroad contract for enterint LEIN data	7,125			
	101890	Contingencies		7,125		
	101325	Communications - add revenue from RESA for tower antenna fee	1,200			
	101890	Contingencies		1,200		
	910047	Emergency Management - 06 UAIISI Grant (04 Solutions Planning) adjustment	50,000			
	101351	Jail - transfer of 2 PT Laundry Workers from Jail Maintenance budget			43,357	
	960004	Jail Maintenance - transfer of 2 PT Laundry Workers to Jail budget			51,325	
	101890	Contingencies		7,968		
<b>TOTAL BUDGET ADJUSTMENTS PROPOSED ON May 6, 2009</b>			<b>2,647,556</b>	<b>200,000</b>	<b>3,071,888</b>	<b>624,332</b>

RESOLUTION 09-14

RESOLUTION AUTHORIZING  
2009 GENERAL OBLIGATION LIMITED TAX BONDS  
(COMMUNICATION SYSTEM)

COUNTY OF ST. CLAIR  
STATE OF MICHIGAN

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan, (the "County") held on the 15th day of April, 2009, at 6:00 o'clock p.m., Eastern Daylight Time.

PRESENT: Commissioners Bohm, Heidemann, Kearns, Quain, Simasko,  
Wall & Evans

ABSENT: Commissioners None

The following preamble and resolution were offered by Commissioner Simasko  
and supported by Commissioner Kearns:

WHEREAS, the County does hereby determine that it is necessary to pay all or part of the cost of acquiring and constructing public safety communications towers in the Village of Capac and the City of St. Clair, both located in the County, and acquiring and installing related equipment (the "Project") in an amount not to exceed Four Million Dollars (\$4,000,000); and

WHEREAS, a notice of intent (the "Notice of Intent") was published in accordance with Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), which provides that one or more series of capital improvement bonds of the County may be issued without a vote of the electors of the County unless a proper petition for an election on the question of the issuance of the capital improvement bonds is filed with the County Clerk within a period of forty-five (45) days from the date of publication of the Notice of Intent; and

WHEREAS, no proper petition for an election on the question of the issuance of capital improvement bonds has been filed with the County Clerk within the period of forty-five (45) days from the date of publication of the Notice of Intent, and, therefore, the County shall be authorized to issue capital improvement bonds in one or more series to finance the cost of the Project in the principal amount of not to exceed \$4,000,000.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the County designated 2009 GENERAL OBLIGATION LIMITED TAX BONDS (COMMUNICATION SYSTEM) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Four Million Dollars (\$4,000,000) for the purpose of paying the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The final principal amount of the Bonds shall be determined by the County Administrator/Controller pursuant to Section 11 hereof. The issue shall consist of bonds

in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of the date of delivery, or such other date as determined by the County Administrator. The Bonds shall bear interest, mature and be payable at the times and in the manner set forth in Sections 6 and 7 hereof as finally approved by the County Administrator/Controller.

The Bonds shall be sold at public sale at a price not less than 98.50% of the principal amount thereof.

The Bonds shall be subject to redemption prior to maturity in the manner and at the times and prices set forth in Sections 6 and 7 hereof and if term bonds are selected by the original purchaser of the Bonds, then the Bonds will be subject to mandatory redemption in accordance with the applicable maturity schedule at par.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the County to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at the designated corporate trust office of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan (the "Transfer Agent").

The Bonds shall be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the County Administrator, the Finance Director and the County Clerk are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this Resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds shall be executed in the name of the County with the facsimile signatures of the Chairperson of the County Board of Commissioners and the County Clerk of the County and shall have the seal of the County, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the County Administrator or the County Clerk of the County upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the County. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the County shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the County. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Debt Retirement Funds; Defeasance of Bonds. The County hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The County each year shall budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall pay as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the County subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The County Administrator/Controller is authorized and directed to open a depository account with a bank or trust company to be designated 2009 GENERAL OBLIGATION LIMITED TAX BONDS DEBT RETIREMENT ACCOUNT (the "Debt Retirement Account"), the moneys to be deposited into the Debt Retirement Account to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction/Acquisition Accounts; Bond Proceeds. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to pay the costs of the Project as provided in this Resolution. Upon receipt of the proceeds of sale of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund.

The County Administrator/Controller is authorized and directed to open a separate depository account with a bank or trust company to be designated 2009 GENERAL OBLIGATION LIMITED TAX BONDS CONSTRUCTION/ACQUISITION ACCOUNT (the "Construction/Acquisition Account"). From the proceeds of the Bonds there shall next be deposited in the Construction/Acquisition Account the proceeds of the Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Account. The moneys in the

Construction/Acquisition Account shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds and any engineering, architectural, legal, financing or other expenses incidental thereto.

6. Bond Form. The Bonds shall be in substantially the following form with appropriate adjustments approved by the County Administrator/Controller as necessary to reflect the final specifications with respect to the Bonds:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN

COUNTY OF ST. CLAIR

2009 GENERAL OBLIGATION LIMITED TAX BOND  
(COMMUNICATION SYSTEM)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	_____, 20__	_____, 2009	

Registered Owner:

Principal Amount:

Dollars

The COUNTY OF ST. CLAIR, State of Michigan (the "County"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on April 1, 2010 and semiannually thereafter. Principal of this bond is payable at the designated office of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, or such other transfer agent as the County may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the County kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the limited tax full faith, credit and resources of the County are hereby irrevocably pledged.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$4,000,000, issued for the purpose of paying the cost of capital improvements for the County. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and by resolution duly adopted by the Board of Commissioners of the County on April 15, 2009.

OPTIONAL REDEMPTION

Bonds of this issue maturing in the years 2010 to 2018, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2019 and thereafter shall be subject to redemption prior to maturity, at the option of the County, in any order of maturity and by lot within any maturity, on any date on or after April 1, 2018, at par and accrued interest to the date fixed for redemption.

MANDATORY SINKING FUND REDEMPTION

[Insert term bond provisions, if necessary].

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the County kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

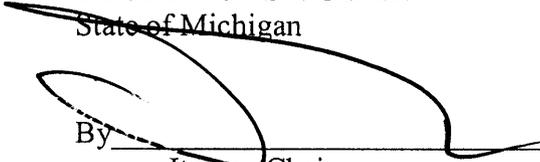
This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the County, and the County is required, if necessary, to levy ad valorem taxes on all taxable property in the County for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the County, including this bond and the series of bonds of which this is one, does not exceed any constitutional or statutory debt limitation.

