



**PROPOSED AGENDA  
REGULAR MEETING OF THE PORTLAND CITY COUNCIL**

7:00 p.m. Monday, February 4, 2013  
City Council Chambers  
City Hall, 259 Kent St., Portland Michigan

<b><u>Estimated Time</u></b>		<b><u>Action Requested</u></b>
7:00 PM	<b>I. <u>Call to Order</u></b>	
7:01 PM	<b>II. <u>Pledge of Allegiance</u></b>	
7:02 PM	<b>III. <u>Acceptance of Agenda</u></b>	Motion
7:03 PM	<b>IV. <u>City Manager Report</u></b>	
	<b>V. <u>Presentations</u></b>	
	<b>VI. <u>Public Hearing(s) - None</u></b>	
	<b>VII. <u>Old Business</u></b>	
	<b>VIII. <u>New Business</u></b>	
7:20 PM	<b>A. Proposed Resolution 13-04 Confirming the Mayor’s Appointment to City Boards and Commissions</b>	Motion
7:22 PM	<b>B. Proposed Resolution 13-05 to Amend the Budget for Fiscal Year 2012-2013</b>	Motion
7:25 PM	<b>C. Proposed Resolution 13-06 Approving the Purchase of a Used Ambulance</b>	Motion
7:30 PM	<b>D. Proposed Resolution 13-07 Ratifying Actions Taken to Repair Ambulance and Approving Payment to La Fontaine Ford</b>	Motion
7:35 PM	<b>E. Proposed Resolution 13-08 Approving the Purchase of a New Backhoe Loader and Trading in the Existing Unit</b>	Motion
7:40 PM	<b>F. Proposed Resolution 13-09 Approving Permanent Traffic Control Orders Controlling Parking on a Portion of Lincoln Street between Oak and Hill Streets</b>	Motion
7:43 PM	<b>G. Motion to Go Into Closed Session to Discuss Strategy for Collective Bargaining (Requires a 2/3 Majority by Roll Call Vote)</b>	Motion
7:45 PM	<b>IX. <u>Consent Agenda</u>–</b>	Motion
	<b>A. Minutes &amp; Synopsis from the Regular City Council Meeting held on January 21, 2013 and the City Council Goal Session held on January 23, 2013</b>	
	<b>B. Payment of Invoices in the Amount of \$68,867.51 and Payroll in the Amount of \$137,113.84 for a Total of \$205,981.35</b>	
	<b>C. Purchase Orders over \$5,000.00 - None</b>	
	<b>X. <u>Communications</u>–</b>	
	<b>A. MEDC re: Downtown Façade Grant for 136 and 143 Kent St.</b>	

<b><u>Estimated Time</u></b>
8:15 PM
8:20 PM
8:25 PM

- B.** Ionia County Board of Commissioners Minutes for January 8<sup>th</sup>
- C.** Ionia County Board of Commissioners Agenda for January 22<sup>nd</sup>
- D.** Bureau of Construction Codes Notice of Public Hearing
- E.** MPSC Notice of Public Hearing for Consumers Energy

**X. Public Comment** (5 minute time limit per speaker)

**XI. Other Business**

**XII. Council Comments**

**XIII. Adjournment**

<b><u>Action Requested</u></b>
Motion

PORTLAND CITY COUNCIL  
Ionia County, Michigan

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, made a motion to adopt the following resolution:

RESOLUTION NO. 13-04

A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENTS  
TO CITY BOARDS AND COMMISSIONS

WHEREAS, City Council has established guidelines for appointments to City Boards and Commissions pursuant to Council Policy 96-1; and

WHEREAS, the Mayor has reviewed the applications for the various City Boards and Commissions and, in accordance with Council Policy 96-1, requests that the Council confirm the following appointments:

Zoning Board of Appeals

Joseph Fedewa to a term expiring June 30, 2014

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Portland City Council confirms the Mayors appointments as set forth above.
2. All resolutions and parts of resolution are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: February 4, 2013

\_\_\_\_\_  
Monique I. Miller, City Clerk

**PORTLAND CITY COUNCIL**  
Ionia County, Michigan

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, made a motion to adopt the following resolution:

**RESOLUTION NO. 13-05**  
**A RESOLUTION TO AMEND THE BUDGET**  
**FOR FISCAL YEAR 2012-2013**

**WHEREAS**, State law prohibits local units of government from ending any fiscal year with a negative fund balance in any fund; and

**WHEREAS**, the Finance Director has reviewed current fund balances and expenditures for FY 2012-2013 and recommends that the Council approve the proposed amendments set forth on the attached Exhibit A in order to comply with State law.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The Portland City Council approves the 2012-2013 fiscal budget amendments as listed on the attached Exhibit A.
2. All resolutions and parts of resolution are, to the extent of any conflict with this resolution, rescinded.

**Ayes:**

**Nays:**

**Absent:**

**Abstain:**

**RESOLUTION DECLARED ADOPTED.**

**Dated:**

\_\_\_\_\_  
Monique I. Miller, City Clerk

**PORTLAND CITY COUNCIL**  
Ionia County, Michigan

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, made a motion to adopt the following resolution:

**RESOLUTION NO. 13-06**

**A RESOLUTION APPROVING THE PURCHASE OF A USED AMBULANCE**

**WHEREAS**, The City's 1994 Ambulance is in need of costly repairs to fix the passenger front sub frame which has rotted out where the cab mount is sitting; and

**WHEREAS**, rather than undertake a cost repair to a near obsolete vehicle the City investigated replacing the unit by purchasing either a new, demonstration unit, remount, or used ambulance; and

**WHEREAS**, City staff has identified a used 2003 ambulance that can be purchased for \$21,000, a description of that ambulance is attached as Exhibit A; and

**WHEREAS**, the City's Ambulance Director and Mechanic have inspected and test driven the ambulance described on the attached Exhibit A and are recommending that the City approve purchasing it for \$21,000.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City Council approves purchasing the ambulance described on the attached Exhibit A for \$21,000.
2. All resolutions and parts of resolution are, to the extent of any conflict with this resolution, rescinded.

