

WASHTENAW COUNTY BOARD OF COMMISSIONERS

Wednesday, April 1, 2009

RECORD OF PROCEEDINGS

An adjourned session of the Washtenaw County Board of Commissioners was held at the Administration Building, in the City of Ann Arbor, Michigan, on Wednesday, April 1, 2009.

The meeting was called to order at 7:29 p.m. by Rolland Sizemore, Chair of the Board.

MEMBERS PRESENT: Comms. Gunn, Irwin, Judge, Ouimet, Peterson, Ping, Prater, Schwartz, Sizemore,

and Smith.

MEMBERS ABSENT: Comm. Bergman

OTHERS PRESENT: County Administrator Bob Guenzel; Deputy County Administrators, Verna McDaniel

and David Behen; Corporation Counsel Curt Hedger; Jerry Clayton, County Sheriff; Brian Mackie, Prosecuting Attorney; Janis Bobrin, Water Resources Commissioner; Jennifer Watson, Support Services; Peter Ballios, Peter Collinson, Finance; Patricia Denig, Melissa Milton-Pung, Strategic Planning; Ellen Clement, Public Health; Greg Dill, Sheriff's Office; Richard Fleece, Environmental Services; Bob Tetens, Parks and Recreation; Diane Heidt, Human Resources; Ben Toole, ITS; Caryette Fenner, CSTS; Scott Patton, Joanna Bidlack, Administration; Jason Brooks, Clerk's Office; various

citizens; and members of the press.

Roll Call

Pledge of Allegiance

Approval of the Minutes of the Previous Meeting

Comm. Smith seconded by Comm. Prater moved that the minutes of the March 18, 2009, meeting of the Board of Commissioners be approved. Motion carried.

Citizen Participation

Tom Partridge stated that he was present at the last AATA Board meeting. He added that he is calling on the Board of Commissioners to pass a resolution requesting that the AATA Board of Directors review and rescind its two year hike in fares.

Commissioner Follow-Up to Citizen Participation

None

Communications

Comm. Gunn seconded by Comm. Ping moved that the communications be received and dealt with as recommended. Motion carried.

R-0053 RECEIVED: March 16, 2009. A resolution to Chairperson, Washtenaw County Board of Commissioners, from Joyua A. Bouldes, Acting Clerk of the Commission, Wayne County, Michigan, re: Request that the Governor and the Michigan legislature implement a plan to improve Michigan roads and highways, dated March 5, 2009. Received and filed.

R-0054 RECEIVED: March 16, 2009. A flyer to Chair, Washtenaw County Board of Commissioners, from the U.S. Department of Justice, re: Jurisdiction is eligible for Edward Byrne Memorial Justice Assistance Grant (JAG) funding. Received and filed, copied to Sheriff's Department.

R-0055 RECEIVED: March 18, 2009. A letter to Rolland Sizemore Jr., Chairperson, Washtenaw County Board of Commissioners, from Jan Godek, Lodi Township Supervisor, re: Importance of Washtenaw County Building Inspection Department to Lodi Township, dated February 9, 2009. Received and filed.

R-0056 RECEIVED: March 18, 2009. A resolution to the Washtenaw County Clerk, from Shari Gibbs, Deputy Clerk of the Board, Lake County, Michigan, re: Opposition to 50% reduction in funding for MSU Extension and the Michigan Agricultural Experiment Station, dated March 5, 2009. Received and filed.

R-0057 RECEIVED: March 18, 2009. A newsletter from the Michigan Association of Counties, re: MAC Legislative Update, dated March 13, 2009. Received and filed.

R-0058 RECEIVED: March 19, 2009. A letter to the Washtenaw County Board of Commissioners, from Jai B. Kim, , re: Improvement of structurally deficient bridges, dated March 6, 2009. Received and filed.

R-0059 RECEIVED: March 24, 2009. Resolutions to the Washtenaw County Clerk, from Daniel C. Krueger, Clerk of the Board of County Commissioners, Ottawa County, Michigan, re: Opposition to Senate Joint Resolution H, a proposal to amend Article IX, Section 3 of the 1963 Constitution of the State of Michigan and opposition to a 50% reduction of funding for MSU Extension and the Michigan Agricultural Experiment Station, dated March 12, 2009. Received and filed.

R-0060 RECEIVED: March 24, 2009. A letter to Chairperson, Washtenaw County Board of Commissioners, from Robert Cobb, Insurance Services Office (ISO), re: Survey of recent meeting regarding Building Code Effectiveness Grading, dated March 19, 2009. Received and filed, copied to Judy Kramer and Building Services for informational purposes/response.

Liaison Reports

None

Report of the Chair of the Board of Commissioners

Comm. Sizemore stated that he would like to compliment Bob Guenzel, Commissioner Ouimet and other Commissioners and staff involved in the Town Hall meetings.

Special Order of Business:

09-0050 Comm. Gunn seconded by Comm. Prater moved that the Proclamation honoring the Epsilon Chapter of the Alpha Phi Alpha Fraternity for "100 Years of Unquestionable Excellence" be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

Presentation of the Historic District Commission Preservation Awards (presented at Ways and Means)

Presentation of the Certification of Achievement for Excellence in Financial Reporting (presented at Ways and Means)

Reports of the Standing Committees

Comm. Gunn seconded by Comm. Prater moved that the following reports be received and approved: Administrative Briefing, dated March 11, 2009; Ways & Means, dated March 18, 2009; Working Session, dated March 19, 2009. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Reports of Special Committees

Comm. Gunn seconded by Comm. Prater moved that the following reports be received: Brownfield Redevelopment Authority, dated February 12, 2009; Concealed Weapon Licensing Board, dated March 16, 2009 and February 18, 2009; Local Emergency Planning Commission, dated December 11, 2008; Police Services Steering Committee, dated January 7, 2009; Social Services Board, dated February 24, 2009 be adopted. Motion carried. (Complete reports are on file in the County Clerk/Register's Office.)

Other Reports

Comm. Gunn seconded by Comm. Prater moved that the following reports be received:

- -Comprehensive Annual Financial Report and Management Letter for the Year Ended December 31, 2008
- -Washtenaw County Building Authority Financial Statements for the Year Ended December 31, 2008
- -Washtenaw County Department of Public Works Projects Financial Statements for the Year Ended December 31, 2008
- -Washtenaw County Drain Commissioner Financial Statements for the Year Ended December 31, 2008

- -Washtenaw County Employee Retirement System Financial Statements for the Year Ended December 31, 2008
- -Washtenaw County Money Purchase Pension Plan Financial Statements for the Year Ended December 31, 2008
- -Washtenaw County Voluntary Employees Beneficiary Association Financial Statements for the Year Ended December 31, 2008
- -Washtenaw County Community Support & Treatment Services Financial Statements for the Year Ended September 30, 2008
- -Washtenaw County Michigan Single Audit for the Year Ended December 31, 2008
- -Washtenaw County Employment Training and Community Services Fund Financial Statements and single Audit for the Year Ended December 31, 2008

Motion carried.

Report of the Treasurer

None

Appointments:

09-0051 Comm. Gunn seconded by Comm. Prater moved that the resolution appointing an Interim Public Health Officer be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

09-0052 Comm. Gunn seconded by Comm. Prater moved that the resolution appointing Commissioners to various boards, committees, and commissions be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

Report of the County Administrator

Executive Session - Labor Relations Discussion

Comm. Gunn seconded by Comm. Peterson moved to amend the agenda to locate the "Report of the County Administrator" after the second "Commissioner Follow up to Citizen Participation." Motion carried.

