

TUESDAY, JULY 19, 2016

Pursuant to law, the Board of Commissioners met on Tuesday, July 19, 2016 at 9:00 a.m. in the Board of Commissioner's Room and were called to order by the Chairperson.

Pledge of Allegiance

Invocation

Roll Call was taken by Jill M. Nowak, County Clerk:

PRESENT: Mark Bergstrom, Jeff Dontz, Karen Goodman, Ken Hilliard, Alan W. Marshall, Richard Schmidt, Brook Shafer

ABSENT: None

APPROVE MEETING AGENDA

Moved by Shafer, seconded by Schmidt to approve the Meeting Agenda.

Motion Carried

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CONSENT AGENDA

Moved by Schmidt, seconded by Hilliard to approve the Consent Agenda which includes the minutes of the June 21, 2016 regular Board Meeting, the minutes of the July 15, 2016 Board Budget Study Session and the July 2016 monthly appropriations and fund transfers.

YEAS: 7 Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer

NAYS: 0 None

Motion Carried

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PUBLIC COMMENT

None.

RECONGNITION, ANNOUNCEMENTS & CORRESPONDENCE

None.

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WAYS & MEANS COMMITTEE MINUTES/JULY 6, 2016

Mark Bergstrom presented the Ways & Means Committee Minutes of July 6, 2016.

Board of Commissioners
Manistee County
Manistee, Michigan 49660

We do hereby submit claims from June 1, 2016, through July 6, 2016, and a summary of On-Demand checks for review and approval: The totals are as follows:

101 General Fund.....	\$187,207.96
201 County Road Fund.....	0.00
215 Friend of the Court Fund.....	0.00
216 Department Contingency Fund.....	0.00
225 Recycling Fund.....	7,289.25
234 Judicial Technology Fund.....	0.00
235 District Court Services Fund.....	0.00
236 Maintenance of Effort Fund.....	10,998.66
241 AIS Grant Fund.....	1,905.00
242 Bear Lake Improvement Fund.....	3,125.00
243 Brownfield Redevelopment Authority Fund.....	0.00
244 Brownfield Redevelopment-Joslin Cove.....	0.00
245 Public Improvement Fund.....	0.00
246 Township Improvement Revolving Fund.....	0.00
251 Capital Improvement Fund.....	0.00
252 PRE Audit Fund.....	0.00
253 Remonumentation Fund.....	0.00
254 Medical Care Depreciation Fund.....	0.00
255 Brownfield Site Assessment Fund.....	0.00
256 Register of Deeds Automation Fund.....	9,992.51
257 Budget Stabilization Fund.....	0.00
258 Mounted Search and Rescue.....	0.00
259 Legal Defense Fund.....	0.00
260 Health Insurance Fund.....	142,533.12
261 9-1-1 Service Fund.....	0.00
262 Dive Equipment Fund.....	0.00
263 Sheriff's Office Forfeited Assets Fund.....	0.00
264 Family Counseling Services Fund.....	0.00
265 Juvenile Drug Court Fund.....	0.00
266 Law Enforcement Training Fund.....	622.50
267 Concealed Pistol Licensing Fund.....	0.00
268 Homeland Security Grant Fund.....	915.40
269 Law Library Fund.....	1,233.00
270 Corrections Officer Training Fund.....	1,211.47
271 County Library Fund.....	0.00
272 County Library Trust Fund.....	0.00
274 OHSP Grant Funds.....	0.00
275 Dial-A-Ride Fund.....	0.00
276 Forestry Fund.....	0.00
277 Air Photo Fund.....	0.00
278 LEPC Grant Fund.....	0.00
279 Economic Development - Housing Fund.....	0.00
280 MSHDA Grant Fund.....	0.00
281 Law Enforcement Technology Fund.....	0.00
282 Community Wildfire Grant Fund.....	1,348.86
283 F.I.A. Benzie County.....	0.00
284 Community Corrections Fund.....	1,000.00
285 Drunk Driving Case Flow Fund.....	0.00
286 Juvenile Intervention Fund.....	0.00

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287 JABGN Grant Fund	0.00
290 Department of Human Services Fund.....	0.00
292 Child Care Fund.....	11,290.43
293 Soldiers & Sailors Relief Fund	0.00
294 Veterans Trust Fund.....	1,500.00
295 Airport Authority Fund.....	29,425.85
296 Juvenile Justice Fund	0.00
297 Compensated Services Fund.....	88,591.01
298 County Employee Separation Fund	0.00
299 Unemployment Fund	0.00
356 Fair Board Debt Fund	0.00
360 9-1-1 Expansion Construction Fund	0.00
361 Jail Expansion Construction Fund	0.00
362 Jail Building Bond	0.00
368 Library Loan Fund	0.00
369 Building Authority Debt Fund.....	425.00
370 County Road Building Debt Fund	0.00
461 Building Authority Construction Fund	0.00
462 County Road Construction Fund	0.00
512 Medical Care Facility Fund	0.00
606 Tax Revolving Fund	0.00
609 2009 Tax Revolving Fund	0.00
610 2010 Tax Revolving Fund	0.00
611 2011 Tax Revolving Fund	0.00
612 Delinquent Taxes	0.00
613 2013 Tax Revolving Fund	0.00
614 2014 Tax Revolving Fund	0.00
615 2015 Tax Revolving Fund	2,782,857.33
620 Tax Revolving - State Sales.....	348.02
701 Trust and Agency.....	0.00
702 OPEB Trust Fund.....	0.00
801 Drain Fund	17,589.60

Total:\$3,301,409.97
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On Demand checks total (included in total amount above): \$87,712.16

Payroll for the period of June 1, 2016, through July 6, 2016 +\$658,889.32
(Includes 3 payrolls)

Total to be Claimed and allowed July 19, 2016 \$3,960,299.29
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Moved by Bergstrom, seconded by Schmidt to approve the on demand checks, bills and payroll, be accepted in the amount of \$3,960,299.29, and that the same be paid and placed on file.

