

Commissioner Minutes of January 14, 2010

The Gladwin County Board of Commissioners met in Regular Session January 14, 2010. The meeting was called to order at 9:00 a.m. by Chairman Whittington. The Pledge of Allegiance was recited. Roll call found all Commissioners present.

Agenda – *Commissioner Smith requested that the addition of the "Adoption of the Board Rules" be added after Commissioner Reid's resolution was adopted. The item was added to the agenda.*

The Regular minutes of December 22, 2009 and the Organizational minutes of January 4, 2010 were then considered. Commissioner Reid then asked to make a statement in regards to the minutes of the December 22, 2009 meeting. The statement for the record as follows: *"I would like to clear up any concern about my statements at the end of the last Board meeting. I was interrupted twice and never had the opportunity to finish. Clearly I respect all the employees we have, and respect their jobs and interest in the County. I have concerns when we see staff attending our Board meetings. My comments were that I saw no problem if they were invited by the Board, or on the agenda, and at that point I was cut off. I additionally don't have a problem with the Elected Officials and some of the Department Heads attending. I mentioned that I encouraged employees to attend Board meetings and that it was equally important to them as it is anyone to know what the County is doing. I just felt that "employees" not Elected Officials, or Department Heads, should not charge the County for being here. I have had the opportunity to talk to many of you, the employees and staff, over the last two weeks. It has come to my attention that there was some concern about me feeling that all County employees are taking advantage of our taxpayers and that I generally feel that they are lazy. I have never said that, insisted that, or mentioned it. I clearly over the years have even brought recognition to many employees for their work. I would encourage anyone with concerns to contact me and we will talk about those concerns. The Board has been advised of several inconsistencies in regard to accountability over the last few years and last January we talked about this, and in February we decided to wait a year and see if anything could be resolved by the Department Heads. We still have concerns about accountability and that is why we are looking into time clocks."* **Motion by Commissioner Carl, supported by Commissioner Walters, to approve the minutes with Commissioner Reid's statement included. Ayes carried, motion passed.**

The semi-monthly Finance report totaling \$171,283.30 was then considered for payment. *Motion by Commissioner Rhode, supported by Commissioner Walters, to approve the bills for payment as presented. Ayes carried, motion passed.*

Public Comments –

Bev Przystas, MSU Extension, *introduced her new Office Manager, Randy Walker. Ms. Przystas commented that Mr. Walker has been a great asset to the office and has a lot of computer experience. The Board welcomed Mr. Walker.*

Dennis Perry, Hay Township Supervisor, spoke to the Board on his thoughts of the *"time clock issue"* commenting that he was surprised to learn that the County did not already have them in place. Mr. Perry commented that Commissioner Reid is doing a fine job and is addressing concerns as they come to him. Mr. Perry thanked Commissioner Reid for his work.

The **cash balances** for the General Fund and the Judicial Management Fund were then read. *General Fund - \$341,359.29 231 Fund - \$55,613.63.*

Resolutions from Consideration –

Commissioner Reid presented a **resolution under MCL 46.3** that states the *Chairman and Vice-Chairman of the Board of Commissioners be elected for (1) one year terms commencing January 2011. Motion by Commissioner Reid, supported by Commissioner Walters, to adopt the resolution as presented.* Roll call vote as follows: Walters – yes, Carl – yes, Rhode – no, Reid – yes, Posey – yes, Smith – yes, Whittington – no. 5 ye, 2 no. Aye carried, **resolution 2010-001 declared adopted.**

Motion by Commissioner Smith, supported by Commissioner Posey, to adopt the Board Rules as corrected at the Organizational meeting. Commissioner Carl asked that an addition be made that states “letters and correspondence will only be placed under receive and file if the person’s name and return address are included. Motion by Commissioner Smith, supported by Commissioner Posey, to adopt the Board Rules with the addition as outlined by Commissioner Carl. Roll call vote as follows: Carl – yes, Rhode – yes, Reid – yes, Posey – yes, Smith – yes, Whittington – no, Walters – yes. 6 yes, 1 no. Ayes carried, **motion passed.**

Correspondence from the Chairman –

- On the resignation letter received from Dorothy McMahon from her services with NMSAS.
- On the donation to the Animal Shelter from the 8th grade Gladwin Pride Class.

Chairman Whittington then went through the events of Sunday and thanked those involved with the clean up, noting the testing results came back negative for asbestos. Commissioner Posey thanked the IT Director for all of his hours he had put into the project. Bob Frei then gave an update on the phone system and computer installation issues.