Resolutions:

Ways & Means - March 18, 2009

09-0053 Comm. Gunn seconded by Comm. Prater moved that the resolution authorizing the County Administrator to sign the ETCS, Michigan Department of Human Services, Low Income Home Energy Assistance Program (LIHEAP) Crisis Assistance (LCA) Deliverable Fuel Agreement, in the amount of \$20,171 for the period of February 1, 2009 through September 30, 2009; approving the budget; authorizing the Administrator to sign the delegate contracts be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

09-0054 Comm. Gunn seconded by Comm. Prater moved that the resolution authorizing the Chair of the Board of Commissioners to sign the application to the Department of health and Human Services for the Head Start Program, a program of excellence, for the period of August 1, 2009 through July 31, 2010 in the amount of \$4,821,046; authorizing the County Administrator to sign the notice of grant award; approving the 2009-2010 Head Start budget; and authorizing the County Administrator to sign delegate contracts be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

09-0055 Comm. Gunn seconded by Comm. Prater moved that the resolution adopting an intergovernmental agreement to create an Aerotropolis Development Corporation through the Urban Cooperation Act (P.A. 7 of 1967) be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

Ways & Means - April 1, 2009

09-0056 Comm. Gunn seconded by Comm. Prater moved that the resolution pledging the Full Faith and Credit of the County of Washtenaw within constitutional limitations for the payment of the bond of the Michigan Avenue East Central Area Drain Drainage District be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

New Business:

09-0057 Comm. Gunn seconded by Comm. Prater moved that the resolution to accept comments from the Washtenaw County Planning Advisory Board on the Freedom Township Master Plan Amendment and direct the County Clerk to send comments to Freedom Township and the contiguous Local Units of Government be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

Approval of Claims

09-0058 Comm. Gunn seconded by Comm. Prater moved that the resolution authorizing payment of claims commencing with the last previously approved claim and continuing through the date of March 20, 2009 be adopted. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

FUND	DESCRIPTION	SYS CHE		UTILIT	TES	CRE CAR		EXCEPTION & PRE-CLAIMS		
1010	GENERAL FUND	\$	-	\$	-	\$	-	\$ 150.11		
0	TOTALS	\$	-	\$	-	\$	-	\$ 150.11		

Items for Current/Future Discussion

Comm. Judge stated that she toured the Zeeb Road location. She added that she was touched by the staff that wanted to discuss their duties.

Citizen Participation

Gene DeRossett stated that he has started as Court Administrator at the 14A District Court. He added that he is looking forward to working with the 19 agencies that interact with the Court.

Commissioners Follow-up to Citizen Participation

Comm. Smith stated that he welcomes Mr. DeRossett.

Report of the County Administrator

Executive Session – Labor Relations Discussion

Comm. Prater seconded by Comm. Gunn moved to enter Executive Session for the purpose of labor relation discussion and strategy for negotiations. Roll call vote: YEAS: 10 NAYS: 0 ABSENT: 1 (Comm. Bergman). Motion carried.

The meeting adjourned to Executive Session at 7:44 p.m.

The meeting reconvened at 9:09 p.m.

Board Approved: 04/15/09

Adjournment

Comm. Ping seconded by Comm. Prater moved to adjourn until Wednesday, April 15th, 2009, at 6:45 p.m. in the Board Room, Washtenaw County Administration Building. Motion carried.

The meeting adjourned at 9:09 p.m.	
	Rolland Sizemore Jr., Chair
Lawrence Kestenbaum, Clerk/Register By: Jason Brooks, Deputy Clerk	

A PROCLAMATION

HONORING THE EPSILON CHAPTER OF THE ALPHA PHI ALPHA FRATERNITY FOR "100 YEARS OF UNQUESTIONABLE EXCELLENCE"

WHEREAS, The Alpha Phi Alpha Fraternity, Inc., the first intercollegiate fraternity for African-Americans, was established on December 4, 1906 in Ithaca, New York by seven young men who identified the need for a strong bond of brotherhood among African descendants in the United States; and

WHEREAS, in 2006, the Alpha Phi Alpha Fraternity, Inc. celebrated its centennial with a membership of more than 175,000 men, 350 college campus chapters, and 350 alumni chapters in 44 states, the District of Columbia, Africa, Asia, the Caribbean, and Europe; and

WHEREAS, on April 10, 2009 the Epsilon Chapter of Alpha Phi Alpha Fraternity, Inc., chartered at the University of Michigan, will celebrate its own centennial, marking "100 Years of Unquestionable Excellence: Looking Back, But Moving Ever Forward"; and

WHEREAS, the Epsilon Chapter was the fifth Alpha Phi Alpha chapter to be established and the oldest Black Greek lettered organization in the state of Michigan; and

WHEREAS, the Epsilon Chapter continues the legacy of brotherhood, scholarship, leadership and service that was set forth by its founders, and supports efforts toward the Fraternity's goal to correct educational, economic, political, and social injustices faced by African Americans; and

NOW THEREFORE BE IT RESOLVED, that the Washtenaw County Board of Commissioners recognizes the Alpha Phi Alpha Fraternity, Inc. Epsilon Chapter on this occasion of its centennial celebration and commends the Fraternity for its efforts on behalf of students of color at the University of Michigan.

Rolland Sizemore Jr.
Chairman
Washtenaw County Board of Commissioners

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY **ROLL CALL VOTE: TOTALS** 10 0

STATE OF MICHIGAN

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on April 1, 2009, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2nd day of April, 2009.

COUNTY OF WASHTENAW)SS.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerk
	COMMAND TO THE PROPERTY OF THE

A RESOLUTION APPROVING THE APPOINTMENT OF RICHARD FLEECE, B. S., R.S. AS INTERIM ADMINISTRATIVE HEALTH OFFICER FOR THE PUBLIC HEALTH DEPARTMENT EFFECTIVE MAY 1, 2009

WASHTENAW COUNTY BOARD OF COMMISSIONERS

April 1, 2009

WHEREAS, the Public Health Department has been headed by Ellen Clement since November 6, 1996 who is resigning in May 2009; and

WHEREAS, the Public Health Code, PA 368 of 1978 MCL 333.2428 requires that Health Officer appointments be made by the local governing entity, in this case the Board of Commissioners; and

WHEREAS, prior to final appointment, the Michigan Department of Community Health must approve the qualifications of the Health Officer as established by law; and

WHEREAS, Richard Fleece has 34 years of experience in public health including 15 years as Environmental Health Director, administering a broad range of public health programs and fully meets the state requirement for local Health Officer; and

WHEREAS, the County Administrator recommends the appointment of Richard Fleece; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, Human Resources, the County Administrator's Office and the Ways & Means Committee

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby approves the appointment of Richard Fleece as Interim Administrative Health Officer effective May 1, 2009 subject to the approval of qualifications by the Michigan Department of Community Health.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X		, and the second				

ROLL CALL VOTE: TOTALS CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY 10 0

STATE OF MICHIGAN

COUNTY OF WASHTENAW)SS.

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In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2nd day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerk
	00017

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMITTEES, COMMISSIONS AND AGENCIES FOR VARIOUS TERMS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

April 1, 2009

WHEREAS, various appointments to boards, committees, commissions and external agencies are scheduled to be made each year; and

WHEREAS, vacancies exist on four boards, committees, and commissions for commissioner representation; and

NOW THEREFORE BE IT RESOLVED that the Chair of the Board Commissioners hereby confirms the appointments of the following commissioners to the following Boards, Committees, Commissions and agencies for various term expiration dates:

Board/Committee/Commission	Term Expiration	Positions
Economic Development Corporation	12/31/2013	1) Conan Smith
Emergency Medical Services (EMS) Commission	12/31/2009	1) Kristin Judge
Local Emergency Planning Committee	12/31/2009	1) Wes Prater
Planning Advisory Board	12/31/2009	Ken Schwartz Barbara Bergman

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY					ROI	LL CA	LL V	OTE: TOTALS	10	0	1
Judge	X			Prater	X						
Irwin	X			Ping	X			Smith	X		
Gunn	X			Peterson	X			Sizemore	X		
Bergman			X	Ouimet	X			Schwartz	X		
COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

STATE OF MICHIGAN

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on April 1, 2009, as it appears of record in my office.

COUNTY OF WASHTENAW)SS.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2nd day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerl

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE ETCS, MICHIGAN DEPARTMENT OF HUMAN SERVICES, LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) CRISIS ASSISTANCE (LCA) DELIVERABLE FUEL AGREEMENT, IN THE AMOUNT OF \$20,171 FOR THE PERIOD OF FEBRUARY 1, 2009 THROUGH SEPTEMBER 30, 2009; APPROVING THE BUDGET; AUTHORIZING THE ADMINISTRATOR TO SIGN THE DELEGATE CONTRACTS

WASHTENAW COUNTY BOARD OF COMMISSIONERS

April 1, 2009

WHEREAS, ETCS has been allocated \$20,171 by the Michigan Department of Human Services for the period of February 1, 2009 through September 30, 2009; and

WHEREAS, these funds are for the Low Income Home Energy Assistance Program (LIHEAP) Crisis Assistance (LCA) program to provide non-metered deliverable fuels; and

WHEREAS, ETCS is the administering agency for Community Action Program services in Washtenaw County and these funds are necessary for the delivery of services to customers in need of emergency assistance; and

WHEREAS, these funds are to be used for eligible customers, who are at, or below the 60% of the State Average Medium Income Estimate; and

WHEREAS, these Michigan Department of Human Services LIHEAP Deliverable Fuel funds are to be used to provide emergency provision of deliverable fuels; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, the Human Resources Department, the County Administrator's Office, and the Ways and Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby ratifies the County Administrator's signature on the agreement with the State of Michigan Department of Human Services LIHEAP Crisis Assistance Program, in the amount of \$20,171 for the period of February 1, 2009 through September 30, 2009, as on file with the County Clerk

BE IT FURTHER RESOLVED that the Board of Commissioners takes the following actions contingent upon receipt of the grant award in conformity with the application:

- 1. Authorizing the County Administrator to sign the Agreement
- 2. Amending the budget as attached hereto and made a part hereof
- 3. Authorizing the Administrator to sign the delegate contract upon review of Corporation Counsel to be filed with the County Clerk

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	Α
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE: TOTALS

10 0

STATE OF MICHIGAN

COUNTY OF WASHTENAW)SS.