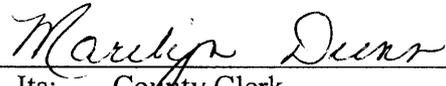
This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the County, by its Board of Commissioners, has caused this bond to be signed in the name of the County with the facsimile signatures of its Chairperson and the County Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

COUNTY OF ST. CLAIR  
State of Michigan

By  \_\_\_\_\_  
Its: Chairperson

(SEAL)

By  \_\_\_\_\_  
Its: County Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

The Bank of New York Mellon Trust Company, N.A.  
Detroit, Michigan  
Transfer Agent

By: \_\_\_\_\_  
Authorized Signatory

[Bond printer to insert form of assignment]

7. Notice of Sale. The County Administrator/Controller is authorized to fix a date of sale for the Bonds and to publish a notice of sale for the Bonds in *The Bond Buyer*, New York, New York in substantially the following form with such modifications as may be approved by the County Administrator/Controller:

OFFICIAL NOTICE OF SALE  
COUNTY OF ST. CLAIR  
STATE OF MICHIGAN  
\$4,000,000  
2009 GENERAL OBLIGATION LIMITED TAX BONDS  
(COMMUNICATION SYSTEM)

SEALED BIDS: for the purchase of the above bonds will be received at Bendzinski & Co., 607 Shelby, Suite 600, Detroit MI 48226, on \_\_\_\_\_, 2009 until \_\_:\_\_.m., prevailing Eastern Time, at which time and place said bids will be publicly opened and read.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or Client Services, 1359 Broadway, Second Floor, New York, New York 10018, (212) 849-5021. NO ELECTRONIC BID WILL BE ACCEPTED UNLESS THE BIDDER HAS SUBMITTED A FINANCIAL SURETY BOND IN THE AMOUNT DESCRIBED IN THE SECTION ENTITLED "GOOD FAITH" BELOW. If any provision of this Notice of Sale shall conflict with information provided by Bidcomp/Parity, this Notice of Sale shall control.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The Bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, originally dated as of the date of delivery, numbered in order of registration, and will bear interest from their date payable on April 1, 2010 and semiannually thereafter.

The bonds will mature on the 1<sup>st</sup> day of April of each of the years as follows:

2010	\$150,000	2018	\$250,000
2011	150,000	2019	300,000
2012	150,000	2020	300,000
2013	200,000	2021	350,000
2014	200,000	2022	400,000
2015	200,000	2023	400,000
2016	250,000	2024	450,000
2017	250,000		

INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at a rate or rates not exceeding 8% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed 2%. No proposal for the purchase of less than all of the bonds or at a price less than 98.50% of their par value will be considered.

PRIOR REDEMPTION OF BONDS: Bonds maturing in the years 2010 to 2018, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 2019 and thereafter shall be subject to redemption prior to maturity, at the option of the County, in any order of maturity and by lot within any maturity, on any date on or after April 1, 2018, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the transfer agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the transfer agent to redeem said bond or portion thereof.

TERM BOND OPTION: Bidders shall have the option of designating bonds maturing in the years 2010 to 2024, inclusive, as serial bonds or term bonds or both. The bidder must designate whether each of the principal requirements shown above for the years 2010 to 2024, inclusive, represent a serial maturity or mandatory redemption requirement for a term bond maturity. Any such designation must be made at the time bids are submitted.

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in bonds purchased.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the principal corporate trust office of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, or such other transfer agent as the County may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check or draft mailed to the registered owner of record as shown on the registration books of the County as of the 15th day of the month prior to an interest payment date. The bonds will be transferred only upon the registration books of the County kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are authorized for the purpose of paying the cost of acquiring and constructing various capital improvements in the County. The bonds will be a first budget obligation of the County, payable from the general funds of the County including the collection of ad valorem taxes on all taxable property in the County subject to applicable constitutional and statutory tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter

enacted and by the application of general principles of equity including those relating to equitable subordination.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$40,000 payable to the order of the Treasurer of the County will be required of the successful bidder. THE SUCCESSFUL BIDDER IS REQUIRED TO SUBMIT ITS GOOD FAITH DEPOSIT TO THE COUNTY NOT LATER THAN NOON, EASTERN DAYLIGHT TIME, ON THE NEXT BUSINESS DAY FOLLOWING THE SALE. The good faith deposit will be applied to the purchase price of the bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the County. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS-TRUE INTEREST COST: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on April 1, 2010 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to \_\_\_\_\_, 2009, in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the County, computed in the manner specified above.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance and estate taxes, taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, at delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986. Such certificate will include (i) for those maturities where 10% of each such maturity of the bonds has been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, the price at which the first 10% of each such maturity was sold to members of the general public and (ii) for those maturities where 10% of such maturity has not been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, an agreement by the successful bidder to provide bond counsel with the prices at which the first 10% of each such maturity is ultimately sold to members of the general public.

"QUALIFIED TAX EXEMPT OBLIGATIONS": The County has designated the bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

**DELIVERY OF BONDS:** The County will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by Noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the County shall promptly return the good faith deposit. Payment for the bonds shall be made in Federal Reserve Funds.

**CUSIP NUMBERS:** It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the County; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

**OFFICIAL STATEMENT:** A preliminary Official Statement that the County deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission, has been prepared and may be obtained from Bendzinski & Co., financial advisors to the County, at the address and telephone listed under FINANCIAL ADVISOR below. Bendzinski & Co. will provide the winning bidder with 100 Official Statements within 7 business days from the date of sale to permit the purchaser to comply with Securities and Exchange Commission Rule 15c2-12. Additional copies of the Official Statement will be supplied by Bendzinski & Co. upon request and agreement by the purchaser to pay the cost of additional copies. The request for additional copies should be made to Bendzinski & Co. within 24 hours of the time of sale.

**BOND INSURANCE AT PURCHASER'S OPTION:** If the bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the bonds. Any and all increased costs of issuance of the bonds resulting from such purchase of insurance shall be paid by the purchaser, except that if the County has requested and received a rating on the bonds from a rating agency, the County shall pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. **FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE CITY.**

**CONTINUING DISCLOSURE:** As described in the Official Statement, the County has agreed to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, on or prior to the last day of the sixth month following the end of each fiscal year commencing with the fiscal year ended December 31, 2008, (i) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the to provide the required annual financial information on or before the date specified in (i) above.