Lauren Essenmacher, City County Transit, then came before the Board with their *2010/11 budget and a resolution for consideration* for a Financial Assistance Application. Discussion. *Motion by Commissioner Carl, supported by Commissioner Rhode, to accept the proposed budget as presented.* Roll call vote as follows: Rhode – yes, Reid – yes, Posey – yes, Smith – yes, Whittington – yes, Walters – yes, Carl – yes. 7 yes, 0 no. Ayes carried, motion passed. Commissioner Smith congratulated Ms. Essenmacher on her election as President of the Michigan Association of Housing Directors. Discussion. Motion by Commissioner Smith, supported by Commissioner Walters, to adopt the resolution of intent for Financial Assistance Application. Roll call vote as follows: Reid – yes, Posey – yes, Smith – Whittington, Walters – yes, Carl – yes, Rhode – yes. 7 yes, 0 no. **Resolution 2010-002 declared adopted.**

Christy VanTiem, County Treasurer, came before the Board with a **Resolution to Borrow against Anticipated Delinquent 2009 Real Property Taxes.** *Motion by*

Commissioner Posey, supported by Commissioner Smith, to adopt the resolution as presented by the Treasurer. Discussion. Roll call vote as follows: Posey – yes, Smith – yes, Whittington – yes, Walters – yes, Carl – yes, Rhode – yes, Reid – yes. 7 yes, 0 no. Ayes carried, resolution 2010-003 declared adopted.

Commission Reports by District

Commissioner Smith reported:

- On attending the Organizational meeting on January 4th.
- On the Data meeting on January 5th, noting Commissioner Posey will give a full report.
- That she came to the Courthouse on Sunday the 10th to observe the water damage.
- On attending the Tobacco Township meeting on January 11th.
- On the Committee of the Whole meeting on January 13th, noting that she found the meeting interesting and informative.
- On attending the Beaverton City Council meeting on January 13th.

Commissioner Smith then thanked everyone who has been "keeping tabs" on her husband's health issues, noting she appreciates everyone's concern.

Commissioner Posey reported:

- On attending the Organizational meeting on January 4th.
- On the Grout Township meeting the evening of the 4th.
- On attending the Department Head meeting on the 11th.
- On the Committee of the Whole meeting on the 13th.
- On the Data meeting held on January 5th.

Data Matters:

The Committee accomplished a lot. Bob Frei put together a list of future projects and a cost list for the committee to review in detail. The committee met with the Clerk to go over budget items for these projects. Mr. Frei is also exploring the central copy/print options for the future. The committee looked at the opportunity for grant funds through MERIT. The committee has invited a group of community members to a meeting on January 19th to discuss grant options.

The Board then reviewed a **telephone proposal** for the replacement of the phone system that was damaged in the flood. Discussion. *Motion by Commissioner Posey, supported by Commissioner Reid, to approve the purchase, allow the Clerk and Treasurer to prepare the deposit and final check, contingent upon MMRMA approval for the expense. Ayes carried, motion passed.*

Commissioner Walters reported:

- On attending the Committee of the Whole meeting on the 13th.
- On the Sage Township meeting on the evening of the 13th.

Commissioner Carl reported:

- On attending the Planning meeting on January 6th.
- On the January 7th Finance meeting.

- On the Bourret Township meeting held on the 12th.
- On attending the Committee of the Whole meeting on January 13th.
- On the Clement Township meeting held on the evening of the 13th.

Commissioner Carl then apologized for missing the Organizational meeting, but was at the hospital with his wife, noting that he would like to make one **allowance to the time clock motion**. Discussion. *Motion by Commissioner Carl, supported by Commissioner Walters, to exempt the Sheriff's employees and the Courts from the time clock policy due to public safety and other concerns.* Commissioner Reid stated that this was not on the top of the "priority list" but the issue does need to be sent to committee for consideration soon. Ayes carried, **motion passed**.

Commissioner Reid reported:

- On attending the Organizational meeting on the 4th.

That he is very impressed with the efforts of the clean up, stating that everyone did a great job Sunday and that after the Courthouse tour on Tuesday is amazed with the improvements. Commissioner Reid then explained that very soon the Board will need to make a decision on restoration of the offices, commenting that he would like to see local contractors receiving the work.

- On attending the Airport meeting this morning, noting a \$20,000 grant has been awarded from USDA for a plow truck.
- That an ORV informational memo would be sent out to the Townships.
- That he spoke to Kathy Tenwalde from USDA regarding an electrical upgrade grant, noting that things look promising.

Commissioner Rhode reported:

- On attending the Finance meeting on the 30th to "wrap up" any 2009 bills.
- On the Organizational meeting held on the 4th.
- On attending the Data meeting on the 5th.
- On the Central Michigan Health meeting in Mt. Pleasant on the 6th.
- On the Finance meeting held on January 7th.
- On attending the Housing Commission meeting on the 12th.