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In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2nd day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerk
	COULT TO SERVICE STATE OF THE

A RESOLUTION AUTHORIZING THE CHAIR OF THE BOARD OF COMMISSIONERS TO SIGN THE APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE HEAD START PROGAM, A PROGRAM OF EXCELLENCE, FOR THE PERIOD OF AUGUST 1, 2009 THROUGH JULY 31, 2010 IN THE AMOUNT OF \$4,821,046; AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN THE NOTICE OF GRANT AWARD; APPROVING THE 2009-2010 HEAD START BUDGET; AND AUTHORIZING THE COUNTY ADMINISTRATOR TO SIGN DELEGATE CONTRACTS

April 1, 2009

WHEREAS, Washtenaw County has administered the Head Start program, a Program of Excellence, for eligible children and their families in Washtenaw County for forty—three (43) years; and

WHEREAS, the Head Start program serves 561 children of which 262 will be served by Washtenaw County either directly or through child care partnerships and 299 through three delegate programs; and

WHEREAS, 2009-2010 is the second year in the three-year grant cycle 2008-2011; and

WHEREAS, the Head Start Management Team will ensure compliance with all regulations; and

WHEREAS, the federal grant of \$3,539,557 will be used for child development, health, training and technical assistance and family services; and

WHEREAS, required local match will be provided by the County General Fund in the amount of \$867,565 as well as \$413,924 in-kind contributions from Head Start parents, delegates and community volunteers; and

WHEREAS, in addition to the Federal grant application, expenditures for the food program are projected to be reimbursed by the U.S. Department of Agriculture in the amount of \$140,354; and

WHEREAS, this matter has been reviewed and approved by the Head Start Policy Council, the County Administrator's Office, Corporation Counsel, the Office of Finance, Human Resources, and the Ways and Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the Chair of the Board of Commissioners to sign the application to the Department of Health and Human Services for the Head Start Program, a Program of Excellence, for the period of August 1, 2009 through July 31, 2010 in the amount of \$4,821,046 to be filed with the County Clerk.

BE IT FURTHER RESOLVED that the Board of Commissioners takes the following actions contingent upon receipt of the grant award in conformity with the application:

- 1. Authorizing the Chair of the Board of Commissioners to sign the application to the Department of Health and Human Services for the Head Start program
- 2. Authorizing the County Administrator to sign the Notice of Grant Award
- 3. Amending the budget, as attached hereto and made a part hereof
- 4. Authorizing the County Administrator to sign the delegate contracts upon review of Corporation Counsel, to be filed with the County Clerk.

COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	A
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on April 1, 2009, as it appears of record in my office.

COUNTY OF WASHTENAW)SS.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2nd day of April, 2009.

LAWRENCE	KESTENBAUM,	Clerk/Register

BY:	
	Deputy Clerk
	C0UN)

A RESOLUTION ADOPTING AN INTERGOVERNMENTAL AGREEMENT TO CREATE AN AEROTROPOLIS DEVELOPMENT CORPORATION THROUGH THE URBAN COOPERATION ACT (P.A. 7 OF 1967).

WASHTENAW COUNTY BOARD OF COMMISSIONERS

April 1, 2009

WHEREAS, the Washtenaw County Board of Commissioners supports regional efforts to provide jobs for county residents and revitalize the eastern portion of the county; and

WHEREAS, through the Urban Cooperation Act, the county is enabled to partner with neighboring jurisdictions to promote job growth throughout Washtenaw County and revitalize the eastern portion of the county; and

WHEREAS, the creation of an Aerotropolis Development Corporation is designed to accelerate job formation and revitalization through the development of an Aerotropolis master development plan, infrastructure development, design standards, site selection, marketing, business attraction and streamlined incentives and development approval processes; and

WHEREAS, development of airport-related businesses in western Wayne and eastern Washtenaw counties is consistent with community goals and objectives to provide jobs for our residents, make efficient use of existing infrastructure and promote the use of mass transit as adopted in the Comprehensive Plan for Washtenaw County; and

WHEREAS, this matter has been reviewed by Corporation Counsel, the Finance Department, the Human Resources Department, the County Administrator's Office, and the Ways and Means Committee.

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners adopts the Intergovernmental Agreement to create the Aerotropolis Development Corporation and authorizes the Chair of the Board of Commissioners to sign the Agreement.

BE IT FURTHER RESOLVED that the Washtenaw County Board of Commissioners approves the annual membership fees to be paid out of ETCS funds directed toward economic development in the eastern portion of Washtenaw County.

BE IT FURTHER RESOLVED that should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

ROLL CALL VOTE: TOTALS CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY 10 0 1

STATE OF MICHIGAN

COUNTY OF WASHTENAW)SS.

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In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2nd day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerk
	COUNTY COUNTY
	1826

COUNTY OF WASHTENAW

At a regular meeting of the Board of Commissioners of the County of Washtenaw, Michigan (the "County") held at the Washtenaw County Commissioners' Chambers, Washtenaw County Administration Building, Ann Arbor, Washtenaw County, Michigan (the "County") on April 1, 2009 at 6:45 p.m., Eastern Standard Time there were:

PRESENT: Comms. Gunn, Irwin, Judge, Ouimet, Peterson, Ping, Prater,

Schwartz, Sizemore, and Smith

ABSENT: Comm. Bergman

The following preamble and resolution were offered by Comm. Gunn and seconded by Comm. Prater:

RESOLUTION PLEDGING THE FULL FAITH AND CREDIT OF THE COUNTY OF WASHTENAW, WITHIN CONSTITUTIONAL LIMITATIONS, FOR THE PAYMENT OF THE BOND OF THE MICHIGAN AVENUE EAST CENTRAL AREA DRAIN DRAINAGE DISTRICT DESCRIBED IN THE BOND RESOLUTION ATTACHED TO THIS RESOLUTION

WASHTENAW COUNTY BOARD OF COMMISSIONERS

April 1, 2009

WHEREAS, the Washtenaw County Water Resources Commissioner (the "Commissioner") has completed the necessary proceedings for making certain improvements in the MICHIGAN AVENUE EAST CENTRAL AREA DRAIN DRAINAGE DISTRICT (the "District") which will involve the construction of a storm drain within Pittsfield Charter Township designated as the Michigan Avenue East Central Area Drainage District Project (the "Project"); and

WHEREAS, the Drainage Board for the District has approved a "Bond Resolution" authorizing the issuance of not to exceed \$1,720,000 in a Bond (the "Bond") with interest at a rate not to exceed the rate of 8% per annum pursuant to Chapter 20 of Act No. 40, Michigan Public Acts of 1956 as amended (the "Drain Code"), maturing finally on April 1, 2029, a copy of which is attached to this resolution; and

WHEREAS, the estimated cost of the Project is \$1,865,000.00 which has been apportioned against Pittsfield Charter Township, the County of Washtenaw, and the State of Michigan (the "Public Corporations"), all pursuant to the Drain Code; and

WHEREAS, the State of Michigan and the County of Washtenaw will prepay their share of the cost of the Project; and

WHEREAS, to defray part of the cost of the Project, the Water Resources Commissioner, on behalf of the District, proposes to issue up to \$1,720,000 principal amount of a bond of the District, and to pledge the full faith and credit of the Drainage District, to be designated as set forth in the title of this resolution (the "Bond"), with interest at the rate of not more than 8% per annum, pursuant to the Drain Code, maturing each year as follows:

<u>Maturing</u>	<u>Amount</u>
April 1, 2010	\$50,000
April 1, 2011	55,000
April 1, 2012	55,000
April 1, 2013	60,000
April 1, 2014	65,000
April 1, 2015	65,000
April 1, 2016	70,000
April 1, 2017	70,000
April 1, 2018	75,000
April 1, 2019	80,000
April 1, 2020	85,000
April 1, 2021	90,000
April 1, 2022	95,000
April 1, 2023	100,000
April 1, 2024	105,000
April 1, 2025	110,000
April 1, 2026	115,000
April 1, 2027	120,000
April 1, 2028	125,000
April 1, 2029	130,000
•	

WHEREAS, the Bond is to be made payable out of the assessments against Pittsfield Charter Township assessed pursuant to the Drain Code; and

WHEREAS, the Board of Commissioners, pursuant to said Drain Code, is authorized by vote of two-thirds of its members to pledge its full faith and credit of the County of Washtenaw for the payment of the Bond, within constitutional limitations;

NOW THEREFORE BE IT RESOLVED as follows:

- 1. The limited tax full faith and credit of the County is hereby pledged for the prompt payment of the principal of and interest on the Bond. In case of any deficiency in the assessments to be made to pay the principal of and interest on the Bond as and when due, the County shall pay the amount of such deficiency out of its general funds as a first budget obligation and, if necessary, shall levy ad valorem taxes for such purposes against all taxable property within its limits, subject to constitutional and statutory limitations provided, however, that if it is necessary to reimburse the County for money it is obligated to advance, it shall be the duty of the Commissioner to at once levy an additional assessment as herein before provided as such an amount as will make up the deficiency pursuant to the Drain Code, Section 280, M.C.L. 280.280.
 - 2. If required to do so, the County Administrator is authorized and directed to:
 - (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Bonds;
 - (b) file with such application all required supporting material; and
 - (c) pay all fees required in connection therewith.
- 3. All previous resolutions of the Board of Commissioners of the County, or parts thereof, that are inconsistent with this resolution are hereby rescinded.

COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	Α
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN

COUNTY OF WASHTENAW)^{SS.}

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on April 1, 2009, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2^{nd} day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerk
	1820

BOND RESOLUTION

WHEREAS, the Board for the District, by resolution, has approved the establishment, location, acquisition and construction of an intracounty drain designated by the Board as the "Michigan Avenue East Central Area Drain" (the "Project") for the purpose of providing storm drainage to the District which lies wholly within Pittsfield Charter Township and the County of Washtenaw (the "County"), Michigan; and

WHEREAS, pursuant to a resolution of the Board, the following Public Corporations have been apportioned the cost to establish, locate, acquire, construct and finance the Project and have been assessed by the Board in the amounts set forth all as follows:

Total Estimated Cost of

Project: \$1,865,000

Name of Public State
Corporation of

To be Assessed Pittsfield County Michigan Charter of Dept. of

<u>Township</u> <u>Washtenaw</u> <u>Transportation</u>

Percentage Apportioned to

Public Corporation to be

Assessed: 92.493% 2.562% 4.945%

Amount of Assessment

against Public

Corporation Based \$1,724,994.45 \$47,781.30 \$92,224.25

Upon Percentage of Apportionment:

Less Prepayments: \$4,994.45 \$47,781.30 \$92,224.25

Name of Public State
Corporation of

To be Assessed Pittsfield County Michigan Charter of Dept. of

Township Washtenaw Transportation

Amount to be Collected

in Installments: \$1.720,000.00 \$0.00 \$0.00

WHEREAS, the Board desires to issue bonds of the District in the maximum aggregate principal amount of \$1,720,000 in anticipation of the payment of such assessments against Pittsfield Charter Township (the "Public Corporation"), all pursuant to Chapter 20 of Act No. 40, Michigan Public Acts of 1956, as amended (the "Act"); and

WHEREAS, the amounts of the several installments of principal of and interest on the assessment made by this Board will not be less than the semi-annual principal and interest due on such bonds;

NOW, THEREFORE, IT IS RESOLVED as follows:

1. <u>Bond Details</u>. Bonds of the District in the maximum aggregate principal amount of \$1,720,000 shall be issued for the purpose of defraying a portion of the cost of

establishing, locating, acquiring, constructing and financing the Project. The Bonds shall be issued in substantially the form of APPENDIX A to this resolution. The Bonds are hereby designated and shall be known as "Michigan Avenue East Central Area Drain Drainage District Bonds, Series 2009 (the "Bonds"). Bonds initially issued shall be dated April 1, 2009 or such later date on or before April 1, 2010 as the Chair of the Board or any member or members of the Board designated by him or her in writing (together the "Authorized Officers" and each an "Authorized Officer") shall provide in the Request for Proposal of the Bonds (the "Request for Proposal"). Bonds issued thereafter shall bear interest from their date of issue. The Bonds shall be fully registered Bonds, both as to principal and interest, in any denomination which is \$5,000 or any integral multiple thereof, numbered from 1 upwards, and shall mature on April 1 in each year as follows:

YEAR	PRINCIPAL	YEAR	PRINCIPAL	YEA	R PI	RINCIPAL
2010	\$50,000	2017	\$ 70,000	2024	\$105,0	000
2011	55,000	2018	75,000	2025	110,00	00
2012	55,000	201	19 80	,000	2026	115,000
2013	60,000	202	20 85	,000	2027	120,000
2014	65,000	202	21 90	,000	2028	125,000
2015	65,000	202	22 95	,000	2029	130,000
2016	70,000	202	23 100	0,000		

- 2. <u>Interest Payment and Date of Record.</u> The Bonds shall bear interest payable October 1, 2009, and each April 1 and October 1 thereafter, until maturity, which interest rate shall not exceed 8% per annum. Interest shall be paid by check or draft mailed by first class mail to the registered owner of each Bond as of the applicable date of record. The date of record for each payment of interest shall be the 15th day of the month preceding the date such payment is due.
- 3. <u>Prior Redemption</u>. Bonds maturing prior to April 1, 2017, shall not be subject to redemption prior to maturity. Bonds maturing on and after April 1, 2017 shall be subject to redemption in whole or in part on any date on and after April 1, 2016, and in any order, at the option of the District, at par, plus accrued interest to the date fixed for redemption.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption, if different than otherwise provided in the Bond Resolution. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the bond registrar to redeem the same.

4. <u>Capitalized Interest</u>. Up to twelve months of the interest payable on the Bonds may be capitalized and paid from bond proceeds, subject to and in light of the facts in existence upon the sale of the Bonds.

- 5. <u>Discount</u>. The Bonds may be offered for sale at a discount of not to exceed 2%.
- 6. Reduction in Aggregate Amount of Bonds. In the event bids received for construction of the Project shall be less than the estimate, the District shall reduce the principal amount of and individual maturities on the Bonds in such manner as an Authorized Officer may order in writing and the Request for Proposal shall be correspondingly altered.
- Bond Registrar and Paying Agent/Book Entry Depository Trust. The Authorized Officer shall designate and may enter into an agreement with a bond registrar and paying agent for the Bonds (sometimes referred to as the "Bond Registrar") which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The Authorized Officer from time to time as required may designate a similarly qualified successor bond registrar and paying agent. The Bonds shall be deposited with a depository trustee designated by the Authorized Officer who shall transfer ownership of interests in the Bonds by book entry and who shall issue depository trust receipts or acknowledgements to owners of interests in the Bonds. Such book entry depository trust arrangement, and the form of depository trust receipts or acknowledgements, shall be as determined by the Authorized Officer after consultation with the depository trustee. The depository trustee may be the same as the Bond Registrar otherwise named by the Authorized Officer and the Bonds may be transferred in part by depository trust and in part by transfer of physical certificates as the Authorized Officer may determine.
- 8. <u>Transfer or Exchange of Bonds.</u> Any Bond shall be transferable on the bond register maintained by the Bond Registrar with respect to the Bonds at any time prior to the applicable date of record preceding an interest payment date upon the surrender of the Bond together with an assignment executed by the registered owner of his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned Bond, the Bond Registrar shall authenticate and deliver a new Bond or Bonds in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

Bonds may likewise be exchanged at any time prior to the applicable date of record preceding an interest payment date for one or more other Bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the registered owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions, the Bond Registrar shall authenticate and deliver a new Bond or Bonds to the registered owner of the Bond or his or her properly designated transferee or transferees or attorney.