**Ayes:**

**Nays:**

**Absent:**

**Abstain:**

**RESOLUTION DECLARED ADOPTED.**

**Dated:** February 4, 2013

Monique I. Miller, City Clerk

# Fenton Fire Equipment

Global suppliers of quality pre-owned custom fire apparatus and equipment

CALL TOLL FREE 1-866-310-2077 - sales@fentonfire.com

2003 Freightliner M2 Chassis Horton (O0623)

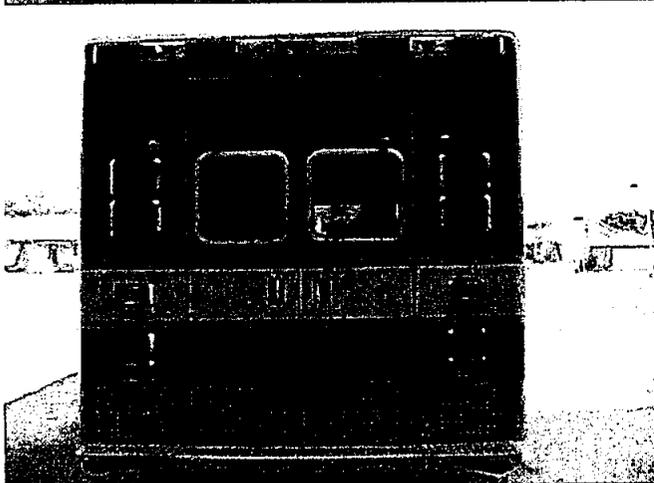
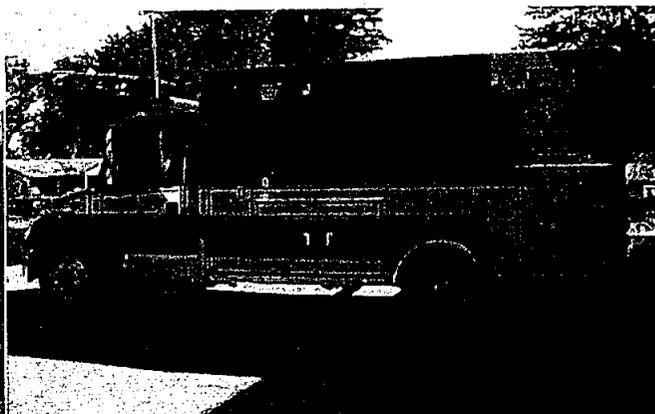
Asking \$25,000

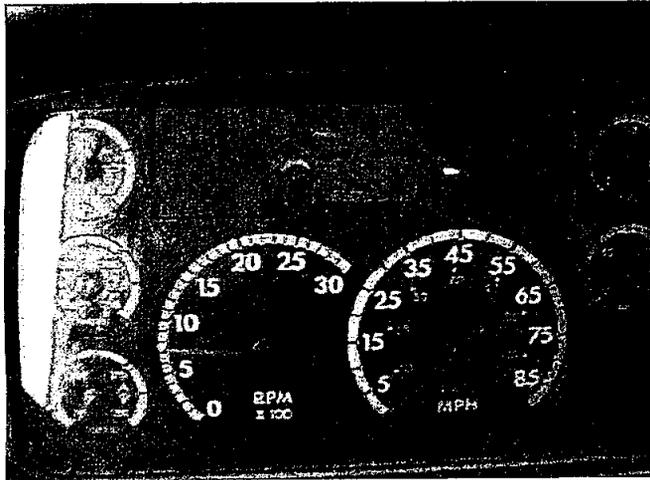
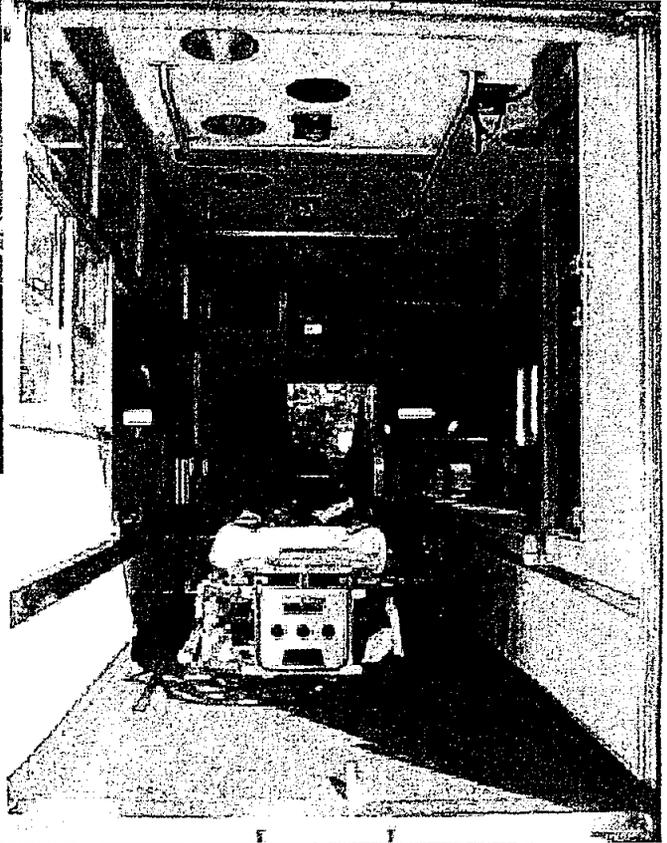
### General Specs

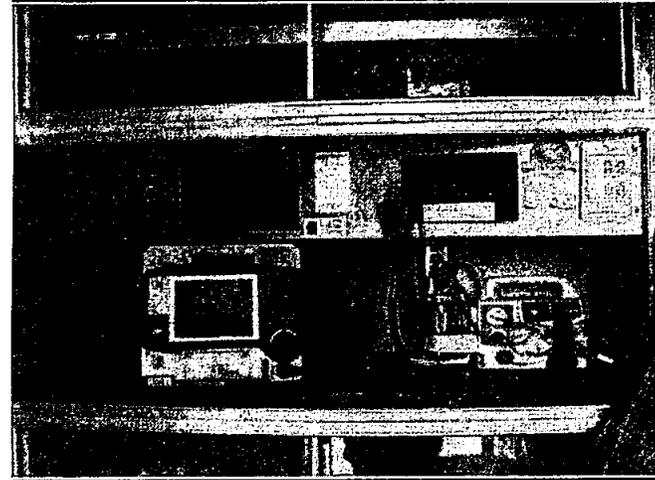
- powered by a Mercedes Benz Engine with approx 230 HP
- Allison automatic transmission
- code 3 Lightbar with sweep lights
- Whelen model 900 box lights
- Whelen 700 series LED and Strobe lights
- code 3 undercover toggle switch siren (wall and yelp) along with an SVP siren with wall, yelp and phaser
- rover stuttertone air horns
- interior of the box is lit with halogen and flourecent lights.