Finance Matters:

1. **Deb Primeau** is requesting to be paid for **5 days of unused vacation time**. This is allowable under union contract. *Motion by Commissioner Rhode, supported by Commissioner Walters, to make the payment as requested.* Ayes carried, **motion passed**.
2. **Mike Brubaker, 911 Administrator**, is requesting to **renew 2 maintenance agreements**, both to be paid from the 280 fund. Radio North \$25,800.00 and Interact \$12,364.00. *Motion by Commissioner Rhode, supported by Commissioner Walters, to renew the contracts as presented.* Ayes carried, **motion passed**.
3. The **2010 MiDeal contract** needs to be renewed. Total cost of \$230.00 will be paid from 101-101-810.000. *Motion by Commissioner Rhode, supported by*

Commissioner Walters, to renew the MiDeal contract as outlines. Ayes carried, motion passed.

4. **Undersheriff Ray Hartwell** is requesting direction on the **pre application with USDA for two patrol units**. Discussion. Commissioner Carl asked where the funds were being paid from for the match portion of the grant. *Motion by Commissioner Rhode, supported by Commissioner Reid, to allow the Undersheriff to apply for up to two vehicles with the understanding that the County may have to match up to \$20,000 on the grant. Ayes carried, motion passed.*
5. *Motion by Commissioner Rhode, supported by Commissioner Posey, to allow the Clerk and Treasurer to keep the "books" open through the end of February 2010 for 2009 accruals. Ayes carried, motion passed.*

Commissioner Rhode then inquired of the Board members of their thoughts on the 2010 budget plan. It is the recommendation of the committee to post the duties internally, to be assigned to one person, with payment up to \$15,000. Discussion. Motion by Commissioner Rhode, supported by Commissioner Carl, to hire one person to perform posted duties at the rate of pay noted. Interested persons must apply by January 22nd to the Board Secretary to be reviewed by the Personnel Committee on the 25th, for a recommendation of hiring at the Board meeting on January 26th. Discussion. Commissioner Carl inquired as to where the funding was coming from for the "county match portion". Commissioner Rhode stated that there was no funding budgeted for for patrol vehicles in the 2010 budget, and that the Board would have to review their expenses to make funding available for the purchase. Ayes carried, motion passed.

Public Comments –

Bev Przystas, MSU, noted that the Youth Leadership Program has gone through graduation and was pictured in the Gladwin County Record this week. Ms. Przystas noted that Beaverton Student Council made a \$500.00 donation to keep the program running.

Chairman Whittington noted that all "flood" and Courthouse updates would be sent to the Commissioners through Carmen.

Motion by Commissioner Carl, supported by Commissioner Reid, to receive and file various reports and correspondence. Ayes carried, motion passed.

Motion by Commissioner Carl, supported by Commissioner Posey, to adjourn. Ayes carried, meeting adjourned at 10:15 a.m. until January 26, 2010, unless otherwise ordered.



Laura Brandon-Maveal, Clerk

Terry Whittington, Chairman

RESOLUTION

Whereas MCL 46.3 (4) states that the vice-chairperson of the county board of commissioners shall be selected annually for a one year term; and

Whereas MCL 46.3 (4) states that a county board of commissioners may provide by resolution that its chairperson shall be elected annually for a one year term;

NOW, THEREFORE, BE IT RESOLVED, that the chairperson of the Gladwin County Board of Commissioners shall be elected annually for a one year term commencing in the year 2011.

Adopted this 14th day of January, 2010 at a regular meeting of the Gladwin County Board of Commissioners.

Dated: _____

Chairperson

Dated: 1-14-2010

Laura Brandon-Moreau
Gladwin County Clerk

Gladwin City-County Transit



615 Weaver Court, P.O. Box 498, Gladwin, MI 48624
Phone: (989)426-6751 Fax: (989)426-5947

RESOLUTION OF INTENT

Resolution# 2010-002

The following resolution was offered by Smith

And supported by Walters

Be it resolved, that the County of Gladwin does hereby approve the proposed Financial Assistance Application submitted by Gladwin City-County Transit for fiscal year 2010-2011.

Under
Act No. 51 of the Public Acts of 1951.

Be it resolved that Terry Whittington, Board Chairman and Lauren Essenmacher, Executive Director be authorized and directed to execute the Financial Assistance Application for and on behalf of Gladwin County Board of Commissioner.

Resolution Declared Adopted.