FINANCIAL CONSULTANT: Further information relating to the bonds may be obtained from Bendzinski & Co., 607 Shelby, Suite 600, Detroit MI 48226; telephone: 313-961-8222; facsimile: 313-961-8220.

ENVELOPES containing the bids should be plainly marked "Proposal for 2009 General Obligation Limited Tax Bonds"

Shaun S. Groden  
County Administrator/ Controller

8. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than twenty (20) years.

9. Tax Covenant. The County shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Code, including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds.

10. Official Statement; Ratings; Agreements. The County Administrator/Controller is authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to obtain ratings on the Bonds; and to take all other actions necessary or advisable as any shall deem appropriate so as to enable the sale and delivery of the Bonds as contemplated herein.

11. Adjustment to Final Bond Details; Sale of Bonds. The County Administrator/Controller is hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transactions authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, and other matters, and any corresponding changes in the notice of sale, provided that the principal amounts of Bonds issued shall not exceed the principal amounts authorized in this Resolution, the interest rate per annum on the Bonds shall not exceed eight percent (8%) and the Bonds shall mature in not more than twenty-five (25) years. Pursuant to Act 34, the County Administrator/Controller may, without further direction from the County Board of Commissioners and upon the advice of the Financial Consultant and the County's bond counsel, award the sale of the Bonds to a purchaser or purchasers pursuant to the execution of an awarding order approving the sale thereof.

12. Securities Law Covenant; Continuing Disclosure Undertaking. In accordance with the requirements of Rule 15c2-12 of the U.S. Securities and Exchange Commission (the "Rule"), the County shall enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds (the "Undertaking") in substantially the form attached to this Resolution as Exhibit A and necessary to comply with the requirements of the Rule. The County Administrator/Controller is authorized to execute and deliver the Undertaking upon completion.

13. Severability. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such paragraph, section, clause or provision shall not affect any of the other provisions of this Resolution. Section headings are inserted for convenience of reference only and shall not be considered to be a part of this Resolution.

14. Conflicting Actions. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

15. Effective Date. This Resolution shall become effective immediately upon its adoption.

AYES: Commissioners Bohm, Heidemann, Kearns, Quain,  
Simasko, Wall and Evans

NAYS: Commissioners None

RESOLUTION DECLARED ADOPTED.

Marilyn Duan  
County Clerk

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on April 15, 2009 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Marilyn Duan  
County Clerk

EXHIBIT A

FORM OF CONTINUING DISCLOSURE UNDERTAKING

This Continuing Disclosure Undertaking (the "Undertaking"), is executed and delivered by the County of St. Clair, State of Michigan (the "Issuer"), in connection with the issuance of the Issuer's \$4,000,000 2009 General Obligation Limited Tax Bonds (Communication System) (the "Bonds"). The Issuer covenants and agrees for the benefit of the Bondholders, as hereinafter defined, as follows:

(a) *Definitions.* The following terms used herein shall have the following meanings:

"Audited Financial Statements" means the annual audited financial statement pertaining to the Issuer prepared by an individual or firm of independent certified public accountants as required by Act 2, Public Acts of Michigan, 1968, as amended, which presently requires preparation in accordance with generally accepted accounting principles.

"Bondholders" shall mean the registered owner of any Bond or any person (a) with the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including any person holding a Bond through a nominee, depository or other intermediary) or (b) treated as the owner of any Bond for federal income tax purposes.

"Disclosure Representative" means the Deputy Controller / Finance Director of the Issuer or his or her designee, or such other officer, employee, or agent as the Issuer shall designate from time to time in writing.

"MSRB" means the Municipal Securities Rulemaking Board.

"NRMSIR" means each nationally recognized municipal securities information repository as designated by the SEC in accordance with the Rule.

"Rule" means Rule 15c2-12 promulgated by the SEC pursuant to the Securities Exchange Act of 1934, as amended.

"SEC" means the United States Securities and Exchange Commission.

"SID" means the state information depository for the State of Michigan as designated by the SEC in accordance with the Rule.

(b) *Continuing Disclosure.* The Issuer hereby agrees, in accordance with the provisions of the Rule, to provide or cause to be provided to each NRMSIR and to the SID for the State of Michigan ("SID"), on or before the last day the 6th month after the end of the fiscal year of the Issuer, the following annual financial information and operating data, commencing with the fiscal year ended December 31, 2008:

(1) Updates for the latest year of the numerical financial information and operating data included in the official statement of the Issuer relating to the Bonds (the "Official Statement") appearing in the tables appearing under the following captions in the Official Statement:

a. Property Valuations-- History of Property Valuation;

- b. Property Valuations-- Taxable Value by Class;
  - c. Property Valuations-- Taxable Value by Governmental Unit;
  - d. Major Taxpayers;
  - e. Tax Rates;
  - f. Tax Levies and Collections;
  - g. Revenues from the State of Michigan;
  - h. Statement of Legal Debt Margin;
  - i. Debt Statement; and
- (2) Audited Financial Statements.

Such annual financial information and operating data described above are expected to be provided directly by the Issuer in the following documents to be filed with each NRMSIR and the SID, if any: the Audited Financial Statements; materials containing the updates described in (b)(1) above; and in subsequent official statements of the Issuer filed with the MSRB.

If the fiscal year of the Issuer is changed, the Issuer shall send notices of such change to each NRMSIR or the MSRB, and to the SID, prior to the earlier of the ending date of the fiscal year prior to such change or the ending date of the fiscal year as changed.

(c) *Notice of Failure to Disclose.* The Issuer agrees to provide or cause to be provided, in a timely manner, to (i) each NRMSIR or the MSRB and (ii) the SID, notice of a failure by the Issuer to provide the annual financial information with respect to the Issuer described in subsection (b) above on or prior to the dates set forth in subsection (b) above.