YEAS: 7 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom

NAYS: 0 None

Motion Carried

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TUESDAY, JULY 19, 2016

**PAYMENT OF UNUSED ACCUMULATED VACATION
AND PERSONAL HOURS**

Moved by Bergstrom, seconded by Marshall to approve the payment of unused vacation and personal hours to Jill Tooley in the amount of \$5,061.14 which is to be reimbursed by Benzie County; and the payment of unused vacation and personal hours to Lisa Nickelson in the amount of \$1,138.84; to be paid from the Employees Separation Fund.

YEAS: 7 Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz
NAYS: 0 None

Motion Carried

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MERS OFFICER DELEGATE AND ALTERNATE

Moved by Bergstrom, seconded by Schmidt that Lisa Sagala be named as the Officer Delegate for the annual MERS meeting to be held on September 28 and 29, 2016; with Thomas Kaminski as the alternate.

YEAS: 7 Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman
NAYS: 0 None

Motion Carried

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SOUTH MAIN ENTRANCE MAINTENANCE

Moved by Schmidt, seconded by Hilliard to approve the bid from Absolute Concrete in the amount of \$4,022.00 to repair concrete and replace the drain at the south main entrance of the Courthouse/Government Center; to be paid from the Capital Improvement Fund.

YEAS: 7 Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman, Hilliard
NAYS: 0 None

Motion Carried

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TUESDAY, JULY 19, 2016

**REFUNDING OPPORTUNITY FOR THE 2006 BUILDING AUTHORITY
BONDS**

Resolution # 2016-22
**RESOLUTION TO AUTHORIZE THE ISSUANCE OF
REFUNDING BONDS NOT TO EXCEED \$1,300,000**

At a regular meeting of the Board of Commissioners of the County of Manistee,
Michigan held on the 19th day of July, 2016.

PRESENT: _____

ABSENT: _____

The following resolution was made by _____ and seconded by
_____:

WHEREAS, the County of Manistee (the "County") issued its 2006 Building Authority Refunding Bonds, dated as of May 4, 2006, in the principal amount of \$1,935,000 (the "Prior Bonds") on May 4, 2006; and

WHEREAS, the Prior Bonds remain outstanding in various principal amounts, and the County has been advised that certain of the Prior Bonds could be redeemed and thereby secure savings for the County and benefit the taxpayers of the County; and

WHEREAS, Part VI of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"), authorizes the issuance of refunding bonds for the purpose of refunding all or part of the County's outstanding securities, including the Prior Bonds; and

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WHEREAS, the Board of Commissioners of the County has determined that it is in the best interest of the County to secure savings for the County through the issuance of such refunding bonds.

NOW, THEREFORE, BE IT RESOLVED that:

1. **AUTHORIZATION OF BONDS – PURPOSE.** Bonds of the County aggregating the principal sum of not to exceed One Million Three Hundred Thousand Dollars (\$1,300,000) (the "Refunding Bonds") shall be issued and sold pursuant to the provisions of Act 34, and other applicable statutory provisions, for the purpose of refunding all or part of the Prior Bonds as determined by order of the Controller/Administrator or the County Treasurer.

2. **BOND DETAILS.** The Refunding Bonds shall be designated "Refunding Bonds, Series 2016"; shall be dated as of the date approved by order of the Controller/Administrator or the County Treasurer; shall be numbered from 1 upwards; shall be fully registered; shall be in the denominations and bear interest at a rate or rates not exceeding 5% per annum as shall be determined by order of the Controller/Administrator or the County Treasurer; shall be payable on such dates as shall be determined by order of the Controller/Administrator or the County Treasurer; and shall be serial bonds and/or term bonds and mature on such dates and in such years as shall be determined by order of the Controller/Administrator or the County Treasurer; provided, however, that the final maturity shall not be later than May 1, 2024. If requested by the original purchaser of the Refunding Bonds and determined by the Controller/Administrator or the County Treasurer, the Refunding Bonds may be issued in the form of a single bond with an exhibit containing the principal maturity amounts and applicable interest rates and due dates.

3. **PAYMENT OF PRINCIPAL AND INTEREST.** The principal of and interest on the Refunding Bonds shall be payable in lawful money of the United States. Principal shall be

payable upon presentation and surrender of the Refunding Bonds to the bond registrar and paying agent as they severally mature; provided, however, if the Refunding Bonds are issued in the form of a single bond, only the final principal payment shall be payable upon presentation and surrender of the bond to the bond registrar and paying agent and all other principal installments shall be paid to the registered owner of the bond as shown on the registration books. Interest shall be paid to the registered owner of each Refunding Bond as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. **PRIOR REDEMPTION.** The Refunding Bonds shall be subject to mandatory and/or optional redemption prior to maturity upon such terms and conditions as shall be determined by order of the Controller/Administrator or the County Treasurer.

5. **BOOK-ENTRY SYSTEM.** Initially, if requested by the original purchaser of the Refunding Bonds and determined by the Controller/Administrator or the County Treasurer, one fully-registered Refunding Bond for each maturity, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC") for the benefit of other parties (the "Participants") in the book-entry-only transfer system of DTC. In the event the County determines that it is in the best interest of the County not to continue the book-entry system of transfer or that the interests of the holders of the Refunding Bonds might be adversely affected if the book-entry system of transfer is continued, the County may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of Refunding Bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange Refunding Bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate

amounts in accordance with this resolution. DTC may determine to discontinue providing its services with respect to the Refunding Bonds at any time by giving notice to the County and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the County may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the County shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the County and the bond registrar and paying agent shall be obligated to deliver Refunding Bond certificates in accordance with the procedures established by this resolution. In the event Refunding Bond certificates are issued, the provisions of this resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the County and the bond registrar and paying agent to do so, the County and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Refunding Bonds to any Participant having Refunding Bonds credited to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Refunding Bonds.