CERTIFIED

Laura Brandon-Maveal
Laura Brandon-Maveal
County Clerk

January 14, 2010
Date

2010-002

Michigan Department
of Transportation
3078 (10/09)

RESOLUTION OF INTENT

The approved resolution of intent to apply for state formula operating assistance for
fiscal year 2011 under act 51 of the public acts of 1951, as amended

WHEREAS, pursuant to Act 51 of the Public Acts of 1951, as amended (Act 51), it is necessary for the
Gladwin County Board of Commissioners _____, (hereby known as THE APPLICANT) established under
(Applicant's Name, Authoritative Body)
Act 94 _____, to provide a local transportation program for the state fiscal year of 2011 and, therefore, apply
for state financial assistance under provisions of Act 51; and

WHEREAS, it is necessary for THE APPLICANT, to name an official representative for all public transportation
matters, who is authorized to provide such information as deemed necessary by the State Transportation
Commission or department for its administration of Act 51; and

WHEREAS, it is necessary to certify that no changes in eligibility documentation have occurred during the
past state fiscal year; and

WHEREAS, the performance indicators for this agency have been reviewed and approved by THE
APPLICANT; and

WHEREAS, THE APPLICANT, has reviewed and approved the proposed balanced (surplus) budget, and
funding sources of estimated federal funds \$ 248,034 , estimated state funds \$ 543,969 , estimated local
funds \$ 450,650 , estimated fare box \$ 197,500 , estimated other funds \$ 110,059 , with
total estimated expenses of \$ 1,550,212

NOW THEREFORE, be it resolved that THE APPLICANT hereby makes its intentions known to provide public
transportation services and to apply for state financial assistance with this annual plan, in accordance with Act 51;
and

HEREBY, appoints Lauren Essenmacher, Executive Director _____ as the Transportation Coordinator, for
all public transportation matters, who is authorized to provide such information as deemed necessary by the State
Transportation Commission or department for its administration of Act 51 for 2011.

I, Laura Brandon-Maveal _____, Gladwin County Clerk _____, of
(Name) (Secretary, Clerk)

THE APPLICANT, having custody of the records and proceedings of THE APPLICANT, does hereby certify that I
have compared this resolution adopted by THE APPLICANT at the meeting of January 14 , 2010 , with the original
minutes now on file and of record in the office and that this resolution is true and correct.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed seal of said January _____, this day of 14 _____,
A.D. 2010.

SIGNATURE
Laura Brandon-Maveal

**RESOLUTION TO BORROW AGAINST
ANTICIPATED DELINQUENT 2009 REAL PROPERTY TAXES**

At a Regular meeting of the Board of Commissioners of the County of Gladwin, State of Michigan held at Gladwin, Michigan, on the 14th day of January, 2010.

PRESENT: Walters, Carl, Rhode, Eld, Pusey, Smith,
Whittington

ABSENT: -none-

Pusey offered the following resolution and moved its adoption. The motion was seconded by Smith.

WHEREAS, the Board of Commissioners of the County of Gladwin (the "County") has heretofore adopted a resolution establishing the Gladwin County Delinquent Tax Revolving Fund (the "Fund") pursuant to Section 87b of Act No. 206, Public Acts of Michigan, 1893, as amended ("Act 206"); and

WHEREAS, the purpose of the Fund is to allow the Gladwin County Treasurer (the "County Treasurer") to pay from the Fund any or all delinquent real property taxes that are due and payable to the County and any school district, intermediate school district, community college district, city, township, special assessment district, the State of Michigan or any other political unit for which delinquent tax payments are due; and

WHEREAS, it is hereby determined to be necessary for the County to borrow money and issue its notes for the purposes authorized by Act 206, particularly Sections 87c, 87d and 87g thereof; and

WHEREAS, it is estimated that the total amount of unpaid 2009 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2010, will be approximately Two Million Dollars (\$2,000,000.00), exclusive of interest, fees and penalties.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Gladwin, State of Michigan, as follows:

Authorization of Borrowing

1. Pursuant to and in accordance with the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and especially Sections 87c, 87d and 87g thereof, the County shall borrow the sum of not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00) and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2009 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2010, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2009 delinquent taxes outstanding on March 1, 2010, or the portion of the 2009 delinquent taxes against which the County shall borrow, has been determined.