(d) *Occurrence of Events.* The Issuer agrees to provide or cause to be provided in a timely manner to (i) each NRMSIR or the MSRB and (ii) the SID, if any, notice of the occurrence of any of the following events listed in (b)(5)(i)(C) of the Rule with respect to the Bonds, if applicable, if material:

- (1) principal and interest payment delinquencies
- (2) non-payment related defaults
- (3) unscheduled draws on debt service reserves reflecting financial difficulties
- (4) unscheduled draws on credit enhancements reflecting financial difficulties
- (5) substitution of credit or liquidity providers, or their failure to perform
- (6) adverse tax opinions or events affecting the tax-exempt status of the security
- (7) modifications to rights of security holders
- (8) bond calls
- (9) defeasances
- (10) release, substitution, or sale of property securing repayment of the securities
- (11) rating changes

(e) *Materiality Determined Under Federal Securities Laws.* The Issuer agrees that its determination of whether any event listed in subsection (d) is material shall be made in accordance with federal securities laws.

(f) *Termination of Reporting Obligation.* The obligation of the Issuer to provide annual financial information and notices of material events, as set forth above, shall be terminated if and when the Issuer no longer remains an "obligated person" with respect to the Bonds within the meaning of the Rule, including upon legal defeasance of all Bonds.

(g) *Benefit of Bondholders.* The Issuer agrees that its undertaking pursuant to the Rule set forth in this Undertaking is intended to be for the benefit of the Bondholders and shall be enforceable by

any Bondholder; provided that, the right to enforce the provisions of this Undertaking shall be limited to a right to obtain specific enforcement of the Issuer's obligations hereunder and any failure by the Issuer to comply with the provisions of this Undertaking shall not constitute a default or an event of default with respect to the Bonds.

(h) *Amendments to the Undertaking.* Amendments may be made in the specific types of information provided or the format of the presentation of such information to the extent deemed necessary or appropriate in the judgment of the Issuer, provided that the Issuer agrees that any such amendment will be adopted procedurally and substantively in a manner consistent with the Rule, including any interpretations thereof by the SEC, which, to the extent applicable, are incorporated herein by reference. Such interpretations currently include the requirements that (a) the amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer or the type of activities conducted thereby, (b) the undertaking, as amended, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, and (c) the amendment does not materially impair the interests of Bondholders, as determined by parties unaffiliated with the Issuer (such as independent legal counsel), but such interpretations may be changed in the future. If the accounting principles to be followed by the Issuer in the preparing of the Audited Financial Statements are modified, the annual financial information for the year in which the change is made shall present a comparison between the financial statements as prepared on the prior basis and the statements as prepared on the new basis, and otherwise shall comply with the requirements of the Rule, in order to provide information to investors to enable them to evaluate the ability of the Issuer to meet its obligations. A notice of the change in accounting principles shall be sent (i) to each NRMSIR or the MSRB and (ii) the SID.

IN WITNESS WHEREOF, the Issuer has caused this Undertaking to be executed by its authorized officers.

COUNTY OF ST. CLAIR  
State of Michigan

By \_\_\_\_\_  
Its County Administrator/Controller

Dated: \_\_\_\_\_, 2009

DELIB:3076788.2\078015-00081

**Resolution 09-13**  
**Re: Opposition to Changes in Floodplain Elevations**

**Whereas**, St. Clair County is in the process of having their Special Flood Hazard Area Maps updated through the Map Modernization initiative; and

**Whereas**, the initial FEMA Flood Insurance study compiled by the U.S. Army Corps of Engineers was based upon technical data over twenty years old; and

**Whereas**, the re-study then changed the variables from the original study to justify a Base Flood Elevation increase; and

**Whereas**, FEMA has formally maintained the present 100-year floodplain elevation at 578.5 for over twenty-five years and has allowed property owners and new purchasers to use that number to qualify for a 500-year or "B" rating status; and

**Whereas**, the FEMA study ignores present statistics which reflect further lowering of the Great Lakes water levels from consumptive use, climate changes, and ongoing channel dredging; and

**Whereas**, St. Clair County pays an average yearly premium of \$969,214 per year while the average yearly claims payout is only \$80,000; and

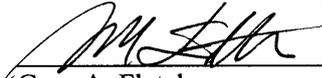
**Whereas**, Millions of dollars of additional property value will be shifted into the new 100-year floodplain which will mandate flood insurance on all property owners with a mortgage and subject said property owners to Federal and State permit requirements.

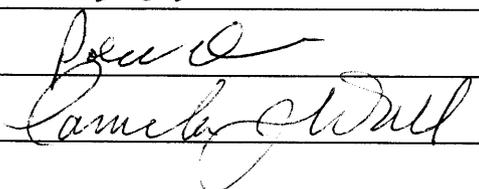
**Now Therefore, be it proclaimed**, that the St. Clair County Board of Commissioners has expressed their opposition to FEMA's Proposed Changes in the Floodplains and supports the efforts to block FEMA from placing this unjust burden upon the property owners of the State of Michigan.

**Be it further resolved**, that this resolution is forwarded to Michigan Association of Counties and our State and Federal Legislators.

**DATED: April 15, 2009**

Reviewed and approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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\_\_\_\_\_

**ST. CLAIR COUNTY BOARD OF COMMISSIONERS'  
RESOLUTION 09-12**

**AUTHORIZING THE METROPOLITAN PLANNING COMMISSION  
TO APPLY FOR NEIGHBORHOOD STABILIZATION PROGRAM (NSP) GRANT  
FUNDS**

**WHEREAS**, the Neighborhood Stabilization Program (NSP) authorized by Title III of the Housing and Economic Recovery Act of 2008 provides funding for the redevelopment of vacant, abandoned, foreclosed residential properties; and

**WHEREAS**, the Michigan State Housing Development Authority (MSHDA) is holding a competitive Neighborhood Stabilization Program (NSP) grant application cycle for units of local government which are not already receiving NSP funds directly from the U.S. Department of Housing and Urban Development (HUD) or MSHDA; and

**WHEREAS**, St. Clair County, Michigan is eligible to apply for NSP funding from the Michigan State Housing Development Authority; and

**WHEREAS**, the St. Clair County Metropolitan Planning Commission has prepared a Neighborhood Stabilization Program grant application plan, which identifies the areas of greatest need and the proposed activities to address the identified needs; and

**WHEREAS**, The St. Clair County Metropolitan Planning Commission has designed a Neighborhood Stabilization Program that is consistent with the St. Clair County Master Plan and the St. Clair County Affordable Housing Strategy 2006-2007; and

**WHEREAS**, St. Clair County is interested in the continuing effort to provide affordable housing opportunities for its low and very low income residents; and

**WHEREAS**, the project will principally benefit low and moderate income persons to the maximum extent feasible; and

**WHEREAS**, funds to be invested in the project have not yet been expended and will not be expended prior to the date of the beginning of the project period if a grant is awarded.