### Dimensions

- Only 103,000 miles
- (173 inches long)







CALL TOLL FREE 1-866-310-2077 - sales@fentonfire.com

**PORTLAND CITY COUNCIL**  
Ionia County, Michigan

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, made a motion to adopt the following resolution:

**RESOLUTION NO. 13-07**

**A RESOLUTION RATIFYING ACTIONS TAKEN TO REPAIR AMBULANCE  
AND APPROVING PAYMENT TO LA FONTAINE FORD**

**WHEREAS**, the City's 2008 Ambulance broke down and was towed back to the DPW where the City's Mechanic determine that the engine had seized up and would need to be replaced; and

**WHEREAS**, cost and time estimates were obtained from La Fontaine Ford in Lansing and Duthler Ford in Grand Rapids that were very similar and the Ambulance was towed to La Fontaine Ford because it was closer; and

**WHEREAS**, the anticipated cost of the repairs was expected to exceed staff's normal purchase authority but the situation was treated as an emergency so the Ambulance could be returned to service as soon as possible;

**WHEREAS**, Council was advised of breakdown and need to repair the Ambulance at the second meeting in January and also advised of the intent to present a resolution requesting formal ratification for the costs incurred after a bill was received; and

**WHEREAS**, the Ambulance has been fixed and a purchase order, invoice, and service report detailing the repairs is attached as Exhibit A.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City Council ratifies the City Manager's action approving repairing the Ambulance and approves paying the Purchase Order to La Fontaine Ford in accordance with the attached Exhibit A.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

**Ayes:**

**Nays:**

**Absent:**

**Abstain:**

**RESOLUTION DECLARED ADOPTED.**

**Dated:** February 4, 2013

\_\_\_\_\_  
**Monique I. Miller, City Clerk**

# PURCHASE ORDER

## CITY OF PORTLAND

259 KENT STREET • PORTLAND, MICHIGAN 48875 • (517) 647-7531

TO LA FONTAINE FOOD  
5103 SOUTH CEDAR ST.  
LANSING MI. 48911

SHIP TO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE	DELIVERY DATE	SHIP VIA	F.O.B.	TERMS	PURCHASE ORDER NO.
1-24-12					13-88

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	REPLACE COMPLETE ENGINE IN AMBULANCE # 44	16,885.28	PO

*R. D. [Signature]*

*[Signature]*  
AUTHORIZED SIGNATURE

NOT FOR RESALE  FOR RESALE

TAX NUMBER \_\_\_\_\_

ORIGINAL

OUR PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, SHIPPING PAPERS, AND PACKAGES

Exhibit  
A



LaFontaine Ford, Inc.

5103 South Cedar St.

Lansing, MI 48911

517-394-7000 Fax 517-882-5396

www.thefamilydeal.com



CELL: 517-647-6129

CUSTOMER NO. <b>5395</b>	ADVISOR <b>ANDREW</b>	105	TAG NO. <b>85</b>	INVOICE DATE <b>01/23/13</b>	INVOICE NO. <b>FOCS10483</b>
CITY OF PORTLAND 773 E. GRAND RIVER PORTLAND, MI 48875	LABOR RATE	LICENSE NO.	MILEAGE <b>123,031</b>	COLOR <b>WHITE/</b>	STOCK NO.
	YEAR / MAKE / MODEL <b>08/FORD TRUCK/ECONO COM CTWAY/VAN E-</b>			DELIVERY DATE	DELIVERY MILES
	VEHICLE I.D. NO. <b>1 F D X E 4 5 P 3 8 D A 6 0 9 6 5</b>			SELLING DEALER NO.	PRODUCTION DATE
	R.T.E. NO.		P.O. NO.	R.O. DATE <b>01/14/13</b>	
RESIDENCE PHONE <b>517-647-6129</b>	BUSINESS PHONE <b>517-214-3242</b>	REPAIRS PROPERLY COMPLETED & CHECKED BY: <b>X</b>			MO: <b>123045</b>

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
JOB # 4 TOTAL PARTS				0.00	
JOB # 4 TOTAL LABOR & PARTS				0.00	
G.O.G. & SUPPLIES					
JOB # 1	15.0	1QT	X015W40QSD 15W40 @	4.000	/UNIT
				TOTAL	GOG 60.00
				TOTAL	60.00
MISC					
JOB # A			SS TAXABLE SHOP SUPPLIES CUSTOMER PA		
				TOTAL	MISC 20.00
				TOTAL	20.00

ESTIMATE  
CUSTOMER HEREBY ACKNOWLEDGES RECEIVING ORIGINAL ESTIMATE OF \$17200.00 (+TAX)

\*\*\*\*\*  
 [ ] CASH [ ] CHECK CK NO. [ ] \*  
 [ ] VISA [ ] MASTERCARD [ ] DISCOVER \*  
 [ ] CHARGE \*  
 \*\*\*\*\*

TOTAL LABOR	3424.00
TOTAL PARTS	13361.28
TOTAL SUBLET	0.00
TOTAL G.O.G.	60.00
TOTAL MISC CHG.	20.00
TOTAL MISC DISC	0.00
TOTAL TAX	0.00
<b>TOTAL INVOICE</b>	<b>16865.28</b>

MONDAY & THURSDAY 7:30AM-7:00PM TU,WD,FR 7:30AM-6:00PM  
 CLOSED SATURDAY AND SUNDAY.  
 AT LAFONTAINE FORD  
 FORD PARTS COME WITH A 12MO/12K MILE WARRANTY, ASK FOR DETAILS  
 PARTS DESIGNATED WITH AN ASTERISK(\*) INDICATE LIMITED



CUSTOMER SIGNATURE

The Borg... CC677903 Q (1/2/11)



LaFontaine Ford, Inc.