Notwithstanding any other provision of this resolution to the contrary, so long as any Refunding Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on such Refunding Bonds and all notices with respect to the Refunding Bonds shall be made and given, respectively, to DTC. The Controller/Administrator and the County Treasurer are each authorized to sign the Blanket Issuer Letter of Representations on behalf of the County in such form as such official signing the Blanket Issuer Letter of Representations deems necessary or appropriate in order to accomplish the issuance of the Refunding Bonds in accordance with law and this resolution.

Notwithstanding any other provision of this section to the contrary, if the Controller/Administrator or the County Treasurer deems it to be in the best interest of the County, the Refunding Bonds shall not initially be issued through the book-entry-only transfer system of DTC.

6. **BOND REGISTRAR AND PAYING AGENT.** The Controller/Administrator or the County Treasurer shall designate, and may enter into an agreement with, a bond registrar and paying agent for the Refunding Bonds which shall be a bank or trust company located in the State of Michigan that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The Controller/Administrator or the County Treasurer from time to time as required may designate a similarly qualified successor bond registrar and paying agent. Notwithstanding any provision of this section to the contrary, if the Controller/Administrator or the County Treasurer deems it to be in the best interest of the County, the County Treasurer or other person or entity as determined by the Controller/Administrator or the County Treasurer shall serve as bond registrar and paying agent for the Refunding Bonds.

7. **EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS.** The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and authenticated by the manual signature of the bond registrar and paying agent or an authorized representative of the bond registrar and paying agent, and the seal of the County (or a facsimile thereof) shall be impressed or imprinted on the Refunding Bonds. After the Refunding Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the Controller/Administrator or the County Treasurer to the purchaser of the Refunding Bonds upon receipt of the purchase price. Additional Refunding Bonds bearing the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the

County Clerk may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of the Refunding Bonds. The bond registrar and paying agent shall indicate on each Refunding Bond the date of its authentication.

8. EXCHANGE AND TRANSFER OF BONDS. Any Refunding Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Refunding Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bond.

Each Refunding Bond shall be transferable only upon the books of the County, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Refunding Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

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

The County and the bond registrar and paying agent may deem and treat the person in whose name any Refunding Bond shall be registered upon the books of the County as the absolute owner of such Refunding Bond, whether such Refunding Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Refunding Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Refunding Bond to the extent of the sum or sums so paid, and neither the County nor the bond registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the bond 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 Refunding Bonds, the County or the bond 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 bond registrar and paying agent shall not be required to transfer or exchange Refunding Bonds or portions of Refunding Bonds that have been selected for redemption.

9. **FORM OF BONDS.** The Refunding Bonds shall be in substantially the following form, with such changes thereto as approved by the Controller/Administrator or the County Treasurer within the parameters of this resolution:

TUESDAY, JULY 19, 2016

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF MANISTEE
REFUNDING BOND, SERIES 2016

INTEREST RATE MATURITY DATE DATE OF ORIGINAL ISSUE CUSIP

Registered Owner:

Principal Amount:

The County of Manistee, State of Michigan (the "County"), acknowledges itself indebted to, and for value received hereby promises to pay to, the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at _____, the bond registrar and paying agent, or at such successor bond registrar and paying agent as may be designated pursuant to the Resolution (as hereinafter defined), and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from _____, _____, or such later date through which interest has been paid until the County's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first day of _____ and _____ in each year, commencing on _____, 20___. Principal and interest are payable in lawful money of the United States of America. Interest shall be computed on the basis of a 360-day year of twelve 30-day months.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars (\$_____) issued by the County under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 34, Public Acts of 2001, as amended) and a resolution adopted by the Board of Commissioners of the County on July 19, 2016 and an order of the _____ (collectively, the "Resolution"), for the purpose of refunding the County's outstanding 2006 Building Authority Refunding Bonds, dated as of May 4, 2006, maturing in the years _____ through _____. The full faith and credit of the County have been pledged for the prompt payment

of the principal of and interest on this bond. The County is required to levy annually ad valorem taxes to pay such principal and interest as the same shall become due. Taxes imposed by the County are subject to constitutional and statutory tax limitations.

This bond is transferable, as provided in the Resolution, only upon the books of the County kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$ _____ or any integral multiple of \$ _____ not exceeding the aggregate principal amount for each maturity.

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

MANDATORY PRIOR REDEMPTION

Bonds maturing in the year ____ are subject to mandatory prior redemption at par and accrued interest as follows:

<u>Redemption Date</u>	<u>Principal Amount of Bonds to be Redeemed</u>
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Bonds or portions of bonds to be redeemed by mandatory redemption shall be selected by lot.

(REPEAT IF MORE THAN ONE TERM BOND)

OPTIONAL PRIOR REDEMPTION

Bonds maturing prior to _____, _____, are not subject to redemption prior to maturity. Bonds maturing on and after _____, _____, are subject to redemption prior to maturity at the option of the County, in such order as shall be determined by the County, on any date on and after _____. Bonds of a denomination greater than \$ _____ may be partially redeemed in the amount of \$ _____ or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption and a premium as follows:

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- % of the par value if called for redemption on or after _____, _____, but prior to _____, _____;
- % of the par value if called for redemption on or after _____, _____, but prior to _____, _____;
- % of the par value if called for redemption on or after _____, _____, but prior to _____, _____.