Note Details

2. Pursuant to provisions of applicable law and an order of the County Treasurer, which order is hereby authorized, the notes may be issued in one or more series; shall be known as "General Obligation Limited Tax Notes, Series 2010" with a letter designation added thereto if the notes are issued in more than one series; shall be in fully registered form in denominations not exceeding the aggregate principal amounts for each maturity of the notes; shall be sold for not less than 98% of the face amount of the notes; shall bear interest at fixed or variable rates not to exceed the maximum interest rate permitted by applicable law; shall be dated, payable as to interest and in principal amounts, be subject to redemption in whole or in part prior to maturity,

including any redemption premiums, and be subject to renewal, at such times and in such amounts, all as shall be designated in the order of the County Treasurer. Notes or portions of notes called for redemption shall not bear interest after the redemption date, provided funds are on hand with the note registrar and paying agent to redeem the same. Notice of redemption shall be given in the manner prescribed by the County Treasurer, including the number of days' notice of redemption and whether such notice shall be written or published, or both. If any notes of any series are to bear interest at a variable rate or rates, the County Treasurer is hereby further authorized to establish by order, and in accordance with law, a means by which interest on such notes may be set, reset or calculated prior to maturity, provided that such rate or rates shall at no time be in excess of the maximum interest rate permitted by applicable law. Such rates may be established by reference to the minimum rate that would be necessary to sell the notes at par; by a formula that is determined with respect to an index or indices of municipal obligations, reported prices or yields on obligations of the United States or the prime rate or rates of a bank or banks selected by the County Treasurer; or by any other method selected by the County Treasurer.

Payment of Principal and Interest

3. The principal of and interest on the notes shall be payable in lawful money of the United States from such funds and accounts as provided herein. Principal shall be payable upon presentation and surrender of the notes to the note registrar and paying agent when and as the same shall become due, whether at maturity or earlier redemption. Interest shall be paid to the owner shown as the registered owner on the registration books at the close of business on such date prior to the date such interest payment is due, as is provided in the order of the County Treasurer. Interest on the notes shall be paid when due by check or draft drawn upon and mailed by the note registrar and paying agent to the registered owner at the registered address, or by such other method as determined by the County Treasurer.

Note Registrar and Paying Agent

4. The County Treasurer shall designate, and may enter into an agreement with, a note registrar and paying agent for each series of notes that shall be the County Treasurer or a bank or trust company that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Treasurer may from time to time designate a similarly qualified successor note registrar and paying agent.

Disposition of Note Proceeds

5. The proceeds of the sale of the notes shall be deposited into a separate account in the Fund (the "2010 Account") and shall be used to continue the Fund. The County Treasurer shall pay therefrom and from unpledged funds in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, if the notes are sold at a discount, the full amount of the delinquent tax roll against which the County has borrowed, delivered as uncollected by any tax collector in the County and that is outstanding and unpaid on or after March 1, 2010, in accordance with the provisions of Act 206. If the notes are sold at a premium, the County Treasurer shall determine what portion of the premium, if any, shall be deposited in the 2010 Collection Account established in Section 6 hereof.

2010 Collection Account

6. There is hereby established as part of the Fund an account (hereby designated the "2010 Collection Account") into which account the County Treasurer shall place delinquent taxes against which the County has borrowed, and interest thereon, collected on and after March 1, 2010, all County property tax administration fees on such delinquent taxes, after expenses of issuance of the notes have been paid, any premium as determined pursuant to Section 5 hereof, and any amounts received by the County Treasurer from the County, the State of Michigan and any taxing unit within the County, because of the uncollectibility of such delinquent taxes. The foregoing are hereby established as funds pledged to note repayment. The

County Treasurer shall designate the delinquent taxes against which the County shall borrow for each series of notes.

Note Reserve Fund

7. There is hereby authorized to be established by the County Treasurer a note reserve fund for the notes (the "2010 Note Reserve Fund") if the County Treasurer deems it to be reasonably required as a reserve and advisable in selling the notes at public or private sale. The County Treasurer is authorized to deposit in the 2010 Note Reserve Fund from proceeds of the sale of the notes, unpledged moneys in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, an amount not exceeding ten percent (10%) of the face amount of the notes.

Security for Payment of Notes

8. All of the moneys in the 2010 Collection Account and the 2010 Note Reserve Fund, if established, and all interest earned thereon, relating to a series of notes are hereby pledged equally and ratably as to such series to the payment of the principal of and interest on the notes and shall be used solely for that purpose until such principal and interest have been paid in full. When moneys in the 2010 Note Reserve Fund, if established, are sufficient to pay the outstanding principal of the notes and the interest accrued thereon, such moneys may be used to retire the notes. If more than one series of notes is issued, the County Treasurer by order shall establish the priority of the funds pledged for payment of each such series. In such case the County Treasurer may establish sub-accounts in the various funds and accounts established pursuant to the terms of this resolution as may be necessary or appropriate.