5103 South Cedar St.

Lansing, MI 48911

517-394-7000 Fax 517-882-5396

www.thefamilydeal.com

BUICK CADILLAC CHEVROLET DODGE HONDA HYUNDAI JEEP KIA MAZDA NISSAN PONTIAC SUBARU TOYOTA VOLVO



CELL: 517-647-6129

CUSTOMER NO. 5395	ADVISOR ANDREW	105	TAB NO 85	INVOICE DATE 01/23/13	INVOICE NO. FOC510483
CITY OF PORTLAND 773 E. GRAND RIVER PORTLAND, MI 48875	LABOR RATE	LICENSE NO.	MILEAGE 123,031	COLOR WHITE/	STOCK NO.
	YEAR/MAKE/MODEL 08/FORD TRUCK/ECONO COM CTWAY/VAN E-	DELIVERY DATE		DELIVERY MILES	
	VEHICLE ID NO. 1FDXE45P38DA60965	BEILING DEALER NO.		PRODUCTION DATE	
	F.T.E. NO.	P.O. NO.	R.O. DATE 01/14/13		
RESIDENCE PHONE 517-647-6129	SUBSIDIARY PHONE 517-214-3242	REPAIRS PROPERLY COMPLETED & CHECKED BY: X			MO: 123045

LABOR & PARTS  
 WONT CRANK OVER  
 PUSH VEHICLE INTO SHOP. FOUND LOW VOLTAGE WOULD NOT TURN OVER CHARGED BATTERYS OVERNIGHT. START ENGINE AND FOUND BAD LOWER END BEARING NOISE. FOUND METAL IN PAN ADVISE ON ON REPLACING ENGINE. REMOVED ENGINE AND INSTALL NEW REMAN FORD FOR ENGINE. REPLACED ALL TURBO TUBES AND FAN BELT AND GLOW PLUG HARNESS. TEST DRIVE VEHICLE AFTER REPAIRS OK. VEHICLE HAD AFTERMARKET EQUIPMENT. PUSHGUARD WAS NECESSARY TO REMOVE DURING ENGINE REPLACEMENT.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
JOB # 1	1	3C2Z-8620-HB	V-BELT	56.79	56.79
JOB # 1	1	8C2Z-8620-B	V-BELT	117.51	117.51
JOB # 1	1	6C2Z-6C640-AA	CONNECTION - A	108.77	108.77
JOB # 1	1	6C2Z-6C640-A	CONNECTION - A	118.65	118.65
JOB # 1	1	6C2Z-6C640-DA	CONNECTION - A	101.63	101.63
JOB # 1	1	3C3Z-6C640-BA	CONNECTION - A	40.32	40.32
JOB # 1	6	-378941-S441	NUT - HEX,	1.90	11.40
JOB # 1	1	6C2Z-6007-AARM	ENGINE ASY	15800.00	15800.00
JOB # 1	10	3C3Z-6379-BA	BOLT - HEX.HEA	1.82	18.20
JOB # 1	1	4C2Z-12A690-BA	WIRE ASY	62.12	62.12
JOB # 1	1	4C2Z-12A690-AB	WIRE ASY	62.12	62.12
JOB # 1	1	3C3Z-6753-AA	GASKET	6.55	6.55
JOB # 1	3	VC-7-B	ANTI-FREEZE	18.38	55.14
JOB # 1	-1	6C2Z-6007-AARM	CORE RETURN	-3200.00	-3200.00
				JOB # 1 TOTAL PARTS	13359.20
				JOB # 1 TOTAL LABOR & PARTS	16783.20

FREE VEHICLE INSPECTION INSPECTION.

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
JOB # 2	2	C2AZ-13466-C	BULB	1.04	2.08
				JOB # 2 TOTAL PARTS	2.08
				JOB # 2 TOTAL LABOR & PARTS	2.08

BATTERY TESTED GOOD

PARTS	QTY	FP-NUMBER	DESCRIPTION	UNIT PRICE	
				JOB # 3 TOTAL PARTS	0.00
				JOB # 3 TOTAL LABOR & PARTS	0.00

TIRE MEASUREMENTS 7/32 OR GREATER

The Reynolds and Reynolds Company, BRUNNEN-5030187 C0679203 Q (12/11)



**GENUINE  
PARTS**

## LIMITED WARRANTY STATEMENT (FOR RETAIL SALES ON OR AFTER 9/1/2006)

### Ford and Motorcraft® Remanufactured Transmissions and Gas Engines

Ford Motor Company, The American Road, Dearborn, MI 48121 ("Ford") provides the following Limited Warranty on Ford and Motorcraft® Remanufactured Transmissions and Gas Engines to Ford, Lincoln and Mercury Dealers (each being a "Dealer") or general installers (each being an "Installer"). This Limited Warranty provides that Ford will credit the Dealer or Installer for repairing or replacing, at Ford's option, any Ford or Motorcraft® Remanufactured Transmission or Gas Engine sold by Ford that is found to be defective in factory-supplied material or workmanship subject to the following terms, conditions and limitations:

**Retail Customers:** To obtain warranty service, please return your vehicle to any Ford, Lincoln or Mercury Dealership or return to the Installer who originally installed the Ford or Motorcraft® Engine or Transmission Assembly in your vehicle. Please have your original dated receipt for purchase verification.

#### Complete Gas Engine Long Block Assemblies (8006/6V006/6V012) and Transmission Assemblies (7000/7V000/7003)

- 36 months or 75,000 miles from warranty start date, whichever occurs first. Ford will cover 100% of all parts and labor at approved warranty reimbursement rates
- If installed by a Dealer, reasonable towing charges (up to 35 miles or to the nearest Dealer) are covered only if the vehicle is not covered under another towing insurance coverage

#### Short Blocks (6009/6V009), Cylinder Heads (8049/6V049) and Crankshaft Kits (8303/6V303) for Gas Engines

- 12 months or 12,000 miles from warranty start date, whichever occurs first. Ford will cover 100% of all parts and labor at approved warranty reimbursement rates
- If installed by a Dealer, reasonable towing charges (up to 35 miles or to the nearest Dealer) are covered only if the vehicle is not covered under another towing insurance coverage

#### Warranty Start Date

- Ford and Motorcraft® Remanufactured Transmissions and Gas Engines installed by the Dealer or Installer — warranty begins on the date of sale from the Ford or Lincoln Mercury Dealership or Ford Motor Company's Factory Authorized Powertrain Distributor

#### Limitations to the Warranty

The following limitation applies to the products covered by this Limited Warranty:

- Towing charges are not reimbursable for Ford and Motorcraft® Remanufactured Transmissions and Gas Engines sold over-the-counter by a Dealer or Installer

#### How to obtain Limited Warranty coverage for Ford and Motorcraft® Remanufactured Transmissions and Gas Engines sold over-the-counter by a Dealer or Installer:

This statement applies to over-the-counter customers of a Dealer or Installer, such as a retail customer or fleet customer.