Not less than thirty but not more than sixty days' notice of redemption shall be given to the Registered Owner of bonds called to be redeemed by mail to each Registered Owner at the registered address. Bonds or portions of bonds called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

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

IN WITNESS WHEREOF, the County of Manistee, State of Michigan, by its Board of Commissioners, has caused this bond to be executed in its name by the manual or facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted thereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by the bond registrar and paying agent or an authorized representative of the bond registrar and paying agent.

COUNTY OF MANISTEE

By: _____

Its: Chairperson, Board of Commissioners

And: _____

Its: Clerk

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CERTIFICATE OF AUTHENTICATION

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

Bond Registrar and Paying Agent

By: _____
Authorized Representative

AUTHENTICATION DATE:

10. **SECURITY.** There shall be levied upon all taxable property in the County upon the tax roll for each year while any of the Refunding Bonds shall be outstanding an amount such that the estimated collections therefrom will be sufficient to pay promptly at maturity the principal and interest maturing on the Refunding Bonds prior to the time of the following year's tax collections. Taxes required to be levied to pay principal of and interest on the Refunding Bonds shall be subject to constitutional and statutory tax limitations. The proceeds of such taxes (both current and delinquent) shall be deposited as collected into a debt retirement fund that shall be established and maintained for the Refunding Bonds as either a separate or a common fund as permitted by law, and until the principal of and the interest on the Refunding Bonds are paid in full, such proceeds shall be used only for payment of such principal and interest or for other authorized purposes of the fund.

11. **DEBT RETIREMENT FUND.** There is hereby established for the Refunding Bonds a debt retirement fund (the "Debt Retirement Fund") that shall be either a separate or a common fund as permitted by law. From the proceeds of the sale of the Refunding Bonds, there shall be set aside in the Debt Retirement Fund any accrued interest received from the purchaser at the time of delivery of the same and such portion of any premium received from the purchaser on the Refunding Bonds as determined by the Controller/Administrator or the County Treasurer. All proceeds from taxes levied for the payment of the principal of and interest on the Refunding Bonds shall be deposited into the Debt Retirement Fund. If a separate debt retirement fund is established the moneys deposited in the Debt Retirement Fund shall be used solely for the purpose of paying the principal of and interest on the Refunding Bonds. If a common debt retirement fund is established, the moneys deposited in the Debt Retirement Fund shall be used solely for the payment of the principal of an interest on the Refunding Bonds and other bonds of like character of the County payable from such common debt retirement fund.

12. **PAYMENT OF COSTS OF ISSUANCE - ESCROW FUND.** The remainder of the proceeds of the Refunding Bonds shall be used to pay the costs of issuance of the Refunding Bonds and to refund the Prior Bonds maturing in the years determined by order of the Controller/Administrator or the County Treasurer (the "Prior Bonds To Be Refunded"). After the costs of issuance have been paid or provided for the remaining proceeds shall be used, together with any moneys transferred from the debt retirement fund for the Prior Bonds or other available funds of the County in such amounts as determined by the Controller/Administrator or the County Treasurer, to establish 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 and used to pay the principal of, interest on and redemption premiums, if any, on the Prior Bonds To Be Refunded. The Escrow Fund shall be held by an escrow agent (the "Escrow Agent") pursuant to an Escrow Agreement (the "Escrow Agreement"), which irrevocably shall direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the Prior Bonds To Be Refunded when due and to call such Prior Bonds To Be Refunded for redemption at such time as shall be determined in the Escrow Agreement. The Controller/Administrator or the County Treasurer is authorized to select the Escrow Agent and enter into the Escrow Agreement on behalf of the County. The amounts held in the Escrow Fund shall be such that the cash and the investments and the income received on the investments will be sufficient without reinvestment to pay the principal of, interest on and redemption premiums, if any, on the Prior Bonds To Be Refunded when due at maturity or call for redemption as required by the Escrow Agreement.

13. **DEFEASANCE.** 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, redemption premium, if any, and interest on all or any portion of the Refunding Bonds, shall have been deposited in trust, this resolution shall be defeased and the owners of the Refunding Bonds shall have no further rights under this resolution except to receive payment of the principal of, redemption premium, if any, and interest on the Refunding Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Refunding Bonds as provided herein.

14. APPROVAL OF DEPARTMENT OF TREASURY. The issuance and sale of the Refunding Bonds shall be subject to the County obtaining qualified status or prior approval from the Department of Treasury of the State of Michigan pursuant to Act 34 and, if necessary, the Controller/Administrator or the County Treasurer is hereby authorized and directed to make application to the Department of Treasury for approval to issue and sell the Refunding Bonds as provided by the terms of this resolution and by Act 34. The Controller/Administrator or the County Treasurer is authorized to pay any filing fees required in connection with obtaining qualified status or prior approval from the Department of Treasury. The Controller/Administrator or the County Treasurer is further authorized to request such waivers of the requirements of the Department of Treasury or Act 34 as the Controller/Administrator or the County Treasurer shall determine to be necessary or desirable in connection with the sale of the Refunding Bonds.

15. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF BONDS. The Refunding Bonds shall be sold pursuant to a negotiated sale as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the County and is calculated to provide the maximum flexibility in pricing the Refunding Bonds so as to achieve sufficient debt service savings with respect to the Prior Bonds. The Refunding Bonds shall be sold to a purchaser (the "Purchaser") in connection with a private placement by the placement agent identified in section 22 of this resolution (the "Placement Agent"), at a price not less than

98% of the par value of the Refunding Bonds as determined by the Controller/Administrator or County Treasurer, following consultation with the County's registered municipal advisor, to be in the best interests of the County. The sale may be made pursuant to a request for proposals as approved by order of the Controller/Administrator or the County Treasurer.