The Bond Registrar shall not be required to honor any transfer or exchanged of Bonds during the period from the applicable date of record preceding an interest payment date to such interest payment date. Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid by the District. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

9. <u>Execution and Delivery.</u> The Chair of the Board and one other member of the Board are authorized and directed to execute the Bonds for and on behalf of the

District by manually executing the same or by causing their facsimile signatures to be affixed. If facsimile signatures are used, the Bonds shall thereafter be authenticated by the Bond Registrar, as authenticating agent. The Bonds shall be sealed with the seal of the District or a facsimile thereof shall be imprinted thereon. When so executed and (if facsimile signatures are used) authenticated, the Bonds shall be delivered to an Authorized Officer, who thereafter shall deliver the same to the purchaser upon receipt in full of the purchase price for the Bonds.

- 10. Full Faith and Credit of County. The Bonds are to be issued pursuant to the provisions of the Act in anticipation of, and are primarily payable from, collections of assessments assessed against the Public Corporation and property in the District. Pursuant to a resolution adopted (or to be adopted before the Bonds are issued) by a 2/3 vote of the members elect of its Board of Commissioners, the County has pledged its limited tax full faith and credit for the prompt payment of the principal of an interest on the Bonds as the same shall become due. The ability of the County to raise funds with which to meet such pledge is subject to applicable statutory and constitutional tax limitations. In addition, the Board hereby pledges the full faith and credit of the District for the prompt payment of the principal of and interest on the Bonds. Neither the Board nor the District has the power to levy ad valorem taxes for the payment thereof.
- 11. <u>Bond Payment Fund.</u> The District shall establish a separate fund to be designated "Michigan Avenue East Central Area Drainage District Project Bond Payment Fund" (the "Bond Payment Fund"). All accrued interest and premium, if any, received from the purchaser of the Bonds and all amounts (including both principal and interest) at any time received in payment of the assessment against the Public Corporation shall be deposited in the Bond Payment Fund; provided, however, that if and whenever the payments received from the Public Corporation (including both principal and interest) exceed the amount required to pay the principal of and interest on the Bonds, the amount of such excess shall be deposited in the Project Fund (as hereinafter defined).

Moneys in the Bond Payment Fund shall be used solely to pay principal of and premium, if any, and interest on the Bonds.

Moneys in the Bond Payment Fund may be continuously invested and reinvested in any legal investment for District funds, which shall mature, or which shall be subject to redemption by the holder thereof not later than, the dates when moneys in the Bond Payment Fund will be required to pay the principal of and interest on the Bonds. Obligations purchased as an investment of moneys of the Bond Payment Fund shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credit to such fund.

12. <u>Project Fund.</u> Except for amounts required by this resolution to be deposited in the Bond Payment Fund, the proceeds from the sale of the Bonds shall be deposited in a separate fund to be designated "Michigan Avenue East Central Area Drainage District Project Fund" (the "Project Fund").

Moneys at any time in the Project Fund shall be used solely to pay costs of the Project or to reimburse the District for any costs of the Project paid before the Bonds are delivered, (including any moneys advanced by Pittsfield Charter Township) except that upon payment (or provision for payment) in full of the costs of the Project any excess moneys remaining in the Project Fund shall be transferred to the Bond Payment Fund (if any Bonds are outstanding) or applied as required by law.

Moneys in the Project Fund may be continuously invested and reinvested in any legal investment for District funds, which shall mature, or which shall be subject to redemption by the holder thereof not later than, the estimated dates when moneys in the Project Fund will be required to pay costs of the Project. Obligations purchased as an investment of moneys in the Project Fund shall be deemed at all times to be a part of the Project Fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

13. <u>Mutilated, Lost, Stolen or Destroyed Bonds.</u> In the event any Bond is mutilated, lost, stolen or destroyed, the Chair of the Board and any other members of the Board may, on behalf of the District, execute and deliver, or order the Bond Registrar to authenticate and deliver, a new Bond having a number not then outstanding, of like date, maturity, interest rate and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Bond Registrar. In the case of a lost, stolen or destroyed Bond a replacement Bond shall not be delivered unless and until the District and the Bond Registrar shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument bond for principal and interest remaining unpaid on the lost, stolen or destroyed Bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the District and the Bond Registrar against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond in connection therewith; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the District and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the District.

- 14. <u>Arbitrage and Tax Covenants</u>. Notwithstanding any other provision of this resolution, the District covenants that it will not at any time or times:
- (a) Permit any proceeds of the Bonds or any other funds of the District or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) in a manner which would result in the exclusion of any Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Bond as a "private activity bond" within the meaning of Section 141(a) of the Code, as a "private loan bond" within the meaning of Section 141(a) of the Code or as an obligation guaranteed by the United States of America within the meaning of Section 149(b) of the Code; or
- (b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Bonds to be includible in gross income for federal income tax purposes, cause the interest on the Bonds to be includible in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Bonds to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code, or (ii) adversely affect the exemption of the Bonds and the interest thereon from the State of Michigan income taxation.

- 15. Qualified Tax-Exempt Obligations. The Bonds are designated as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, unless, at the time the Request for Proposal is circulated, the Bonds have been determined to be ineligible to be so designated on the basis of the District's reasonable expectations at the time of such circulation. In such event, the Request for Proposal shall be changed appropriately and the Bond shall there be so designated.
 - 16. <u>Defeasance or Redemption of Bonds.</u> If at any time,
 - (a) the whole amount of the principal of and interest on all outstanding Bonds shall be paid, or
 - (b) (i) sufficient moneys, or Government Obligations (as defined in this section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys, to pay the whole amount of the principal of and premium, if any, and interest on all outstanding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding bonds shall have been duly called for redemption (or irrevocable instructions to call such Bonds for redemption shall have been given)

then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the District shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest on the Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the District and considered excess proceeds of the Bonds. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within 30 days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be given to the registered holders thereof not more than sixty (60) days nor less that forty-five (45) days prior to the redemption thereof setting forth (x) the date or dates, if any, designated for the redemption of the Bonds, (y) a description of the moneys or Government Obligations so held by it and (z) that the District has been released from its obligations under this resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of and premium, if any, and interest on the Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by an Authorized Officer and (c) at the time of its appointment and so long as it is serving as such, have at least \$25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

- 17. <u>Filing with Municipal Finance Division.</u> The Chief Administrative Officer of the District, if necessary is authorized and directed to:
 - (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Bonds;
 - (b) file with such application all required supporting material; and
 - (c) pay all fees required in connection therewith.
- 18. Negotiated Sale Request for Proposal. The District hereby determines that in order to save the cost of publication of an Official Request for Proposal that it will sell the bonds at a negotiated sale after solicitation of proposals from prospective purchasers by its Financial Consultant. The District's Financial Consultant is authorized to solicit proposals from at least twenty-five prospective purchasers and to circulate a Request for Proposal at least seven days prior to the date fixed for receipt of proposals for the purchase of the Bonds. The Request for Proposal shall be in substantially the form attached to this resolution as APPENDIX B with such changes therein as are not inconsistent with this resolution and as are approved by the Chair of the Board or any other Authorized Officer after conferring with Bond Counsel. The Financial Consultant is hereby designated to act for and on behalf of the District to receive proposals for the purchase of the Bonds and to take all other steps necessary in connection with the sale and delivery thereof.
- 19. <u>Retention of Bond Counsel.</u> The firm of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the District in connection with the issuance, sale and delivery of the Bonds.
- 20. <u>Retention of Financial Consultants.</u> Municipal Financial Consultants Incorporated, Grosse Pointe Farms, Michigan, is hereby retained to act as financial consultant and advisor to the District in connection with the sale and delivery of the Bonds.
- 21. <u>Conflicting Resolutions.</u> All resolutions of the Board, or parts of such resolutions, in conflict with this resolution are hereby rescinded.