**NOW, THEREFORE, BE IT RESOLVED, THAT**

1. The St. Clair County Metropolitan Planning Commission be authorized to file a Neighborhood Stabilization Program grant application with the Michigan State Housing Development Authority in the amount of One Million, One Hundred Twenty-six Thousand Dollars (\$1,126,000); and
2. The St. Clair County Metropolitan Planning Commission and its agents are hereby directed to implement and administer said program on behalf of St. Clair County; and
3. The Chairperson of the St. Clair County Board of Commissioners be named as authorized agent of the county of St. Clair in all matters pertaining to said grant and that the Chairperson be authorized to sign all contracts, agreements and certifications pertaining to said grant.

**DATED: April 15, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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**ST. CLAIR COUNTY BOARD OF COMMISSIONERS'  
RESOLUTION 09-11**

**APPROVING SUBMISSION OF COASTAL MANAGEMENT GRANT APPLICATION  
FOR DEVELOPMENT OF THE ST. CLAIR RIVER BLUEWAY VISION PROJECT**

**WHEREAS**, St. Clair County has 60 miles of coastline along Lake Huron, the St. Clair River, and Lake St. Clair and County residents rely on an economy that is dependant upon the health of its water resources; and

**WHEREAS**, The St. Clair River is the predominant water resource in St. Clair County and the Blueway Vision project will provide education and natural resource protection; and

**WHEREAS**, The St. Clair County Master Recreation Plan 2007-2011 has specific goals for exploring opportunities for the development of a system of water trails; and

**WHEREAS**, The St. Clair County Master Plan contains goals that include protecting surface and groundwater resources; increasing the environmental awareness of citizens and government officials; sustaining the health, diversity and extent of natural resources; and improving the overall quality of life in the county; and

**WHEREAS**, The proposed project would create awareness to protect St. Clair County's coastal resources and provide direct connections to promoting tourism, economic development, resident outreach, and downtown reinvestment; and

**WHEREAS**, St. Clair County needs financial assistance to develop the St. Clair River Blueway Vision and the U.S. Department of Commerce, through the Coastal Management Program administered by the Michigan Department of Environmental Quality has a grant program designed to address this need; and

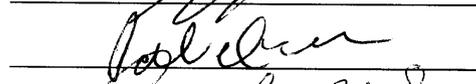
**WHEREAS**, The total project cost is estimated to be \$100,000, approximately 50% of which would be funded through the Michigan Coastal Management Program and 50% of which would be a county match;

**NOW, THEREFORE, BE IT RESOLVED**, that the St. Clair County Board of Commissioners does hereby authorize the application by the St. Clair County Metropolitan Planning Commission for Coastal Management Program grant funds to assist with the development of the St. Clair River Blueway Vision project.

**DATED:**        **April 15, 2009**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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**RESOLUTION 09-10**

**ST. CLAIR COUNTY INTERNATIONAL AIRPORT**

Approach Clearing (Phase II) and Design of Drainage Improvements on Runway 4-22

EXTRACT FROM THE MINUTES OF A BOARD OF COMMISSIONERS MEETING OF THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS AT PORT HURON, MICHIGAN HELD ON MARCH 18, 2009

The following Resolution was introduced, read in full, considered and adopted:

**RESOLUTION 09-10**

**WHEREAS**, ON MARCH 18, 2009, RESOLUTION ADOPTING THE EXECUTION OF THE SPONSOR CONTRACT BY THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS, OF PORT HURON, MICHIGAN, AND THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF OBTAINING FEDERAL AID FOR THE DEVELOPMENT OF THE ST. CLAIR COUNTY INTERNATIONAL AIRPORT, UNDER CONTRACT NO. 2009-0190.

**BE IT RESOLVED** by the members of the St. Clair County Board of Commissioners:

Section I. That the St. Clair County Board of Commissioners shall enter into a Sponsor Contract for development of the St. Clair County International Airport, and such Sponsor Contract shall be as set for herein below:

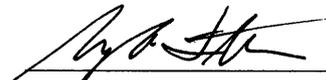
Section II. That the Chairperson of the St. Clair County Board of Commissioners is hereby authorized and directed to execute said Sponsor Contract in two (2) copies on behalf of the County of St. Clair, Michigan and the County Clerk is hereby authorized and directed to impress the official seal and to attest said execution:

Section III. That the Sponsor Contract referred to herein below shall be attached:

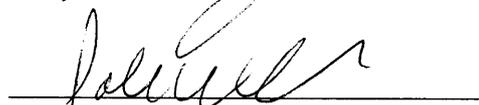
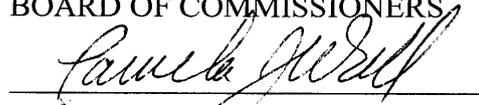
**Dated: March 18, 2009**

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS

Reviewed and Approved by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060



**Resolution 09-09**

**RESOLUTION TO ADOPT MONTHLY 9-1-1 SURCHARGE WITHIN ST. CLAIR COUNTY**

WHEREAS, the St. Clair County Board of Commissioners approved the final 911 service plan on 7/22/1992 to benefit the citizens of St. Clair County by providing a uniform and well known emergency telephone number; and

WHEREAS, the St. Clair County Board of Commissioners continues to believe that 911 service will benefit the citizens of St. Clair County; and

WHEREAS, the State of Michigan enacted Public Act: 379 of 2008 to further support 9-1-1 service in Michigan; and

WHEREAS, Public Act 379 of 2008 allows for the creation of a county-based local 9-1-1 surcharge on all communications service providers that can access 9-1-1 and provides for the collection, disbursement, use, and audit of said funds; and

WHEREAS, St. Clair County has deemed that a monthly county-based surcharge of \$.42 placed on all communications service providers as allowed under Public Act 379 of 2008 is necessary to defray the costs of being ready to process and of actually processing 9-1-1 calls placed within St. Clair County, and;

WHEREAS, Public Act 379 of 2008 states that an estimated amount of anticipated annual revenue must included within the resolution creating the monthly county-based 9-1-1 surcharge and projections by the county estimate that amount of anticipated annual revenue to be \$769,802; and

WHEREAS, Public Act 379 expires December 31, 2011, the monthly county-based surcharge will remain in effect until that time, or is otherwise changed by law; and

FURTHER, that pursuant to Act 379, the St. Clair County Board of Commissioners has modified the 9-1-1 Plan on 7/22/1992 to reflect the changes in the 9-1-1 surcharges collected by St. Clair County.