The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer, the Controller/Administrator, the County Treasurer and other appropriate officials of the County are hereby authorized to do all other things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Refunding Bonds and to provide for the redemption of the Prior Bonds in accordance with the provisions of this resolution.

16. **OFFICIAL STATEMENT.** The Controller/Administrator or the County Treasurer is authorized to cause the preparation of an official statement for the Refunding Bonds for purposes of compliance with Rule 15c2 12 issued under the Securities Exchange Act of 1934, as amended (the "Rule") and to do all other things necessary to comply with the Rule. After the award of the Refunding Bonds, 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 purchasers to enable the purchasers to comply with paragraphs (b)(3) and (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board. The Controller/Administrator or the County Treasurer is authorized to enter into such agreements as may be required to enable the purchasers to comply with the Rule.

17. **CONTINUING DISCLOSURE.** The Controller/Administrator or the County Treasurer is authorized to execute and deliver in the name and on behalf of the County a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking of the County pursuant to paragraph (b)(5) of the Rule, and 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

98% of the par value of the Refunding Bonds as determined by the Controller/Administrator or County Treasurer, following consultation with the County's registered municipal advisor, to be in the best interests of the County. The sale may be made pursuant to a request for proposals as approved by order of the Controller/Administrator or the County Treasurer.

The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer, the Controller/Administrator, the County Treasurer and other appropriate officials of the County are hereby authorized to do all other things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Refunding Bonds and to provide for the redemption of the Prior Bonds in accordance with the provisions of this resolution.

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17. **CONTINUING DISCLOSURE.** The Controller/Administrator or the County Treasurer is authorized to execute and deliver in the name and on behalf of the County a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking of the County pursuant to paragraph (b)(5) of the Rule, and 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.

18. REPLACEMENT OF BONDS. Upon receipt by the County Treasurer of proof of ownership of an unmatured Refunding Bond, of satisfactory evidence that the Refunding Bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity that complies with applicable law and is satisfactory to the County Treasurer, the County Treasurer may authorize the bond registrar and paying agent to deliver a new executed Refunding Bond to replace the Refunding Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Refunding Bond is lost, apparently destroyed or wrongfully taken, the County Treasurer may authorize the bond registrar and paying agent to pay the Refunding Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Refunding Bond. The bond registrar and paying agent, for each new Refunding Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the County in the premises. Any Refunding Bond delivered pursuant to the provisions of this Section in lieu of any Refunding Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the Refunding Bond in substitution for which such Refunding Bond was delivered.

19. TAX COVENANT. The County covenants to comply with all applicable requirements of the Internal Revenue Code of 1986, as amended (the "Code"), necessary to assure that the interest on the Refunding Bonds will be and will remain excludable from gross income for federal income tax purposes. The Chairperson of the Board of Commissioners, the County Clerk, the County Treasurer, Controller/Administrator, the County Treasurer and other appropriate officials of the County are authorized to do all things necessary (including the

making of such covenants of the County as shall be appropriate) to assure that the interest on the Refunding Bonds will be and will remain excludable from gross income for federal income tax purposes.

20. **QUALIFIED TAX-EXEMPT OBLIGATIONS.** The Refunding Bonds are hereby designated as "Qualified Tax-Exempt Obligations" as described in Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended (the "Code").

21. **BOND INSURANCE.** The Controller/Administrator or the County Treasurer is authorized and directed to take any actions that may be necessary or appropriate to purchase a policy or policies of municipal bond insurance with respect to the Refunding Bonds to the extent that the Controller/Administrator or the County Treasurer determines in the order approving the sale of the Refunding Bonds that the purchase of such municipal bond insurance is in the best interests of the County. If the Controller/Administrator or the County Treasurer makes such a determination, the purchase of a policy or policies and the payment of premiums therefor and the execution by the Controller/Administrator or the County Treasurer of any necessary commitments or other documents with respect thereto are hereby authorized.

22. **APPOINTMENTS.** Dickinson Wright PLLC is hereby appointed to act as bond counsel, Bendzinski & Co., Municipal Finance Advisors is hereby appointed to act as registered municipal advisor and Robert W. Baird & Co. is hereby appointed to act as placement agent with respect to the Refunding Bonds.

23. **CONFLICTING RESOLUTIONS.** All resolutions and parts of resolutions insofar as they may be in conflict herewith are rescinded.

RESOLUTION DECLARED ADOPTED.

YEAS: _____

NAYS: _____

ABSTENTIONS: _____

TUESDAY, JULY 19, 2016

STATE OF MICHIGAN)
)ss
COUNTY OF MANISTEE)

I, the undersigned, the duly qualified and acting Clerk of the County of Manistee, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Board of Commissioners of the County of Manistee, Michigan, held on the 19th day of July, 2016, the original of which resolution is on file in my office and is available to the public. Public notice of said meeting was given in accordance with the provisions of the open meeting act.

IN WITNESS WHEREOF, I have hereunto affixed my official signature on this ____ day of July, 2016.

Clerk, County of Manistee

BLOOMFIELD 9889-29 1640802v1

Moved by Schmidt, seconded by Marshall to adopt Resolution #2016-22 to Authorize the Issuance of Building Authority Refunding Bonds Not to Exceed \$1,300,000.