The Dealer or Installer can claim both parts and labor under the Limited Warranty if the retail customer, at his/her option,

- Returns the vehicle to the Installer (from which the assembly or component was purchased) or to any Dealer for repairs, or
- Returns the Ford or Motorcraft® Remanufactured Transmission or Gas Engine to the Installer (from which the assembly or component was purchased) or to any Dealer for repairs

#### NOTES:

- This Limited Warranty may be honored by the original Installer or any Dealer (even though that particular Dealer was not the original purchaser/seller of the product)
- In order for the Dealer or Installer to claim under the Limited Warranty, the Dealer, Installer or customer (whether original customer or subsequent transferee) must provide the original owner's repair order or sales slip when repairs are requested
- Only new Ford Original Equipment, Ford Authorized Remanufactured, or other parts or assemblies authorized by Ford may be used to complete covered warranty repairs
- Installer labor reimbursement is calculated using Ford Labor Times Standard hours multiplied by the selling Dealership's warranty labor rate or the Installer's actual labor total, whichever is less
- Diagnostic steps taken to determine cause of warranted concern with diagnostic results must be clearly documented on Installer repair order. (Warranty parts and labor reimbursement requests must be supported by diagnostic labor steps and test results)
- All parts replaced under warranty must be returned to your selling Dealer

**THIS LIMITED WARRANTY DOES NOT COVER FORD OR MOTORCRAFT® REMANUFACTURED TRANSMISSIONS AND GAS ENGINES THAT FAIL DUE TO ABUSE, MISUSE, NEGLIGENCE, ALTERATION, ACCIDENT, RACING, OR PARTS AND ACCESSORIES INSTALLED IN VEHICLES OTHER THAN THOSE LISTED IN THE COVERAGE STATEMENT INCLUDING OTHER FORD MOTOR COMPANY BRANDS, OR THE USE OF NON-FORD PARTS, OR LACK OF PROPER MAINTENANCE.**

**THIS LIMITED WARRANTY DOES NOT COVER PARTS WHICH ARE REPLACED AS PART OF NORMAL MAINTENANCE.**

**THIS LIMITED WARRANTY DOES NOT COVER REPEAT REPAIRS PERFORMED AS A RESULT OF A MISDIAGNOSIS OR IMPROPER PRIOR REPAIR.**

**TO THE EXTENT ALLOWED BY LAW, LOSS OF TIME, INCONVENIENCE, LOSS OF THE USE OF THE VEHICLE, COMMERCIAL LOSS, AND INCIDENTAL AND CONSEQUENTIAL DAMAGES ARE NOT COVERED.**

**THERE IS NO OTHER EXPRESS OR IMPLIED WARRANTY ON THESE FORD AND MOTORCRAFT® REMANUFACTURED TRANSMISSIONS AND GAS ENGINES INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.**

**TO THE EXTENT ALLOWED BY LAW, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS IS LIMITED TO THE DURATION OF THIS WRITTEN LIMITED WARRANTY.**

To retain the safety and dependability built into this product, it is essential that your Ford or Motorcraft® Remanufactured Transmission or Gas Engine receives the scheduled maintenance at the recommended intervals contained in your vehicle Owner's Manual/Maintenance Schedule.



**Motorcraft**



**GENUINE  
PARTS**

Confirmation Code: A0244248

VIN: 1FDXE45P38DA60965

Part Number: 6C2Z 6007-AARM

Part Type: DIESEL ENGINE

Serial Number: 422084

Warranty Start Date: 10/23/2013

Mileage: 123031

Country: USA

Installed By: DEALER



**Motorcraft**

**PORTLAND CITY COUNCIL**  
Ionia County, Michigan

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, made a motion to adopt the following resolution:

**RESOLUTION NO. 13-08**

**A RESOLUTION APPROVING THE PURCHASE OF A NEW BACKHOE LOADER  
AND TRADING IN THE EXISTING UNIT**

**WHEREAS**, the City's 1999 backhoe loader has 6500+ hours on it and needs to have the loader valve replaced as well as some other small repairs ; and

**WHEREAS**, rather than undertake the cost repair to a near obsolete vehicle the City investigated replacing the unit by purchasing a new unit through the State MiDeal program, which provides a \$72,376.34 discount from the manufacturer's equipment group price of \$178,707.00, a copy of that bid is attached as Exhibit A; and

**WHEREAS**, City staff recommends that Council approve replacing the backhoe using the MiDeal program and trading in the old unit so that the net cost to the City is \$81,329.55.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City Council approves purchasing the backhoe loader described on the attached Exhibit A and trading in the existing backhoe loader so that the City's net cost \$81,329.55.
2. All resolutions and parts of resolution are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

**RESOLUTION DECLARED ADOPTED.**

Dated: February 4, 2013

\_\_\_\_\_  
Monique I. Miller, City Clerk

# Equipment Details

Prepared For: City of Portland

Dealership: Jeff Ely  
AIS CONSTRUCTION EQUIPMENT C  
600 44TH STREET, SW  
GRAND RAPIDS, MI 49548  
Phone: 6165382400

Date January 10, 2013

Offer Expires: 2-28-13

All amounts are displayed in USD

## 310SK TMC BACKHOE LOADER

Code	Description	Qty	List Price
02R0T	310SK TMC BACKHOE LOADER		

### Options

#### Required Items:

Ex-Works Dubuque, Iowa, United States of America As not all option codes have field kits, please review your order option codes and available kits prior to placing a machine order.

1700	JDLINK Ultimate Cellular for the Americas, excluding Costa Rica	1	
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Includes JDLINK hardware: integrated cab wiring harness, antenna, modular telematics gateway (MTG), and JDLINK Ultimate activation.

Includes 3 year subscription. Annual subscription renewal required after 3 years for continued functionality. JDLINK customer account must be created to access JDLINK Ultimate data. Go to [www.StellarSupport.com](http://www.StellarSupport.com) to renew or update JDLINK subscriptions.