A roll-call vote on the foregoing re	solution was taken and was as follows:
YES:	
NO:	
ABSTAIN:	
ABSENT:	
THE RESOLUTION WAS DECLA	RED ADOPTED.
There being no further business of adopted, the meeting was adjourned at _	on motion duly made, seconded, and unanimously _:m., Eastern Standard Time.
	Janis A. Bobrin, Chair of the Drainage Board as aforesaid
CERTIFICATION	
the Drainage Board for the Michigan Av	ing is a true and complete copy of proceedings of venue East Central Area Drain Drainage District, eeting above indicated, the original of which is on
	Janis A. Bobrin Chair of the Drainage Board as aforesaid

las.r5-was145

[APPENDIX A - FORM OF BOND]

UNITED STATES OF AMERICA STATE OF MICHIGAN COUNTY OF WASHTENAW

MICHIGAN AVENUE EAST CENTRAL AREA DRAIN DRAINAGE DISTRICT BONDS, SERIES 2009

MATURITY DATE DATE OF ISSUANCE COSIF	
REGISTERED OWNER:	:===
PRINCIPAL AMOUNT:	
FOR VALUE RECEIVED, the Michigan Avenue East Central Area Drainage District, Washtenaw County, Michigan (the "District") hereby acknowlitself indebted and promises to pay on the Maturity Date specified above, unlead the principal Amount shown above upon presentation and sure of this Bond at the principal Amount shown above upon presentation and sure of this Bond at the principal office of, as paying aga bond registrar (the "Bond Registrar"), together with the interest thereon Registered Owner of this Bond as shown on the books of the Bond Registrar applicable date of record at the Rate per annum specified above payable on, and semiannually thereafter on 1 and 1 in each year date of record for each payment of interest shall be the 15th day of the month protection the Registered Owner at the address shown on the books of the maintained by the Bond Registrar on the applicable date of record and scalculated on the basis of a 360-day year consisting of twelve (12) thirty (12)	a Drain wledges ess paid pove, or urrender ent and to the ron the1, ar. The eceding ne Bond District shall be
This Bond is one of a series of bonds of like date and tenor except as to maturity, interest rate and denomination, aggregating the principal substitution and statutes of Michigan (especially Act No. 40, Public Michigan, 1956, as amended) and a bond resolution adopted by the Drainage Ethe District on the 12 th of February, 2009,(the "Bond Resolution") for the pur defraying the cost of establishing, locating, acquiring, constructing and finance Michigan Avenue East Central Area Drainage District Project (the "Project") to storm drainage for a portion of the Pittsfield Charter Township, Washtenaw Cour "County") Michigan.	sum of hity with Acts of Board of pose of cing the provide nty, (the
Bonds maturing prior to1,, shall not be subject to redemption maturity. Bonds maturing on and after1, shall be subject to redem whole or in part on any date on and after1,, and in any order, at the of the District, at par, plus accrued interest to the date fixed for redemption.	prior to option in e option

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption, if different than otherwise provided in the Bond Resolution. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the bond registrar to redeem the same.

This Bond is issued in anticipation of, and is primarily payable from, the collection of installments of assessments against the following Public Corporation in the amounts set forth below:

Name of Public Corporation To be Assessed Pittsfield Charter Township

Amount of Assessment against Public Corporation Based Upon Percentage of Apportionment:

\$_1,720,000.00_____

In addition, the limited tax full faith and credit of the County has been pledged for the making of such payments. The ability of the County to raise funds with which to meet such pledge is subject to applicable statutory and constitutional tax limitations. In addition, the full faith and credit of the District has been pledged for the prompt payment of the principal of and interest on the Bonds. Neither the Drainage Board nor the District has the power to levy ad valorem taxes for the payment thereof.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in connection with the issuance of the Bonds of this series, existed, have happened and have been performed in due time, form and manner as required by the Constitution and statutes of the State of Michigan, and that the total indebtedness of the District, including the Bonds of this series, does not exceed any constitutional or statutory limitation.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

IN WITNESS WHEREOF, the Michigan Avenue East Central Area Drain Drainage District, County of Washtenaw, Michigan, by its Board has caused this Bond to be executed in its name with the facsimile signatures of the Chair and one other member of its Board, has caused a facsimile of its seal to be affixed hereto and has

caused this Bond to be authenticated by the Bond Registrar, as the District's authenticating agent, all as of the Date of Issuance.

MICHIGAN AVENUE EAST CENTRAL AREA DRAIN DRAINAGE DISTRICT

By: [FACSIMILE]______ Janis A. Bobrin Chair of the Drainage Board

And: [FACSIMILE]_____ Member of the Drainage Board

Las.r5-was145

CERTIFICATE OF AUTHENTICATION

Central Area Drain Drainage District Bonds, Series 2009."
Date of Authentication:
BOND REGISTRAR AND AUTHENTICATING AGENT
By:Authorized Signer
<u>ASSIGNMENT</u>
For value received, the undersigned sells, assigns and transfers unto this Bond and all rights hereunder and hereby irrevocably appoints attorney to transfer this Bond on the books kept for registration thereof with full power of substitution in the premises.
Dated: Signature
NOTICE: The signature to this assignment must correspond with the name as i appears upon the face of this Bond in every particular.
Las.r5-was145

[APPENDIX B - FORM OF REQUEST FOR PROPOSAL] OFFICIAL REQUEST FOR PROPOSAL

\$____COUNTY OF WASHTENAW STATE OF MICHIGAN MICHIGAN AVENUE EAST CENTRAL AREA DRAIN DRAINAGE DISTRICT BONDS, SERIES 2009

at the beautiful decayle at beautiful the UD and UV will be accepted by the constant format	on
of the bonds described herein (the "Bonds") will be received by the undersigned,	
behalf of the Michigan Avenue East Central Area Drain Drainage District (the "Distric	:t"),
at the office of the Water Resources Commissioner, 705 N. Zeeb Road, Ann Arb	or,
Michigan 48103, on, until:m., Eastern Time, at wh	iich
time and place said proposals will be publicly opened and read.	

In the alternative, sealed written proposals will also be received on the same date and until the same time by an agent of the undersigned at the Municipal Advisory Council of Michigan, 660 Woodward Ave., First National Building, Suite 1445, Detroit, Michigan 48226, where they will be publicly opened simultaneously. Proposals received at Ann Arbor, Michigan will be read first followed by proposals received at the alternate location. Proposers may choose either location to present proposals and good faith checks, but not both locations.

Any proposer may submit a proposal in person to either proposing location. However, no proposer is authorized to submit a FAX proposal to Ann Arbor, Michigan.

Also in the alternative, electronic proposals will also be received on the same date and until the same time by an agent of the undersigned Bidcomp/Parity. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Eric Washington, 1359 Broadway, 2nd Floor, New York, NY, 10018, (212) 849-5021.

If any provision of this Request for proposal shall conflict with information provided by Bidcomp/Parity as the approved provider of electronic proposing services, this Request for Proposal shall control.

The Bonds will be awarded or all proposals will be rejected by the District at a meeting to be held within twenty-four hours of the sale.

BOND DETAILS:	The Bonds will	be fully registere	d bonds in a	ny one or m	nore
denominations of \$	5,000 or a multiple	of \$5,000 not ex	ceeding the ag	gregate princ	ipal
amount for each ma	aturity, dated	, numbere	d from 1 upwa	ards and will b	bear
interest from their					
thereafter on each _	1 and	1 until mat	urity. The Bor	ıds will mature	e on
the first day of	each yea	r as follows:	-		

YEAR PRINCIPAL YEAR PRINCIPAL YEAR PRINCIPAL

redem	nption	prior t	o ma	turity.	Bonds	s matu	ring o	n and	after		I not be	_ sha	all be
	rder, a	at the o									1, the da		
	With	respe	ct to	partial	reden	nptions,	any	portion	n of a	bond	outsta	nding	in a

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption, if different than otherwise provided in the Bond Resolution. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the bond registrar to redeem the same.

INTEREST RATE AND PROPOSING DETAILS: The Bonds shall bear interest at a rate or rates not exceeding __% per annum, to be fixed by the proposals therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY YEAR SHALL NOT BE AT A RATE LOWER THAN THE RATE BORNE BY BONDS MATURING IN ANY PRECEDING YEAR. No proposal for the purchase of less than all of the Bonds, at a price less than % of their par value, will be considered.

<u>TERM BOND OPTION</u>: Bonds maturing in the years ______, inclusive, are eligible for designation by the original purchaser at the time of sale as serial bonds or term bonds, or both. There may be more than one term bond maturity. However, principal maturities designated as term bonds shall be subject to mandatory redemption, in part, by lot, at par and accrued interest on ______ 1st of the year in which the Bonds are presently scheduled to mature. Each maturity of term bonds and serial bonds must carry the same interest rate. Any such designation must be made within twenty-four hours of the sale.

BOOK-ENTRY-ONLY: The Bonds will be issued in book-entry-only form as one fully-registered bond per maturity and will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchase of the Bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in Bonds purchased. The book-entry-only system is described further in the preliminary official statement for the Bonds.