YEAS: 7 Schmidt, Shafer, Bergstrom, Dontz, Goodman, Hilliard, Marshall

NAYS: 0 None

Motion Carried

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PLACEMENT AGENT ENGAGEMENT LETTERS

Moved by Marshall, seconded by Shafer to approve Engagement Letters with Bendzinski & Co. to serve as Manistee County’s Registered Municipal Finance Advisor for the

TUESDAY, JULY 19, 2016

issuance of Building Authority Refunding bonds, and Robert W. Baird & Company, Inc. to serve as Manistee County’s Placement Agent for the issuance of Building Authority Refunding bonds; and authorize the County controller to sign these two agreements.

YEAS: 7 Shafer, Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt
NAYS: 0 None

Motion Carried

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Moved by Hilliard, seconded by Schmidt to accept the Ways & Means Committee Minutes of July 6, 2016.

Motion Carried

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HOUSING REVIEW COMMITTEE MINUTES/JUNE 30, 2016

Ms. Goodman presented the Housing Review Committee Minutes of June 30, 2016.

The Housing Review Committee has Power to Act on Emergency projects and did so on Emergency Project # 14-6-16 in the amount of \$33,750.00.

Moved by Schmidt, seconded by Bergstrom to accept the Housing Review Committee Minutes of June 30, 2016.

Motion Carried

+++++

DRAIN COMMISSIONER’S UPDATE ON MCGUINEAS DRAIN PROJECT

Thomas Smith, Manistee County Drain Commissioner appeared before the Board to provide an update on the McGuineas Drain Project. Mr. Smith reported that the project is running on time and on budget in the amount of \$725,000, which was indicated by the Drain Commissioner.

PERSONNEL COMMITTEE MINUTES/JULY 13, 2016

Ken Hilliard presented the Personnel Committee Minutes of July 13, 2016.

TUESDAY, JULY 19, 2016

FAIR LABOR STANDARDS ACT (FLSA) UPDATE

Moved by Hilliard, seconded by Bergstrom to approve salaried employees (other than the Circuit Court Research Attorney) be paid overtime over 40 hours per week or be compensated with time off for the overtime hours worked. The Circuit Court Research Attorney salary will be increased by \$675 since he is so near the threshold and to avoid overtime payments. The nature of the compensation will be at the discretion of the Department Head/Elected Official and County Administration and may be reviewed in the future if needed. These changes are in compliance with FLSA changed regulations; and will be effective December 1, 2016.

YEAS: 7 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom
NAYS: 0 None

Motion Carried

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**EQUALIZATION DEPARTMENT JOB TITLE/JOB DESCRIPTION UPDATE
AND PAY GRADE INCREASE**

Moved by Hilliard, seconded by Shafer to approve the position title change from Appraiser/Assistant to the Director to Deputy Equalization Director; remove the position from the Union and place the position into Grade 8 of the Manistee County’s current pay grade structure effective October 1, 2016, pending Union agreement.

YEAS: 7 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom
NAYS: 0 None

Motion Carried

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SECTION 8, PUBLIC ACT 152

Moved by Hilliard, seconded by Bergstrom to approve pursuant to Section 8 of the Publicly Funded Health Insurance Contribution Act (Public Act 152), the County

TUESDAY, JULY 19, 2016

exercise its option to exempt itself from the requirements of this Act for FY 2016/17 for all Union employees, Non-Union Employees, Court staff, and Elected Officials.

YEAS: 7 Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz
NAYS: 0 None

Motion Carried

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Moved by Hilliard, seconded by Bergstrom to accept the Personnel Committee Meeting Minutes of July 13, 2016.

Motion Carried

+++++

MOTION TO ENTER INTO PUBLIC HEARING

Moved by Hilliard, seconded by Goodman to enter into a Public Hearing on the Brownfield Plan Amendment for the Joslin Cove Project.

YEAS: 7 Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman
NAYS: 0 None

Motion Carried

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The purpose of this Public Hearing is to receive public comment on the proposed amendment to the plan pursuant to Public Act 381 of 1996, as amended. The Brownfield Plan contains the requirements by which a property may be eligible to receive economic incentives to assist in the redevelopment of the property. The eligible property included in the Brownfield Plan is located on Manistee Lake at 111 and 113 Arthur Street in the City of Manistee. At the Public Hearing, all citizens, taxpayers and representatives or officials from any taxing jurisdiction shall be afforded the opportunity to be heard regarding the Brownfield Plan. Copies of maps, plats (if applicable) and the Brownfield Plan Amendment have been available for public inspection in the Manistee County Courthouse/Government Center, Planning Department.

Robert Carson, Manistee County Planning Director, presented a Power Point regarding the project. He explained the amended Brownfield Plan for the Joslin Cove Project, provided further explanation of the project and was present to answer questions regarding the project.

PUBLIC COMMENT

Margaret Batzer inquired if the back taxes were going to be paid. The back taxes will be paid.

**MOTION TO ENTER BACK INTO THE REGULAR SESSION OF THE
COUNTY BOARD OF COMMISSIONERS**

TUESDAY, JULY 19, 2016

Moved by Schmidt, seconded by Bergstrom to enter back in the regular session of the Manistee County Board of Commissioners.