2401	English Decals with English Operator and Safety Manuals	1	
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Includes English decals installed and English language operator's manual and parts book

3085	Mechanical Front Wheel Drive (MFWD) with Limited Slip Differential and 5F/3R Powershift Transmission	1	
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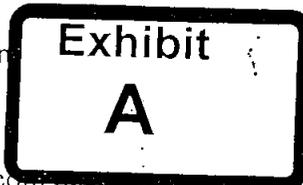
4781	Firestone 19.5L - 24 In. 10 PR (R4) Tubeless Rear & 12.5/80 - 18 In. 12 PR Traction Front Sure Grip Lug Tires	1	
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86 in. (2.18 m) overall width.  
Rear tire chains require wheel spacers

2085	Ultimate Cab with Dual Doors and Air Conditioning	1	
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Tinted safety glass  
Deluxe interior trim  
Headliner  
Molded floor mats  
26,000 BTU air conditioning (recom

bumper or counterweights)



	CFC free R134a refrigerant 40,000 BTU heater/defroster/pressurizer (3-speed) Air Suspension, Fabric, Swivel Seat with: Fully Adjustable Lumbar Adjustment and Arm Rests 3 in Seat Belt with retractor Sun Visor AM/FM/WB with CD Radio Tilt Steering Wheel Front 2-speed wiper and washer and rear 1-speed wiper (2) front driving/working halogen lights - 35,200 Candlepower Each (2) rear working halogen lights - 35,200 Candlepower Each (6) additional work roof lights adds 2 front, 2 rear and 1 on each side of roof (4) turn signal/flashing/rear stop/tail lights - 2 front and rear (2) rear reflectors	
8675	Dual Batteries, 300 Minute Reserve Capacity (1900 CCA)  Recommended for temperatures below 32 degrees F (0 degrees C)	1
5095	Extendible Dipperstick, Seven-Function with Auxiliary Hydraulics and Thumb Mounting Ears  Seven-function hydraulics Includes 6th Function with left foot pedal for cylinder-actuated attachments less plumbing Selective flow control valve (9,13,16,18,22 or 25GPM) for one-way flow 1000-3000 PSI adjustable Flow control auxiliary plumbing with foot switch Extended stabilizers with pin-lock reversible pads Thumb cylinder ears compatible with Deere thumbs only	1
5600	Less Backhoe Bucket with Bucket Pins	1
5420	Multi-Brand Quick Coupler  For use with DEERE C, D, SE, SG, SJ, SK Series buckets and with Case K-L-M and CAT C Series Buckets. Not for use with 710 Buckets.  Spacers are recommended for CAT and Case buckets, contact DMAC.	1
7085	Toolcarrier Loader, 3-Function Hydraulics with Coupler/Auxiliary Plumbing  PARALLEL Lift TMC Loader Includes boom height kick out and return to carry	1
8475	1000 Lb. (454 kg) Front Counterweight  Recommended for: Extendible Backhoe w/ 1.13,1.20, or 1.3 c.y. Loader Bucket and Backhoe Coupler Standard Backhoe w/Rear Attachment w/Backhoe Coupler Standard Backhoe w/Auxiliary Hydraulics w/o Backhoe Coupler	1
7650	1.3 Cu. Yd. (1.0 Cu. M.) 92 in. (2.34 m) wide Heavy-Duty Long-Lip Coupler Bucket with Cutting Edges and Skid Plates.	1
	<b>Optional Items:</b>	
AT358433	Hydraulic 4-Tine Thumb Kit  Recommended for use with 24 in. Backhoe Buckets. Requires Plumbing Kit.	1
AT192014	BKH Pin-On Bucket 24 In. (610 mm) Standard-Duty 7.5 Cu. Ft. (0.21 Cu. M.)	1

AT308138	Forks, Pallet (2) 48 in.(1.22m) with 60 in. (1.52m) Coupler Fork Carriage	1
AT332316	Auxiliary Hydraulic Plumbing for Thumb, Clamp, Swinger or Jaw Bucket	1

K-Series backhoes must order applicable Software Part Number in JDPoint for Field Kit to function properly.

For low flow applications

Average installation, 2 hours.

"Without Circuit Reliefs", circuit reliefs must be ordered per attachment manufacturer recommended settings and a list of available relief settings are included in the installation instructions.

**Configuration Total:** **\$178,707.00**

## Summary

All amounts are displayed in USD

Equipment Totals (includes "Other Charges")	Qty	Each	Extended
310SK TMC BACKHOE LOADER	1	\$178,707.00	\$178,707.00
<b>Total Equipment Group Price:</b>			<b>\$178,707.00</b>
<b>Additional Charges</b>			
Freight:		+/-	\$0.00
Setup & Delivery:		+/-	\$0.00
Discounts:MIDEAL		+/-	(\$72,376.34)
Trade In Allowance:410E		+/-	(\$25,001.11)
Extended Warranty:		+/-	\$0.00
Taxes:		+/-	\$0.00
<b>Total Additional Charges:</b>			<b>(\$97,377.45)</b>
<b>Total Delivered Price:</b>	<b>1</b>		<b>\$81,329.55</b>

Price and availability subject to change without notice. Taxes, extended warranty and freight charges are extra.  
Some additional charges may apply.

**PORTLAND CITY COUNCIL**  
Ionia County, Michigan

Council Member \_\_\_\_\_, supported by Council Member \_\_\_\_\_, made a motion to adopt the following resolution:

**RESOLUTION NO. 13-09**

**A RESOLUTION APPROVING PERMANENT TRAFFIC CONTROL ORDERS  
CONTROLLING PARKING ON A PORTION OF LINCOLN STREET  
BETWEEN OAK AND HILL STREETS**

**WHEREAS**, all day on-street parking on the west side of Lincoln Street between Hill and Oak Streets has caused the City's Department of Public Works to reduce services to property owners on that block because difficulty to get access to clear snow, pick up leaves and brush, and sweep the street; and

**WHEREAS**, property owners were consulted about proposed changes on Danby street and they voiced concerns about the parking situation on Lincoln Street; and

**WHEREAS**, the City Manager and Police Chief have reviewed parking on that block and implemented a temporary traffic control order no 48A that ordered the placing of "No Parking 8am-10am" signs on the west side of the street so that those property owners could receive the same city services that other property owners receive, and are now recommending that the City Council approve proposed Traffic Control Order No. 48A as a permanent traffic control, a copy of which is attached as Exhibit A.

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City Council approves the City Manager and Police Chief's recommendation to approve proposed Traffic Control Order No. 48A, a copy of which is attached as Exhibit A, to require posting No Parking 8am-10am signs on the west side of Lincoln Street between Hill and Oak Streets.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

**Ayes:**

**Nays:**

**Absent:**

**Abstain:**

**RESOLUTION DECLARED ADOPTED.**

**Dated:** February 4, 2013

\_\_\_\_\_  
**Monique I. Miller, City Clerk**



## TRAFFIC CONTROL ORDER CONTROLLING TRAFFIC ON PORTLAND CITY STREETS

TEMPORARY TRAFFIC CONTROL ORDER NO. 48 A  
A portion of Lincoln St. between Oak St. and Hill St.