BOND REGISTRAR, PAYING AGENT AND DATE OF RECORD:

has been selected as bond registrar and paying agent (the "Bond Registrar") for the

Bonds. The Bond Registrar will keep records of the registered holders of the Bonds, serve as transfer agent for the Bonds, authenticate the original and any re-issued bonds and pay interest by check or draft mailed to the registered holders of the Bonds as shown on the registration books of the County kept by the Bond Registrar on the applicable date of record. The date of record for each interest payment shall be the 15th day of the month before such payment is due. The principal of and redemption premium, if any, on the Bonds will be paid when due upon presentation and surrender thereof to the Bond Registrar. As long as DTC, or its nominee Cede & Co., is the registered owner of the Bonds, payments will be made directly to such registered owner. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the Bonds is the responsibility of DTC participants and indirect participants as described in the preliminary official statement for the Bonds. The County may from time to time as required designate a successor bond registrar and paying agent.

<u>PURPOSE AND SECURITY:</u> The Bonds are to be issued pursuant to the provisions of Act No. 40, Public Acts of Michigan, 1956, as amended, to defray part of the cost of establishing, locating, acquiring, constructing and financing the Michigan Avenue East Central Area Drainage District Project (the "Project") to serve part of the Pittsfield Charter Township (the "Public Corporation") and the County of Washtenaw. The bonds are to be issued in anticipation of, and are primarily payable from, the collection of assessments against the Public Corporation and property in the District in an amount equal to the principal of and interest on the Bonds.

FULL FAITH AND CREDIT OF COUNTY: Pursuant to a resolution adopted by its Board of Commissioners, the County has pledged its limited tax full faith and credit for the prompt payment of principal of and interest on the Bonds. In the event and to the extent that moneys required to pay such principal and interest are not collected from the aforementioned assessments the County is required to pay from its general fund, as a first budget obligation, sufficient moneys to pay such principal and interest. The ability of the County to raise funds with which to meet such pledge is subject to applicable statutory and constitutional tax limitations. In addition, the full faith and credit of the District has been pledged for the prompt payment of the principal of and interest on the Bonds. Neither the Drainage Board nor the District has the power to levy ad valorem taxes for the payment thereof.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the proposer/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser. Any additional rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE DISTRICT.

GOOD FAITH: A certified or cashier's check drawn upon an incorporated bank or trust company or a wire transfer in an amount equal to 2% (\$______) of the face amount of the Bonds, and payable to the order of the County Treasurer will be required of the successful proposer as a guarantee of good faith on the part of the proposer, to be forfeited as liquidated damages if such proposal be accepted and the proposer fails to take up and pay for the Bonds. If a check is used, it must accompany each proposal. If a wire transfer is used, the successful proposer is required to wire the good faith deposit

not later than Noon, prevailing Eastern Time, on the next business day following the sale using the wire instructions provided by Municipal Financial Consultants Incorporated. The good faith deposit will be applied to the purchase price of the Bonds. No interest shall be allowed on the good faith checks, and checks of each unsuccessful proposer will be promptly returned to such proposer's representative or by registered mail. The good faith check of the successful proposer will be cashed immediately, in which event, payment of the balance of the purchase price of the Bonds shall be made at the closing.

<u>AWARD OF THE BONDS – TRUE INTEREST COST</u>: The Bonds will be awarded to the proposer whose proposal produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on ____ 1, ___ and semi-annually thereafter) necessary to discount the debt service payments from their respective payment dates to _____, ___ in an amount equal to the price proposed, excluding accrued interest. ____, ___ is the anticipated date of delivery of the Bonds.

LEGAL OPINION: Proposals shall be conditioned upon the approving opinion of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan (the "Bond Counsel"), a copy of which will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The fees of Bond Counsel for its services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue such opinion and as described in the official statement, Bond Counsel has not been requested to examine or review and has not examined or reviewed any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, marketing or issuance of the Bonds and, therefore, has not expressed and will not express any opinion with respect to the accuracy or completeness of the official statement or any such financial documents, statements or materials.

TAX MATTERS: In the opinion of Bond Counsel, subject, however to certain qualifications described herein, under existing law, the interest on the Bonds is excluded from gross income for federal income tax purposes, such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for the purpose of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, the Bonds and the interest thereon are exempt from all taxation in the State of Michigan except estate taxes, gross receipts taxes and taxes on gains realized from the sale, payment or other disposition thereof.

"QUALIFIED TAX-EXEMPT OBLIGATIONS": The Bonds have ____ been designated as "Qualified Tax-Exempt Obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

<u>CERTIFICATE REGARDING "ISSUE PRICE"</u>: The successful proposer will be required to furnish, prior to the delivery of the Bonds, a certificate in a form acceptable to Bond Counsel, as to the "issue price" of the Bonds within the meaning of Section 1273 of the Code.

<u>DELIVERY OF BONDS</u>: The District will furnish Bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of

the Bonds, will be delivered at the time of delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day following the date of sale or the first business day thereafter if said 45th day is not a business day, the successful proposer may on that day, or any time thereafter until delivery of the Bonds, withdraw its proposal by serving written notice of cancellation on the undersigned, in which event the District shall promptly return the good faith deposit. Payment for the Bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the Bonds shall be paid by the purchaser at the time of delivery.

UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE: In order to assist proposers in complying with SEC Rule 15c2-12, as amended, the County and the Township will covenant to undertake (pursuant to resolutions adopted or to be adopted by their governing bodies), to provide annual reports and timely notice of certain events for the benefit of beneficial owners of the Bonds. The details and terms of the undertaking are set forth in a Continuing Disclosure Certificate to be executed and delivered by the County and the District, a form of which is included in the preliminary official statement and in the final official statement.

OFFICIAL STATEMENT:

Hard Copy

A copy of the nearly final official statement (the "Nearly Final Official Statement") may be obtained by contacting Municipal Financial Consultants Incorporated at the address listed below. The Nearly Final Official Statement is in a form deemed final as of its date by the District for purposes of SEC Rule 15c2-12(b)(1), but is subject to revision, amendment and completion of a final official statement (the "Final Official Statement"). The successful proposer shall supply to the District within twenty-four hours (24) after the award of the Bonds, all pricing information and any underwriter identification determined by Bond Counsel to be necessary to complete the Final Official Statement.

<u>Internet</u>

In addition, the District has authorized the preparation and distribution of a Nearly Final Official Statement containing information relating to the Bonds via the Internet. The Nearly Final Official Statement can be viewed and downloaded at www.i-dealprospectus.com/PDF.asp?doc=____or at www.tm3.com.

The District will furnish to the successful proposer, at no cost, ___ copies of the Final Official Statement within seven (7) business days after the award of the Bonds. Additional copies will be supplied upon the proposer's agreement to pay the cost incurred by the District for those additional copies.

The District shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Final Official Statement, including revisions, amendments and completions as necessary, relating to the District and the Bonds is true and correct in all material respects, and that such Final Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make statements therein, in light of the circumstances under which they were made, not misleading.

<u>CUSIP NUMBERS</u>: It is anticipated that CUSIP numbers will be printed on the Bonds, but neither the failure to print such numbers nor any improperly printed number shall

constitute cause for the purchaser to refuse to accept delivery of, or to pay for, the Bonds. All expenses for printing CUSIP numbers on the Bonds will be paid by the District, except that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and paid for by the purchaser.

<u>ADDITIONAL INFORMATION</u>: Further information may be obtained from the undersigned at the address specified above or from Meredith A. Shanle, Municipal Financial Consultants Incorporated, 21 Kercheval Avenue, Suite 360, Grosse Pointe Farms, Michigan 48236, telephone (313) 884-9824.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL PROPOSALS.

ENVELOPES: Envelopes containing the proposers should be plainly marked "Proposal for the Michigan Avenue East Central Area Drain Drainage District Bonds, Series 2009".

Janis A. Bobrin, Chair of the Drainage Board

las.r5-was145



COUNTY ADMINISTRATOR

220 NORTH MAIN STREET, P.O. BOX 8645 ANN ARBOR, MICHIGAN 48107-8645 (734) 222-6850 FAX (734) 222-6715

TO: Rolland Sizemore, Jr.

Chair of Board of Commissioners

THROUGH: Robert E. Guenzel

County Administrator

FROM: Anthony VanDerworp, Director

Office of Strategic Planning

DATE: April 1, 2009

SUBJECT: Freedom Township Master Plan Amendment Review

BACKGROUND

Freedom Township (Township) submitted an amendment to the Freedom Township Master Plan on March 4, 2009, for comment by Washtenaw County, in accordance with the procedures set forth in the Municipal Planning Enabling Act, Public Act 33 of 2008. The Act requires the County to provide comments, which are advisory only, to the Township. The comments must include, but need not be limited to, both of the following as applicable:

- A statement as to whether the proposed master plan is consistent with the plans of contiguous communities and applicable regional plans, and;
- A statement as to whether the proposed update is consistent with the County Plan.