Additional Security

9. Each series of notes, in addition, shall be a general obligation of the County, secured by its full faith and credit, which shall include the County's limited tax obligation, within applicable constitutional and statutory limits, and its general funds. The County budget shall

provide that if the pledged delinquent taxes and any other pledged amounts are not collected in sufficient amounts to meet the payments of principal and interest due on each series of notes, the County, before paying any other budgeted amounts, will promptly advance from its general funds sufficient moneys to pay that principal and interest. The County shall not have the power to impose taxes for payment of the notes in excess of constitutional or statutory limitations. If moneys in the 2010 Collection Account and the 2010 Note Reserve Fund, if established, are not sufficient to pay the principal of and interest on the notes, when due, the County shall pay the same in accordance with this section, and may thereafter reimburse itself from the delinquent taxes collected.

Release of Pledge of 2010 Collection Account

10. Upon the investment of moneys in the 2010 Collection Account in direct non-callable obligations of the United States of America in amounts and with maturities that are sufficient to pay in full the principal of and interest on the notes when due, any moneys in the 2010 Collection Account thereafter remaining may be released from such pledge created pursuant to Section 8 hereof and may be used to pay any or all delinquent real property taxes that are due the County and any school district, intermediate school district, community college district, city, township, special assessment district, the State of Michigan or any other political unit to which delinquent tax payments are due for any year or for any other purpose permitted by law.

Sale of Notes

11. The County Treasurer is hereby authorized to offer the notes at public or private sale as determined by order of the County Treasurer and to do all things necessary to effectuate the sale, delivery, transfer and exchange of the notes in accordance with the provisions of this resolution. Notes of one series may be offered for sale and sold separately from notes of another series. If the notes are to be sold publicly, sealed proposals for the purchase of the notes shall be

received by the County Treasurer for such public sale to be held at such time as shall be determined by the County Treasurer and notice thereof shall be published in accordance with law, once in *The Bond Buyer* or the *Detroit Legal News*, both of which are hereby designated as being a publication printed in the English language and circulated in this State that carries as a part of its regular service, notices of sale of municipal bonds. Such notice shall be in the form prescribed by the County Treasurer.

The County Treasurer is hereby authorized to cause the preparation of an official statement for the notes for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the notes, the County will provide copies of a final official statement (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the successful bidder or bidders to enable such successful bidder or bidders to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

Continuing Disclosure

12. The County Treasurer is hereby authorized to execute and deliver in the name and on behalf of the County (i) a certificate of the County to comply with the requirements for a continuing disclosure undertaking of the County pursuant to subsection (b)(5) or (d)(2) of the Rule, as applicable, and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. The remedies for any failure of the County to comply with and carry out the provisions of the Continuing Disclosure Certificate shall be as set forth therein.

Execution and Delivery of Notes

13. The County Treasurer is hereby authorized and directed to execute the notes for the County by manual or facsimile signature and the County Treasurer shall cause the County seal or a facsimile thereof to be impressed or imprinted on the notes. Unless the County Treasurer shall specify otherwise in writing, fully registered notes shall be authenticated by the manual signature of the note registrar and paying agent. After the notes have been executed and authenticated, if applicable, for delivery to the original purchaser thereof, the County Treasurer shall deliver the notes to the purchaser or purchasers thereof upon receipt of the purchase price. Additional notes bearing the manual or facsimile signature of the County Treasurer and upon which the seal of the County or a facsimile thereof is impressed or imprinted may be delivered to the note registrar and paying agent for authentication, if applicable, and delivery in connection with the exchange or transfer of fully registered notes. The note registrar and paying agent shall indicate on each note that it authenticates the date of its authentication. The notes shall be delivered with the approving legal opinion of Dickinson Wright PLLC, attorneys of Detroit, Michigan.

Exchange and Transfer of Fully Registered Notes

14. Any fully registered note, upon surrender thereof to the note registrar and paying agent with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for notes of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note.

Each note shall be transferable only upon the books of the County, which shall be kept for that purpose by the note registrar and paying agent, upon surrender of such note together with

a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any note, the note registrar and paying agent on behalf of the County shall cancel the surrendered note and shall authenticate, if applicable, and deliver to the transferee a new note or notes of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note. If, at the time the note registrar and paying agent authenticates, if applicable, and delivers a new note pursuant to this section, payment of interest on the notes is in default, the note registrar and paying agent shall endorse upon the new note the following: "Payment of interest on this note is in default. The last date to which interest has been paid is [place date]."