YEAS: 7 Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman, Hilliard

NAYS: 0 None

Motion Carried

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RESOLUTION #2016-23 APPROVING AMENDED BROWNFIELD PLAN FOR MANISTEE LAKE CONDOMINIUMS – JOSLIN COVE AND THE REIMBURSEMENT AGREEMENT FOR THE PROJECT

RESOLUTION #2016-23

RESOLUTION APPROVING AMENDED BROWNFIELD PLAN FOR MANISTEE LAKE CONDOMINIUM – JOSLIN COVE

At a regular meeting of the Manistee County Board of Commissioners held in the Manistee County Courthouse & Governmental Center, 415 Third Street, Manistee, Michigan on the 20th day of May, 2014

PRESENT: Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer

ABSENT: None

The following resolution was offered by Schmidt and seconded by Bergstrom:

WHEREAS, The Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete or historic property through tax increment financing of eligible environmental and developmental activities; and

WHEREAS, The Manistee County Board of Commissioners, pursuant to and in accordance with the provisions of Act 381, established the Manistee County Brownfield Redevelopment Authority on May 21, 2002 and certified by the State of Michigan on June 27, 2002 to facilitate the cleanup and redevelopment of Brownfields within Manistee County; and

WHEREAS, The original Brownfield Plan for Bay Condominiums – Joslin Cove was approved in June 2006 and an Act 381 Work Plan for State tax capture was approved in September 2006, tax capture was anticipated for approximately seven years, and the development halted in 2006 after Brownfield Eligible Activities were conducted and approximately 25% of the development was built; and

WHEREAS, A new development team desires to complete modifications, including reducing the size and cost of the condominium units, resulting in forty-two condominiums, a pocket park, and pedestrian access, with an estimated additional investment of over \$8 million and be eligible for reimbursement for Brownfield Eligible Activity; and

TUESDAY, JULY 19, 2016

WHEREAS, The Amended Brownfield Plan is necessary to extend the anticipated capture period and modify the project and attendant Brownfield Tax Increment Financing (TIF) revenues and there is no change to the Eligible Activity budget from the original Brownfield Plan, so there is no change to the fiscal impact to taxing jurisdictions.

WHEREAS, The Manistee County Brownfield Redevelopment Authority has reviewed the Amended Brownfield Plan for Manistee Lake Condominiums – Joslin Cove and finds that it meets the requirements of Act 381 and constitutes a public purpose of increased private investment and economic development and increased property tax value; and

WHEREAS, The Manistee County Brownfield Redevelopment Authority approved the Brownfield Plan at a special meeting on July 12, 2016 and recommend approval of the Amended Brownfield Plan by the Manistee County Board of Commissioners and concurrence by the Manistee City Council; and

WHEREAS, The City of Manistee City Council has reviewed the Amended Brownfield Plan and is considering a resolution of concurrence with the Amended Brownfield Plan at their July 19, 2016 meeting; and

WHEREAS, A public hearing on the Brownfield Plan by the Manistee County Board of Commissioners was noticed and held on July 19, 2016 and notice to taxing jurisdictions were provided in compliance with the requirements of Act 381;

WHEREAS, The Manistee County Board of Commissioners has reviewed the Amended Brownfield Plan for Manistee Lake Condominiums – Joslin Cove and finds that it meets the requirements of Act 381 and constitutes a public purpose of increased private investment and economic development and increased property tax value; and

THEREFORE BE IT RESOLVED, that pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended, being MCL 125.2651, *et seq*, the Manistee County Board of Commissioners hereby approves the Amended Brownfield Plan for the Manistee Lake Condominiums – Joslin Cove in the City of Manistee.

Moved by Schmidt, seconded by Bergstrom to approve the above Resolution #2016-23 Approving Amended Brownfield Plan for Manistee Lake Condominium – Joslin Cove and approve the Development and Reimbursement Agreement for the project.

YEAS: 7 Schmidt, Shafer, Bergstrom, Dontz, Goodman, Hilliard, Marshall
NAYS: 0 None

Motion Carried

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PUBLIC SAFETY COMMITTEE MINUTES/JULY 13, 2016

Ken Hilliard presented the Public Safety Court Committee Minutes of July 13, 2016.

JAWS VEHICLE

TUESDAY, JULY 19, 2016

Moved by Hilliard, seconded by Marshall to authorize Tom Kaminski, County Administrator/Controller, to proceed with the sale of the JAWS vehicle that was purchased from Onekama Township for \$1.

YEAS: 7 Shafer, Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt

NAYS: 0 None

Motion Carried

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Items Not Requiring Board Action.

Reports were given by the Sheriff, Jail Administrator, Emergency Management Coordinator and the 9-1-1 Director.

Moved by Schmidt, seconded by Bergstrom to accept the Public Safety Committee Minutes of July 13, 2016.

Motion Carried

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GREEN TEAM COMMITTEE MINUTES/JUNE 30, 2016

Brook Shafer presented the Green Team Committee Minutes of June 30, 2016.

RESOLUTION #2016-21 TO SUPPORT THE REGIONAL RESOURCE

RECOVERY PROJECT

RESOLUTION #2016-21

**Manistee County Board of Commissioners Resolution
To Support The Regional Resource Recovery Project**

At a regular meeting of the Manistee County Board of Commissioners held in the Manistee County Courthouse & Government Center, 415 Third Street, Manistee, Michigan, on the 19th day of July, 2016.

PRESENT: Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer

ABSENT: None

The following resolution was offered by Goodman, seconded by Shafer:

WHEREAS, the Manistee County Board of Commissioners, through its Green Team/Recycling Committee, established a priority to support development of a sustainable resource recovery program; and

WHEREAS, the Manistee County Recycling Coordinator, Ms. Sarah Archer, has worked with the Alliance for Economic Success (AES) to secure funding to design such a program; and

TUESDAY, JULY 19, 2016

WHEREAS, the AES has secured funding in a grant from the U.S. Department of Agriculture, Rural Development in the amount of \$30,000 in addition to \$5,000 made available by Manistee County; and

WHEREAS, Ms. Archer will be the project coordinator with the help and support of the AES and the project will involve phases to: identify collaborating units of government in Manistee and other Counties; quantify the rate and amounts of recycling; assess options for developing a sustainable resource recovery program; and take steps to help start up and support a recommended long-term solution;

WHEREAS NOW, THEREFORE BE IT RESOLVED, that the Manistee County Board of Commissioners fully supports this project and the participation in the project by Manistee County units of government and other Counties and units of government within the region.