DISCUSSION

Office of Strategic Planning staff evaluated the proposed amendment according to the goals, objectives and recommendations of *A Comprehensive Plan for Washtenaw County*. The Office of Strategic Planning distributed the amendment to the Washtenaw County Departments of Public Works, Parks and Recreation, Public Health, Washtenaw County Road Commission, Office of the Drain Commissioner and the Washtenaw Area Transportation Study (WATS) for comment. Any comments received from these departments and agencies are included in the attached staff report.

The Revisions were reviewed and approved by the Washtenaw County Planning Advisory Board at their March 23, 2009 meeting. After acceptance of the report by the Washtenaw County Board of Commissioners, the report will be submitted to the Township and the contiguous communities.

ATTACHMENTS

- Cover Letter
- Staff Report

A RESOLUTION TO ACCEPT COMMENTS FROM THE WASHTENAW COUNTY PLANNING ADVISORY BOARD ON THE FREEDOM TOWNSHIP MASTER PLAN AMENDMENT AND DIRECT THE COUNTY CLERK TO SEND COMMENTS TO FREEDOM TOWNSHIP AND THE CONTIGUOUS LOCAL UNITS OF GOVERNMENT

WASHTENAW COUNTY BOARD OF COMMISSIONERS

April 1, 2009

WHEREAS, Public Act 33 of 2008 ("the Act") requires that the County submit comments on the Freedom Township proposed amendment to the Freedom Township Master Plan; and

WHEREAS, the Act requires that the comments include, but not be limited to, a statement whether the proposed revisions are considered to be inconsistent with the plan of any contiguous city, village, township or region, and a statement whether the proposed plan is considered to be inconsistent with the county plan; and

WHEREAS the County Board of Commissioners created the Planning Advisory Board to review plans and recommend adoption by the Board of Commissioners; and

WHEREAS Freedom Township submitted an amendment to the Freedom Township Master Plan; and

WHEREAS the revisions were reviewed for consistency with the goals, objectives and recommendations of *A Comprehensive Plan for Washtenaw County*; and

WHEREAS the amendment was reviewed and approved by the Washtenaw County Planning Advisory Board at their March 23, 2009 meeting;

WHEREAS the amendment has been forwarded to the Washtenaw County Board of Commissioners as a County staff report for review;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners accepts the staff report from the Washtenaw County Office of Strategic Planning on the Freedom Township Master Plan Amendment, and

BE IT FURTHER RESOLVED that the Board of Commissioners directs the County Clerk to send the comments to Freedom Township and the contiguous local units of government.

COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE: TOTALS

10 0

STATE OF MICHIGAN

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on April 1, 2009, as it appears of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor,

COUNTY OF WASHTENAW)SS.

this 2nd day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Clerk

To: Melissa Milton-Pung

From: Dennis M. Wojcik, P.E.

Re: Freedom Township Draft Master Plan

The subject plan has been reviewed and the following comments are offered on behalf of the Washtenaw County Water Resources Commissioner's Office.

- 1. The Township is commended for the multiple references within the plan that will protect and foster the environment and natural features of the Township.
- 2. The language on page 22 item C is inconsistent. It is thought that the first sentence should read: "Streams, water bodies, and wetlands should **not** be used as part of the storm drainage systems of the Township." If these natural resources are to be protected they should only be used as ultimate outlets from a development's drainage system after quality and quantity best management practices have been incorporated.
- 3. The language on page 35 incorrectly indicates that items A through M are drainage facilities. Specifically items A, L and M do not refer to drainage facilities.
- 4. Page 35 item E indicates that all developments should establish drainage districts. It is thought that this is not appropriate in all cases. It is recommended that the following language be added after the words drainage facilities: "unless such establishment is not recommended as determined jointly by the Water Resources Commissioner and Freedom Township".
- 5. For clarification it is recommended that on Page 35 item H the language be revised from "Open courses" to "Open water courses". It is also recommended the landscaping discussed in this item be identified as native plantings.
- 6. Page 35 item J indicates that storm water runoff from developments shall not exceed undeveloped volumes and velocities. It is noted that this standard can be very difficult or impossible to accomplish. It is also noted that storm water runoff discharge rates are not discussed and it is recommended that this be added.

7. Page 35 item K indicates storm water retention should be utilized. Storm water retention is a specific type of storm water storage facility that does not have an outlet and is not appropriate in many instances. It is recommended that the term "retention" be revised to "storage facility". This item also indentifies the 100 year storm of 12 hour duration as the design event. It is noted that this is inconsistent with the design event identified in the Rules of the Washtenaw County Water Resources Commissioner.

Please contact me with any questions you may have.

A RESOLUTION AUTHORIZING PAYMENT OF CLAIMS COMMENCING WITH THE LAST PREVIOUSLY APPROVED CLAIM AND CONTINUING THROUGH THE DATE OF MARCH 20, 2009

WASHTENAW COUNTY BOARD OF COMMISSIONERS

APRIL 1, 2009

WHEREAS, as filed with the County Clerk is a true copy of the record of claims commencing with the last previously approved claim and continuing through the date of March 20, 2009, inclusive; and

WHEREAS, the Board of Commissioners has been assured by the County Clerk that no claim received is withheld or rejected by the list, shows the name of the claimant, the amount of the claim and the date presented;

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby authorizes the payment of claims commencing with the last previously approved claim and continuing through the date of March 20, 2009, inclusive, as listed in the statement of claims as attached hereto and made a part hereof.

COMMISSIONER	Y	N	Α	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Bergman			X	Ouimet	X			Schwartz	X		
Gunn	X			Peterson	X			Sizemore	X		
Irwin	X			Ping	X			Smith	X		
Judge	X			Prater	X						

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY ROLL CALL VOTE: TOTALS 10 0 1

STATE OF MICHIGAN

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on April 1, 2009, as it appears of record in my office.

COUNTY OF WASHTENAW)SS

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2^{nd} day of April, 2009.

LAWRENCE KESTENBAUM, Clerk/Register

BY:	
	Deputy Cler



COUNTY ADMINISTRATOR

220 North Main, P.O. Box 8645 (734) 222-6850

Ann Arbor, Michigan 48107-8645 FAX (734) 222-6715

M E M O R A N D U M April 16, 2009

TO: Lawrence Kestenbaum, Washtenaw County Clerk/Register

FROM: Robert E. Guenzel, County Administrator

RE: Certification of Claims List Inclusive from March 7, 2009 through March 20, 2009

I HEREBY CERTIFY that to the best of my knowledge the list of attached claims as presented to the County Clerk/Register of Washtenaw, constitutes all claims received for payment subsequent to the List of Claims presented through the date of March 20, 2009 and that none have been withheld or omitted.

FURTHER: that all claims bear the date received.

FURTHER; that the list contains the name of each claimant, and the amount of the claims, and that proper authorization and documentation has been reviewed, checked and retained.

FURTHER; that the total demand upon each of the various general operating funds requiring approval by the Board of Commissioners prior to disbursements has been accurately determined and is stipulated in gross total by fund as an integral part of the List of Claims herein presented.

Starr Recommendation By	Staff Recommendation B	y:
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Nicole Hann	
Management Assistant	



EXCEPTIONS AND PRE-CLAIMS LISTING FOR:

April 1, 2009

<u>PAYEE</u>	FUND/CO	<u>CHECK</u> NO.	CHECK DATE	<u>AMOUNT</u>	EXPLANATION	Batch #
United Postal Services	1010	411690	03/10/09	\$31.76	1	414706
United Postal Services	1010	411690	03/10/09	\$29.25	1	414706
United Postal Services	1010	412002	03/17/09	\$25.74	1	414968
United Postal Services	1010	412002	03/17/09	\$63.36	1	415583

\$150.11

EXPLANATION

- 1)Early release to avoid late fees
- 2)Released early in error



BEGINNING OF CLAIMS: March 7, 2009 END OF CLAIMS: FOR BOARD APPROVAL: March 20, 2009

April 1, 2009

FUND	DESCRIPTION	SYSTEM CHECKS	UTILITIES	CREDIT CARDS	EXCEPTION & PRE- CLAIMS	TOTAL
1010	GENERAL FUND	\$ -	\$ -	\$ -	\$ 150.11	\$ 150.11
0	TOTALS	\$ -	\$ -	\$ -	\$ 150.11	\$ 150.11