The County and the note registrar and paying agent may deem and treat the person in whose name any note shall be registered upon the books of the County as the absolute owner of such note, whether such note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such note and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 3 hereof shall be valid and effectual to satisfy and discharge the liability upon such note to the extent of the sum or sums so paid, and neither the County nor the note registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the note registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of notes, the County or the note registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by

the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The note registrar and paying agent shall not be required to transfer or exchange notes or portions of notes that have been selected for redemption.

Book Entry System

15. At the option of the County Treasurer and notwithstanding any provisions of this resolution to the contrary, the County Treasurer is hereby authorized to enter into an agreement with a custodian or trustee for the purpose of establishing a "book entry" system for registration of notes to be fully registered. Pursuant to the provisions of such agreement, the notes may be registered in the name of the custodian or trustee for the benefit of other persons or entities. Such agreement shall provide for the keeping of accurate records and prompt transfer of funds by the custodian or trustee on behalf of such persons or entities. The agreement may provide for the issuance by the custodian or trustee of certificates evidencing beneficial ownership of the notes by such persons or entities. For the purpose of payment of the principal of and interest on the notes, the County may deem payment of such principal and interest, whether overdue or not, to the custodian or trustee as payment to the absolute owner of such note. Pursuant to provisions of such agreement, the book entry system for the notes may be used for registration of all or a portion of the notes and such system may be discontinued at any time by the County. The note registrar and paying agent for the notes may act as custodian or trustee for such purposes.

Issuance Expenses

16. Expenses incurred in connection with the issuance of the notes, including without limitation any premiums for any insurance obtained for the notes, note rating agency fees, travel and printing expenses, fees for agreements for lines of credit, letters of credit, commitments to purchase the notes, remarketing agreements, reimbursement agreements, purchase or sales

agreements or commitments, or agreements to provide security to assure timely payment of the notes, fees for the setting of interest rates on the notes and bond counsel, financial advisor, paying agent and registrar fees, all of which are hereby authorized, shall be paid by the County Treasurer from County property tax administration fees on the delinquent taxes, from any other moneys in the Fund not pledged to the repayment of notes and general funds of the County that are hereby authorized to be expended for that purpose.

Replacement of Notes

17. Upon receipt by the County Treasurer of satisfactory evidence that any outstanding note has been mutilated, destroyed, lost or stolen, and of security or indemnity complying with applicable law and satisfactory to the County Treasurer, the County Treasurer may execute or authorize the imprinting of the County Treasurer's facsimile signature thereon and thereupon, and if applicable, a note registrar or paying agent shall authenticate and the County shall deliver a new note of like tenor as the note mutilated, destroyed, lost or stolen. Such new note shall be issued and delivered in exchange and substitution for, and upon surrender and cancellation of, the mutilated note or in lieu of and in substitution for the note so destroyed, lost or stolen in compliance with applicable law. For the replacement of authenticated notes, the note registrar and paying agent shall, for each new note authenticated and delivered as provided above, require the payment of expenses, including counsel fees, which may be incurred by the note registrar and paying agent and the County in the premises. Any note issued under the provisions of this Section in lieu of any note alleged to be destroyed, lost or stolen shall be on an equal basis with the note in substitution for which such note was issued.

Chargebacks

18. For any principal payment date of the notes on or after January 1, 2013, the delinquent taxes on property foreclosed and sold pursuant to the provisions of Act 206 and against which the County has borrowed shall, if necessary to ensure full and timely payment of

principal of and interest on the notes when due, be charged back to the taxing jurisdictions in such manner as determined by the County Treasurer. The proceeds of such chargebacks shall be deposited in the 2010 Collection Account as security for payment of the notes as described in Section 8 hereof. The provisions of this section shall not limit the authority of the County Treasurer under the laws of the State of Michigan to charge back delinquent taxes under other circumstances or at other times.

Purchase of Notes by County

19. All or any portion of the notes may be purchased or otherwise acquired by the County if the County Treasurer by order deems such purchase or acquisition to be in the best interest of the County. In such case, the County Treasurer is authorized to take such actions to effectuate the purchase or acquisition, including without limitation entering into an agreement to purchase or repurchase the notes. The purchase or other acquisition of notes by or on behalf of the County does not cancel, extinguish or otherwise affect the notes and the notes shall be treated as outstanding notes for all purposes of this resolution until paid in full.