Moved by Goodman, seconded by Shafer to adopt the above Resolution #2016-21 to Support the Regional Resource Recovery Project.

YEAS: 7 Bergstrom, Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer
NAYS: 0 None

Motion Carried

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Moved by Shafer, seconded by Bergstrom to accept the Green Team Committee Minutes of June 30, 2016.

Motion Carried

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REGIONAL SUMMIT COMMITTEE MINUTES/JULY 1, 2016

Brook Shafer presented the Regional Summit Committee Minutes of July 1, 2016.

No Action Items.

Items Not Requiring Board Action.

It was decided by the Committee that a proposed County-wide Road Millage would not be added to the agenda but rather a fact sheet and survey will be distributed to the attendees.

The agenda as well as the menu choices has been finalized for the 13th Regional Summit.

Moved by Bergstrom, seconded by Schmidt to accept the Regional Summit Committee Minutes of July 1, 2016.

TUESDAY, JULY 19, 2016

Motion Carried

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TREASURER'S REPORT

Russell Pomeroy, County Treasurer, addressed the letter from Maple Grove Township to Manistee County in regards to a lease that the County Road Commission has with a tenant for publicly owned buildings formerly the Manistee County Road Commission buildings in Kaleva and their options that were outlined in their letter. Since the buildings are now used for a private purpose, these buildings must be taxed in accordance with the law. Mr. Pomeroy indicated that it is the responsibility of the renter to pay the taxes and the responsibility of the Township to collect the taxes including delinquent taxes. As requested, Mr. Pomeroy will set up a meeting with the Maple Grove Township Supervisor, Mr. Kaminski, the County Road Commission (since it is their lease) and himself to see if the tax situation can be solved.

Mr. Pomeroy then presented his monthly report. As part of the report, Mr. Pomeroy presented the Annual Report of Balance in Land Sale Proceeds Accounts. The report indicates that the amount available for transfer to General Fund has increased at \$165,951 which is good. However, it is bad in the respect because it means foreclosures are increasing in Manistee County.

Mr. Pomeroy reported on the ongoing Principal Residence Exemption (PRE) court case, Hardenburgh v Manistee County Tax Tribunal. The Hardenburghs had filed an Application for Leave to Appeal at the Michigan Supreme Court. The Supreme Court recently issued an order denying the Application for Leave to Appeal and the case is now closed. However, the Hardenburghs have until July 19, 2016 to file a Motion for Reconsideration on the Application for Leave. Mr. Pomeroy will wait to hear if a Motion for reconsideration on the Application for Leave will be filed.

REVIEW AND CONSIDERATION TO ADOPT A TENTATIVE FY 2016/17

GENERAL FUND BUDGET TOTALING \$10,968,418 AND VARIOUS

SUPPLEMENTAL FUND BUDGETS TOTALING \$7,507,998

Mr. Kaminski presented a tentative FY 2016/17 General fund Budget and various Supplemental Fund Budgets based upon the recommendations made by County Administration, and discussion by the full Board at the Study Sessions held on June 17, 2016 and July 15, 2016. Once a tentative budget is adopted, it will be available for public review, and various amendments may be considered to the proposed budget after meeting with Department Supervisors, Elected Officials and funded agencies. A Public Hearing on the budget will be scheduled for Tuesday, August 17, 2016 Board meeting, after which a final budget will be adopted by Resolution, which will include setting tax levies and various budget related policies and procedures.

Moved by Schmidt, seconded by Hilliard to adopt the tentative FY 2016/17 General Fund

Budget in the amount of \$10,968,418; and a Supplemental Fund Budget of \$7,507,998.

YEAS: 7 Dontz, Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom
NAYS: 0 None

Motion Carried

TUESDAY, JULY 19, 2016

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MISCELLANEOUS CONTROLLER AND BOARD ITEMS

Moved by Shafer, seconded by Marshall to schedule budget study sessions/hearings for the purpose of further discussion on the FY 2016/17 County Budget on Monday, August 8, 2016 at 1 p.m. and on Tuesday, August 9, 2016 at 9:00 a.m. in the County Board of Commissioners Room

YEAS: 7 Goodman, Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz

NAYS: 0 None

Motion Carried

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Moved by Schmidt, seconded by Shafer to schedule a Special Board Meeting to consider an Affiliation Agreement between Manistee County and Munson Healthcare in regards to West Shore Medical Center on Monday, July 25, 2016 at 9:00 a.m. in the County Board of Commissioners Room.

YEAS: 7 Hilliard, Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman

NAYS: 0 None

Motion Carried

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U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION

ADMINISTRATION (FAA) AGREEMENT FOR TRANSFER OF

ENTITLEMENTS

Barry Lind, Manistee Blacker Airport Manager reported that the sponsorship issue and paperwork is nearing completion.

Mr. Lind explained an entitlement of \$164,390 of funds that have been apportioned are unable to be spent in the time period allotted. Therefore, the FAA is requesting the dollars be released back to them (FAA) to be redistributed to other airports for eligible projects under section 4710(a) Act.

Moved by Shafer, seconded by Schmidt to approve the U.S. Department of Transportation Federal Aviation Administration Agreement for Transfer of Entitlements and authorize the County Chair to sign the same.

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YEAS: 7 Marshall, Schmidt, Shafer, Bergstrom, Dontz, Goodman, Hilliard

NAYS: 0 None

Motion Carried

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PUBLIC COMMENT

None.

Adjourn at the Call of the Chair.

_____ Clerk