NOW, THEREFORE, BE IT RESOLVED the St. Clair County Board of Commissioners hereby adopts the county-based 9-1-1 surcharge on communications devices as permitted under P.A. 379 of 2008.

STATE OF MICHIGAN )

County of St. Clair )

I, Marilyn Dunn, Clerk of the County of St. Clair and of the County Board of Commissioners, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Board at its regular meeting on March 18, 2009

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County of St. Clair this March 19, 2009 at Port Huron, Michigan

Marilyn Dunn  
Clerk

**RESOLUTION – 09-08**  
**ADOPTING COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN**  
**THE COUNTY OF ST. CLAIR COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AND**  
**ST. CLAIR COUNTY**  
**EMPLOYEES OF THE JUVENILE CENTER – TPOAM**

WHEREAS, the ST. CLAIR COUNTY EMPLOYEES OF THE JUVENILE DETENTION CENTER - TPOAM is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of St. Clair County and,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

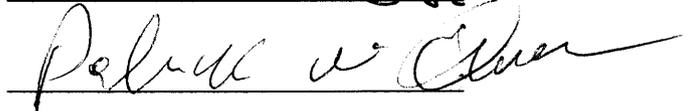
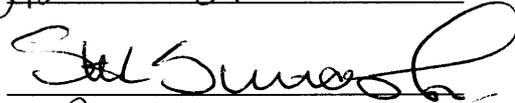
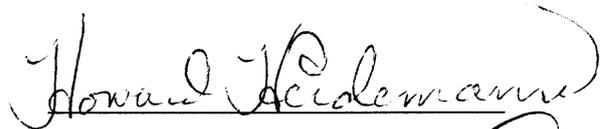
NOW THEREFORE, BE IT RESOLVED, pursuant to the presentation made to the Board of Commissioners, the Collective Bargaining Agreement for the period January 1, 2007 through December 31, 2011 is hereby ratified and adopted.

Date: February 18, 2009

Reviewed and Approved by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060



**RESOLUTION - 09-07**  
**ADOPTING COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN**  
**THE COUNTY OF ST. CLAIR COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**AND**  
**ST. CLAIR COUNTY**  
**JUVENILE DETENTION CENTER SUPERVISORS ASSOCIATION - COAM**

WHEREAS, the ST. CLAIR COUNTY JUVENILE DETENTION CENTER SUPERVISORS ASSOCIATION - COAM is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of the St. Clair County and,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, pursuant to the presentation made to the Board of Commissioners, the Collective Bargaining Agreement for the period January 1, 2007 through December 31, 2011 is hereby approved and adopted.

Date: February 18, 2009

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan St.  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**RESOLUTION 09-06**  
**RESOLUTION PLEDGING LIMITED TAX FULL FAITH AND CREDIT**  
**FOR THE BUNCE CREEK AND HUFFMAN DRAIN DRAINAGE DISTRICT**  
**2009 DRAINAGE DISTRICT BONDS**

County of St. Clair  
State of Michigan

WHEREAS, Act 40, Public Acts of Michigan, 1956, as amended (the "Drain Code"), authorizes any county to pledge its full faith and credit for the payment of bonds issued thereunder if the Board of Commissioners of the county has adopted a resolution by a majority vote of its members-elect to that effect; and

WHEREAS, the Drain Code authorizes any county to pledge its full faith and credit for payment of notes issued thereunder if the Board of Commissioners of the county has adopted a resolution by a two-thirds vote of its members-elect to that effect; and

WHEREAS, pursuant to the Drain Code proceedings are being undertaken by the St. Clair County Drain Commissioner for the construction and financing of improvements to the county drain designated as BUNCE CREEK AND HUFFMAN DRAIN, said improvements having been determined to be necessary for the public health; and

WHEREAS, pursuant to said proceedings, a special assessment roll has been prepared and duly confirmed by the Drain Commissioner in the aggregate principal amount of not to exceed \$4,900,000, being the amount of total estimated financed share cost of the improvements, which assessments are payable in annual installments over a period of not more than thirty (30) years, commencing 2009, by the Township of Port Huron at large, Township of Kimball at large, the City of Port Huron at large, the County of St. Clair at large, the Michigan Department of Transportation at large and benefited lands, according to apportionments duly determined by the Drain Commissioner acting pursuant to Section 262 of the Drain Code, said installments bearing interest at such rate of interest as may be necessary to pay interest on obligations payable therefrom; and

WHEREAS, pursuant to the authorization provided in the Drain Code, the Drain Commissioner, by order, will authorize and provide for the issuance of bonds in one or more series by the Bunce Creek and Huffman Drain Drainage District each payable from the collection of said special assessments against the Township of Port Huron, Township of Kimball, the City of Port Huron, the County of St. Clair, the Michigan Department of Transportation and the benefited lands on said Roll, the first series, if any, of said bonds being designated 2009A DRAINAGE DISTRICT BONDS (GENERAL OBLIGATION LIMITED TAX) and the second series of said bonds being designated 2009B DRAINAGE DISTRICT BONDS (GENERAL OBLIGATION LIMITED TAX) (the "Bonds"), in the aggregate principal amount of not to exceed \$4,900,000, to provide funds to pay part of the costs of the improvements; and

WHEREAS, the said drainage improvements are immediately necessary to protect and preserve the public health, and it is to the best interest of the County of St. Clair (the "County") that the Bonds, in order to be sold at the lowest and most favorable interest cost possible to obtain, be secured by a pledge of the full faith and credit of the County as authorized by Section 276 of the Drain Code, in order to be

sold at the lowest and most favorable interest cost possible to obtain, be secured by a pledge of the full faith and credit of the County as authorized by Sections 276 and 434 of the Drain Code;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ST. CLAIR, MICHIGAN:

1. That pursuant to the authorization provided in the Drain Code the Board of Commissioners of the County does hereby irrevocably pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Bonds when due, and pursuant to said pledge, in the event that the collection of special assessments on said roll is insufficient to pay the Bonds or the interest thereon when due the amount unpaid shall be promptly advanced from County funds as a first budget obligation, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. That in the event that pursuant to said pledge of its full faith and credit the County advances out of County funds all or any part of said installments and interest, it shall be the duty of the County Treasurer, for and on behalf of the County, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid, including without limitation the reassessment by the Drain Commissioner of the special assessment roll as provided in Section 276 of the Drain Code.