Issuance of Refunding Notes

20. The County shall refund all or part of the notes authorized hereunder and/or notes previously issued by the County to continue the Fund for prior tax years if and as authorized by order of the County Treasurer through the issuance of refunding notes (the "Refunding Notes") in an amount to be determined by order of the County Treasurer. Proceeds of the Refunding Notes may be used to redeem such notes and to pay issuance expenses of the Refunding Notes as authorized and described in Section 16 hereof. The County Treasurer shall have all the authority with respect to the Refunding Notes as is granted to the County Treasurer with respect to the notes by the other Sections hereof, including the authority to select a note registrar and paying agent, to apply to the Michigan Department of Treasury for approval to issue the Refunding Notes, if necessary, to cause the preparation of an official statement and to do all other things

necessary to sell, execute and deliver the Refunding Notes. The Refunding Notes shall contain the provisions, shall be payable as to principal and interest and shall be secured as set forth herein and as further ordered by the County Treasurer. The Refunding Notes may be sold as a separate issue or may be combined in a single issue with other obligations of the County issued pursuant to the provisions of Act 206 as shall be determined by the County Treasurer. The County Treasurer is authorized to prescribe the form of Refunding Note and the form of notice of sale, if any, for the sale of Refunding Notes.

Form of Notes

21. The notes shall be in the form approved by the County Treasurer, which approval shall be evidenced by the County Treasurer's execution thereof.

After discussion, the vote was:

YEAS: 7
NAYS: Ø
ABSENT: Ø

A sufficient majority having voted therefor, the Resolution to Borrow Against Anticipated Delinquent 2009 Real Property Taxes was adopted.

STATE OF MICHIGAN)
)ss
COUNTY OF GLADWIN)

I, the undersigned, the duly qualified and acting Clerk of the County of Gladwin, State of Michigan, do hereby certify that the foregoing is a true and complete copy of proceedings taken at a regular meeting of the Board of Commissioners of said County, held on the 14th day of January, 2010, insofar as the same relate to the Resolution to Borrow Against Anticipated Delinquent 2009 Real Property Taxes, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

Sandra Brandon-Maxwell
Clerk, County of Gladwin

BLOOMFIELD 9617-27 1025595

Special Board Meeting January 21, 2010

The Gladwin County Board of Commissioners met in special session on January 21, 2010 at 9:00 a.m. The meeting was called to order by Chairman Whittington. The Pledge of Allegiance was recited. Roll call found all Commissioners present.

Public Comments – None at this time.

Chairman Whittington commented that the intent of this meeting is to give an update on the clean-up time frame and to appoint a general contractor to finish the restoration project.

Commissioner Reid commented that the restoration work might take 3-4 weeks, and that the HVAC and Electrical inspections were completed yesterday. Commissioner Reid then noted that there has been no further update on the Energy grant, but if there needs to be a replacement of the roof top heating unit, the costs can be applied to the grant upon approval. Discussion. Motion by Commissioner Rhode, supported by Commissioner Carl, to use Servpro as the general contractor through the restoration process, with the understanding that Servpro uses local contractors where practical. Commissioner Smith questioned the benefits of staying with Servpro rather than using a local licensed contractor. Commissioner Carl commented that he believes Servpro is very capable of seeing this project through completion, and there is a provision in the motion to use local contractors where practical. Commissioner Walters stated that there are several local contractors that can handle the general contractor role and that they should be afforded the opportunity. Discussion. Rick Ghent spoke on the use of local contractors when possible, and the need to keep the process going, noting that a "bid process" could take 3-4 months and Servpro is stating the work will be completed by the end of February. Discussion. Roll call vote as follows: Walters –no, Carl – yes, Rhode – yes, Reid – yes, Posey – yes, Smith – yes, Whittington – yes. 6 yes, 1 no. Ayes carried, motion passed.

Commissioner Posey then asked that the Board review the telephone maintenance contract that was presented by JP Communications for adoption at their next regular meeting. Rick Ghent commented on the meeting held with Mr. Pung to discuss the contract and the approval from MMRMA. Bob Frei noted that he has reviewed the contract and is recommended that the Board adopt it at their next meeting. Discussion.

The Board then discussed with Servpro on the moisture still left in the courthouse. Justin Schneider, Building Official commented on the lighting, noting that all the switches and some lighting would need to be replaced. Commissioner Reid commented that this would be the time to replace with T8 upgrades that would be covered under the grant. Discussion.

Commissioner Carl then commented on the meeting had with the Department Heads and the need to be cautious when speaking to the local newspaper, noting that it was stated in this week's paper that Chairman Whittington reported that Servpro had already been appointed to serve as general contractor for the job. Chairman Whittington commented that there were several errors in that article and he would be getting a hold of the paper to have the errors corrected. Discussion.

Motion by Commissioner Walters, supported by Commissioner Carl to adjourn. Ayes carried, meeting adjourned at 9:45 a.m. until January 26, 2010 at 9:00 a.m. unless otherwise ordered.

Laura Brandon-Maveal, Clerk

Terry Whittington, Chairman