Requirement of this order: That No Parking signs 8AM-10 AM, Monday-Friday, be placed on the west side of Lincoln St. between Oak St. and Hill St.

The authority for placing these signs is Act 300, 1949, Sec. 257.675(4), and is necessary to adequately maintain the road and allow for street sweeping, leaf pick up, and snow removal.

After conducting a traffic engineering survey of this street it is directed that no parking is allowed, on the west side of Lincoln St. Monday through Friday, during the specified times. Further, that the Department of Public Works install, and maintain the appropriate signs to comply with the Michigan Manual of Uniform Traffic Control Devices.

Signed:

Chief of Police \_\_\_\_\_

City Manager \_\_\_\_\_

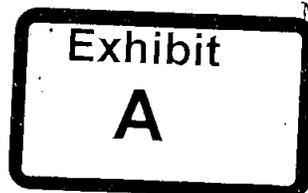
### CERTIFICATION

STATE OF MICHIGAN )  
COUNTY OF IONIA )

I, Monique I. Miller, the duly qualified and acting Clerk of the City of Portland, do hereby certify that the foregoing is a true and complete copy of a Temporary Traffic Control Order approved by the Chief of Police and City Manager on \_\_\_\_\_, \_\_\_\_, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereto affixed my official signature this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Monique I. Miller, City Clerk



# City of Portland

Portland, Michigan

## Minutes of the City Council Meeting

Held on Monday, January 21, 2013

In Council Chambers at City Hall

Present: Mayor Pro-Tem VanSlambrouck, Council Members Calley, Fabiano and Krause; City Manager Dempsey; City Clerk Miller; Police Chief Bauer; DDA/Main Street Director Reagan

Absent: Mayor Barnes

Guests: Kathy Parsons, City Representative to the Portland Fire Authority Board; Portland District Librarian Cory Grimminck; Tom Thelen of the Review & Observer

The meeting was called to order at 7:00 P.M. by Mayor Pro-Tem VanSlambrouck with the Pledge of Allegiance.

Motion by Krause, supported by Calley, to approve the Revised Agenda as presented.

Yeas: Krause, Calley, VanSlambrouck, Fabiano

Nays: None

Absent: Barnes

Adopted

Motion by Calley, supported by Fabiano, to excuse the absence of Mayor Barnes.

Yeas: Calley, Fabiano, VanSlambrouck, Krause

Nays: None

Absent: Barnes

Adopted

Under the City Manager Report, City Manager Dempsey presented information on the action items for consideration on the Agenda.

City Manager Dempsey also reported the City's newest ambulance broke down last weekend. It was taken in to have the engine replaced. City Manager Dempsey stated he would ask Council to ratify the bill for the repairs when the City receives it.

Under Presentations, DDA/Main Street Director Reagan presented his report on the Downtown. A Rental Rehabilitation Meeting will be held on Tuesday, January 22<sup>nd</sup> at 6:30 P.M. at City Hall. This program can provide up to \$25,000 in funding assistance per unit for the rehabilitation of existing second-story units or new units that will be less than 750 square feet in area. The program can also provide up to \$35,000 in funding assistance for the creation of second-story rental units in previously non-residential spaces.

On Thursday, February 7<sup>th</sup> at 8:30 A.M. at City Hall a Building Basics Webinar will be held. This presentation is a kick-off point for the Portland Main Street program's Design Committee to select downtown buildings to receive design services intended to facilitate the rehabilitation of a building's façade. Any building located within the Main Street district is eligible to receive the no-cost design services that include a schematic drawing of the proposed façade improvement, paint samples, and

other information to assist with the improvements. The design services are provided by the State Historic Preservation Office in the Michigan State Housing Development Authority. This program will be the starting point for the second round of façade and sign improvement grants here in downtown Portland. The goal is to have the next grant round opened in late March or early April.

Portland District Librarian Cory Grimminck presented the 2011-2012 Annual Report. Circulation is up in most areas. Two new employees were hired. Adult programming has been expanded. Additional bookcases were added and the hearing assistance aids were looped. The children's activities continue to be well-attended. A survey will soon be conducted.

Under New Business, the Second Reading and consideration of the Proposed Tax Exemption Ordinance 195A was held. This Ordinance provides for a Payment In Lieu Of Taxes (PILOT) for a proposed elderly low income housing project for the redevelopment of what was Old School Manor at 306 Brush St. The City has been working with the Ionia County Land Bank and the WODA Group on the redevelopment of the property into affordable senior housing. WODA has created a new company for the development called Portland School Limited Dividend Housing Association Limited Partnership to rehabilitate and own and operate "Portland School Apartments". The Ordinance provides for a PILOT equal to 10% of the annual shelter rents for 16 years. Annual shelter rents are defined as the total actual collections during an agreed annual period from all occupants of the housing development representing rents or occupancy charges exclusive of charges for gas, electricity, heat, or other utilities furnished to occupants.

Motion by Fabiano, supported by Krause, to approve Tax Exemption Ordinance No. 195A.

Yeas: Fabiano, Krause, VanSlambrouck, Calley

Nays: None

Absent: Barnes

Adopted

The Council considered Resolution 13-02 to approve a Fair Housing Policy in Compliance with the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968 and the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended. This resolution is required for the City of Portland to pursue the Downtown Rental Rehabilitation Grant opportunity offered by MSHDA.

Motion by Krause, supported by Calley, to approve Resolution 13-02 approving a Fair Housing Policy in Compliance with the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968 and the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended.

Yeas: Krause, Calley, VanSlambrouck, Fabiano

Nays: None

Absent: Barnes

Adopted

The Council considered Resolution 13-03 to approve, authorize, and direct the City Manager to sign a Certificate in connection with the Michigan Public Power Agency's issuance of \$23,500,000 Campbell Project Subordinate Revenue Bonds, 2013 Series A, dated January 30, 2013. The City of Portland has previously approved a Power Sales Contract and a Power Support Contract with the MPPA as part of its participation in the Campbell Power Plant Project. The Campbell Power Plant is a coal plant in need of environmental upgrade. MPPA is seeking to pay for the Campbell Project Participants share of the cost of the upgrades by issuing \$23,500,000 in revenue bonds. Bond Counsel for the MPPA is requiring project participants to provide a certificate acknowledging the contracts between the participant and the MPPA and the amount of outstanding electric system revenue bonds. The City does

not have any outstanding electric system revenue bonds. City Manager Dempsey stated he reviewed the certificate and the representations contained therein are true and correct to best of his knowledge and belief.