3. That, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure of Bond proceeds and moneys deemed to be Bond proceeds.

4. To the extent required pursuant to Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), the County shall enter into an undertaking (the "Undertaking") for the benefit of the holders and beneficial owners of the Bonds to send certain information annually and to provide notice of certain events to certain information repositories pursuant to the requirements of the Rule. The County Treasurer, the County Administrator/Controller, the Deputy Controller and Finance Director are each authorized to execute and deliver the Undertaking in such form as is required pursuant to the Rule.

5. That all resolutions and parts of resolution insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, Michigan, at its regular meeting held on February 4, 2009 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that notice of the aforesaid meeting held on February 4, 2009, contained or was accompanied by a notice that stated that the drainage district bonds to be issued by the Bunce Creek and Huffman Drain Drainage District to pay part of the cost of improvements to the Bunce Creek and Huffman Drain will each include a limited tax full faith and credit pledge of the County of St. Clair.

I further certify that the following Commissioners were present at said meeting:

Commissioners Steve Simasko, Dennis Kearns, Wallace Evans, Patrick Quain, Jeffrey Bohm, Pamela Wall and Howard Heidemann

and that the following Commissioners were absent:  
None.

I further certify that Commissioner Howard Heidemann moved adoption of said resolution and that Commissioner Wallace Evans supported said motion.

I further certify that the following Commissioners voted for adoption of said resolution:  
Commissioners Steve Simasko, Dennis Kearns, Wallace Evans, Patrick Quain, Jeffrey Bohm, Pamela Wall and Howard Heidemann,

and that the following Commissioners voted against adoption of said resolution:  
None.

\_\_\_\_\_  
County Clerk

DELIB:3054402.1\078009-00004

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

**RESOLUTION 09-05  
RESOLUTION AUTHORIZING NOTICE OF INTENT  
AND DECLARING INTENT TO REIMBURSE FOR EXPENDITURES**

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**COUNTY OF ST. CLAIR**  
State of Michigan

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Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan, held in the County Administration Building in the City of Port Huron, Michigan, on the 18<sup>th</sup> day of February, 2009, at 6:00 p.m., Eastern Standard Time.

PRESENT: Commissioners: Bohm, Heidemann, Kearns, Quain,  
Simasko, Wall and Evens

ABSENT: Commissioners: \_\_\_\_\_  
\_\_\_\_\_

The following preamble and resolution were offered by Commissioner Heidemann and supported by Commissioner Kearns :

WHEREAS, the County of St. Clair (the "County") intends to issue general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in one or more series in an aggregate principal amount of not to exceed Four Million Dollars (\$4,000,000), for the purposes of paying the costs of acquiring and constructing public safety communications towers in the Village of Capac and the City of St. Clair, both located in the County, and acquiring and installing related equipment including a microwave link between Goodells and the Sheriff/Office Intervention Center (the "Project"); and

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the County intends at this time to state its intention to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the County for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Clerk is hereby authorized and directed to publish or cause to be published a notice of intent to issue the Bonds in the *Times Herald*, a newspaper of general circulation in the County.

2. Said notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS  
OF THE COUNTY OF ST. CLAIR, MICHIGAN  
OF INTENT TO ISSUE BONDS  
AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the County of St. Clair, State of Michigan (the "County"), intends to issue and sell its general obligation limited tax bonds in one or more series pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in an aggregate principal amount of not to exceed Four Million Dollars (\$4,000,000), for the purposes of paying the costs of acquiring and constructing public safety communications towers in the Village of Capac and the City of St. Clair, both located in the County, and acquiring and installing related equipment (the "Project").

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL OF AND INTEREST ON SAID BONDS SHALL BE PAYABLE from the general funds of the County lawfully available for such purposes including property taxes levied within applicable statutory and constitutional limitations.

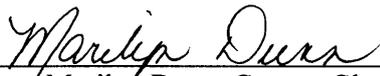
BOND DETAILS

BONDS OF A SERIES WILL BE PAYABLE in annual installments not to exceed twenty-five (25) in number and will bear interest at a rate not to exceed the maximum rate permitted by law, as determined at the time of sale.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE COUNTY IS FILED WITH THE COUNTY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE COUNTY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

  
\_\_\_\_\_  
Marilyn Dunn, County Clerk

3. The Board of Commissioners does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the County's electors and taxpayers residing in the boundaries of the County of the County's intent to issue the Bonds, the maximum amount of the Bonds, the purpose of the Bonds, the source of payment for the Bonds and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The County makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the County reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the County.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring the Project which were paid or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds of the County.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$4,000,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the County's use of the proceeds of the debt to be issued for the Project to reimburse the County for a capital expenditure made pursuant to this resolution.
- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the County in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1)

within one year of the reimbursement allocation described in (d) above.

- (g) Expenditures for the Project to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include and are in addition to (i) costs for the issuance of the debt, (ii) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the borrowing, and (iii) preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f).

5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners: Bohm, Heidemann, Kearns, Quain, Simasko, Wall & Evans

NAYS Commissioners: None

RESOLUTION DECLARED ADOPTED

\_\_\_\_\_  
Marilyn, Dunn County Clerk

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on the 18<sup>th</sup> day of February, 2009, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976 and that minutes of the meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Marilyn Dunn County Clerk

## **RESOLUTION 09-04**

### **AUTHORIZING THE METROPOLITAN PLANNING COMMISSION TO APPLY FOR GRANTS FOR COMMUNITY DEVELOPMENT AND IMPROVEMENT**

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, provides that counties may receive community development discretionary funds; and

WHEREAS, the County of St. Clair, Michigan is qualified as a discretionary applicant as specified in the Act; and

WHEREAS, Act 282 of 1945, being MCLA 125.101 and MSA 5.11926 (1) et Seq., authorizes the St. Clair County metropolitan Planning Commission to apply for, receive and accept such funds; and

WHEREAS, the State of Michigan, Department of Consumer and Industry Services is administering the Community Development Block Grant Small Cities Program in Michigan on behalf of the United States Department of Housing and Urban Development; and

WHEREAS, St. Clair County is interested in the continuing effort to provide affordable housing opportunities for its low and very low income residents; and

WHEREAS, the St. Clair County Board of Commissioners has reviewed and understands the content of the Application for funding; and

WHEREAS, The St. Clair County Board of Commissioners has accepted the recommendation of the St. Clair County Metropolitan Planning Commission to apply for \$300,000; and

WHEREAS, The St. Clair County Metropolitan Planning Commission has designed a Housing Rehabilitation Low Interest Loan Program and a Rental Rehabilitation Loan Program which are consistent with the St. Clair County Master Plan, as described in the application; and

WHEREAS, the project will principally benefit low and moderate income persons to the maximum extent feasible; and

WHEREAS, funds to be invested in the project have not yet been expended and will not be expended prior to the date of the beginning of the project period if a grant is awarded.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The St. Clair County Metropolitan Planning Commission be authorized to file an application with the Michigan State Housing Development

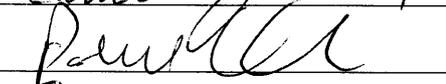
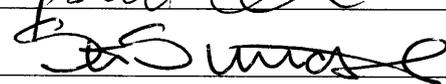
Authority in the amount of Three Hundred Thousand Dollars (\$300,000); and

2. The St. Clair County Metropolitan Planning Commission and its sub-grantees are hereby authorized to commit such matching funds toward the project as described in the application; and
3. The St. Clair County Metropolitan Planning Commission and its agents are hereby directed to implement and administer said program on behalf of St. Clair County; and
4. The Chairperson of the St. Clair County Board of Commissioners be named as authorized agent of the County of St. Clair in all matters pertaining to said grant and that the Chairperson be authorized to sign all contracts, agreements and certifications pertaining to said grant.

DATED: February 18, 2009

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**RESOLUTION 09-02**

**ADOPTING THE 2008 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY**

WHEREAS, pursuant to the Public Works and Economic Development Act of 1965, as amended, the County of St. Clair has been determined to be a distressed area, and as such is a potential recipient for federal aid; and

WHEREAS, in order to qualify for said aid the County must prepare and submit a Comprehensive Economic Development Strategy (CEDS); and

WHEREAS, the Comprehensive Economic Development Strategy must be filed with the United States Economic Development Administration (EDA) prior to the County, or any community within the county, receiving EDA funding assistance; and

WHEREAS, St. Clair County has experienced continued and severe unemployment; and

WHEREAS, the St. Clair County Metropolitan Planning Commission, an eleven-member citizen board, acting as the county's Comprehensive Economic Development Strategy Committee, adopted the Comprehensive Economic Development Strategy on December 17, 2008; and

WHEREAS, a public hearing has been held, with notice given, providing an opportunity for interested parties and the general public to review and comment concerning the county's economic development needs and economic development strategy; and

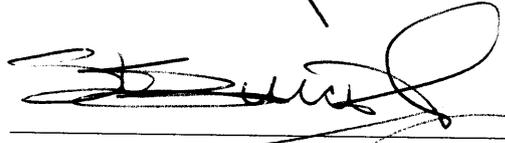
WHEREAS, the Comprehensive Economic Development Strategy supports projects eligible for funding by the Economic Development Administration, including development of a mixed-use business incubator, extension of water and sewer to an industrial corridor of regional significance, and other similar projects.

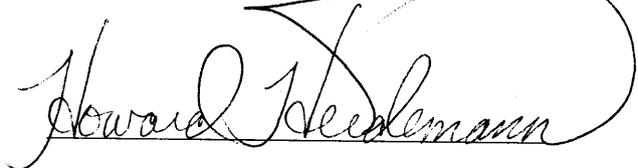
NOW, THEREFORE BE IT RESOLVED that the St. Clair County Board of Commissioners hereby adopts the Comprehensive Economic Development Strategy (which incorporates by reference the St. Clair County Master Plan containing further description and analysis of the county's economy).

DATE: January 7, 2009

  
\_\_\_\_\_  
County Corporation Counsel

  
\_\_\_\_\_

  
\_\_\_\_\_

  
\_\_\_\_\_

Resolution 09-01  
MEMORANDUM OF AGREEMENT  
between the  
COUNTY OF ST. CLAIR, MICHIGAN  
and  
MICHIGAN STATE UNIVERSITY EXTENSION

WHEREAS: This agreement is entered into in good faith by County of St. Clair, Michigan (herein referred to as "County") and Michigan State University Extension whereby the following is hereby mutually agreed; and

WHEREAS: That the position of FCS Extension Educator shall be created and assigned to St. Clair county on a 100% basis. The position is an annual renewable position based on the availability of funds; and

WHEREAS: That Michigan State University Extension shall employ a qualified person to fill this position as soon as possible after the signing of this Memorandum of Agreement per Michigan State University employment policies and procedures; and

WHEREAS: That the County shall provide funding to Michigan State University Extension to finance 20% of the salary and fringe benefit costs for this position up to a maximum of \$16,000 annually; and

WHEREAS: That this grant shall be adjusted in accordance with Michigan State University Extension pay increases as approved by the Michigan State University Board of Trustees and is therefore subject to revisions in amount necessary to meet 20% of said salary and fringe benefit cost increases up to \$16,000; and

WHEREAS: and the County shall make payments to Michigan State University Extension for 20% of the salary and fringe benefits for said position with the total annual amount not to exceed \$16,000. Payments shall be due 30 days upon receipt of invoice; and

WHEREAS: That Michigan State University Extension shall assume liability for worker's compensation and unemployment compensation; and

WHEREAS: That the County shall supply office furniture and facilities, office supplies and equipment, and secretarial assistance; and shall cover travel reimbursement, per diem and other costs associated with carrying out the position's responsibilities according to county guidelines up to the maximum of \$16,000 for said position; and

WHEREAS: That the person occupying this position shall be an employee of Michigan State University and shall be subject to the same terms of employment, supervision and control as any other so classified employee of Michigan State University Extension; and

WHEREAS: That this agreement shall cover the period beginning January 1, 2009 through December 31, 2009.

NOW THEREFORE: We, the St. Clair County Board of Commissioners, do hereby enter into in good faith with County and Michigan State University Extension this Memorandum of Agreement for the position of FCS Extension Educator in a total annual amount not to exceed \$16,000.

**Dated: January 7, 2009**

Reviewed and approved as to form by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