Motion by Calley, supported by Fabiano, to approve Resolution 13-03 to approve, authorize, and direct the City Manager to sign a Certificate in connection with the Michigan Public Power Agency's issuance of \$23,500,000 Campbell Project Subordinate Revenue Bonds, 2013 Series A, dated January 30, 2013.

Yeas: Calley, Fabiano, VanSlambrouck, Krause

Nays: None

Absent: Barnes

Adopted

Under the Consent Agenda, City Manager Dempsey noted that the 2013 dues to the MMEA were included and is over \$5,000. This is a renewal; not a new membership.

Motion by Krause, supported by Calley, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting held on January 7, 2013, payment of invoices in the amount of \$75,770.70 and payroll in the amount of \$114,624.09 for a total of \$190,394.79. There were no purchase orders over \$5,000.00.

Yeas: Krause, Calley, VanSlambrouck, Fabiano

Nays: None

Absent: Barnes

Adopted

Under Council Comments, Council Member Krause inquired if there had been any inquiries into the property at Cutler Road and Grand River Ave. in regard to the Frewen Realty listing information included in the communications.

City Manager Dempsey stated Frewen Realty has had a conversation with an investor from Grand Rapids. Information was sent to the individual; have not heard anything back.

Motion by Fabiano, supported by Krause, to adjourn the meeting.

Yeas: Fabiano, Krause, VanSlambrouck, Calley

Nays: None

Absent: Barnes

Adopted

Meeting adjourned at 7:28 P.M.

Respectfully submitted,

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James E. Barnes, Mayor

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Monique I. Miller, City Clerk

**City of Portland**  
**Synopsis of the Minutes of the January 21, 2013 City Council Meeting**

The City Council meeting was called to order by Mayor Barnes at 7:00 P.M.

**Present** - Mayor Pro-Tem VanSlambrouck, Council Members Calley, Fabiano and Krause; City Manager Dempsey; City Clerk Miller; Police Chief Bauer; DDA/Main Street Director Reagan

**Absent** – Mayor Barnes

**Presentation** - DDA/Main Street Director Reagan presented his report on the Downtown.

**Presentation** - Portland District Librarian Cory Grimminck presented the 2011-2012 Annual Report.

**Second Reading and Approval of the Proposed Tax Exemption Ordinance 195A** to provide for a Payment In Lieu Of Taxes (PILOT) for a proposed elderly low income housing project for the redevelopment of what was Old School Manor at 306 Brush St.

All in favor. Approved.

**Approval of Resolution 13-02** approving a Fair Housing Policy in Compliance with the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968 and the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended.

All in favor. Approved.

**Approval of Resolution 13-03** to approve, authorize, and direct the City Manager to sign a Certificate in connection with the Michigan Public Power Agency's issuance of \$23,500,000 Campbell Project Subordinate Revenue Bonds, 2013 Series A, dated January 30, 2013.

All in favor. Approved.

**Approval of the Consent Agenda** - Motion by Krause, supported by Calley, to approve the Consent Agenda.

**Adjournment** – Motion by Fabiano, supported by Krause, to adjourn the regular meeting at 7:28 P.M.

All in favor. Adopted.

A copy of the approved Minutes are available upon request at City Hall, 259 Kent Street.

Monique I. Miller, City Clerk

# City of Portland

Portland, Michigan

Minutes of the City Council Goal Session

Held on Wednesday, January 23, 2013

In the Executive Conference Room at City Hall

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Calley, Fabiano and Krause

Staff: City Manager Dempsey and City Clerk Miller

The session was called to order at 5:45 P.M. by Mayor Barnes.

City Manager Dempsey presented the compilation of results from the 2012-2013 Community Attitude Survey.

City Manager Dempsey presented the compilation of results from the City Council Budget Priority Questionnaire for the Fiscal Year 2013-2014 Budget.

There was discussion of the information presented related to Council goals and the upcoming budget year.

Specific discussions included the updating of the Master Plan and equipment replacement needs.

The oldest ambulance of the three ambulances has been taken out of service due to safety concerns. A used ambulance has been located at a very good price. City Manager Dempsey is considering the purchase of this ambulance so there will continue to be 3 reliable ambulances in service.

The backhoe and loader at the DPW are both in need of replacement. The backhoe has over 6500 hours of use on it and the loader has over 3000 hours. Through the MiDeal program a new loader can be purchased at approximately \$105,000 instead of the list price of over \$170,000. With the trade-in value taken into consideration a new backhoe can be obtained for approximately \$81,000. The current backhoe and loader need significant investments to keep them in service. The loader needs investment of approximately \$25,000. As it has fewer hours of use it is a better investment to repair the loader and purchase a new backhoe that will not need service for several years.

The Police Department is on schedule to replace a police car this year. The style will have to be changed as the Ford Crown Victoria is no longer in production.

City Manager Dempsey stated he would like to focus on equipment replacement over the next few years.

City Manager Dempsey encouraged the Council to submit any comments to him.

Mayor Pro-Tem VanSlambrouck asked where the City stands in terms of revenues.

City Manager Dempsey stated he expects revenues to remain relatively flat. The recent legislation to eliminate personal property tax will be an issue next year. The DDA revenues are expected to be slightly lower.

City Manager Dempsey presented his long-term evaluation and planning for streets.

Mayor Barnes suggested a dog park should be built.

City Manager Dempsey stated the Parks & Recreation Board is looking into the possibility of a dog park.

Mayor Pro-Tem VanSlambrouck stated that selling property at Grand River Ave. and Cutler Rd. should be a goal.

City Manager Dempsey stated that working with the developer on the Old School Manor project to ensure its success should be another priority.

Motion by VanSlambrouck, supported by Fabiano, to adjourn the meeting.

The meeting was adjourned at 8:09 P.M.

Respectfully submitted,

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James E. Barnes, Mayor

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Monique I. Miller, City Clerk

VENDOR NAME	VENDOR	DESCRIPTION	AMOUNT
UTILITY SERVICE CO. INC.	02133	QUART PMT MANT CONTRT HILL ST TOWER-WTER	8,857.47
RON WEISS	MISC	REIMB FOR OVERPAYMENT - GENERAL	4,272.00
PURITY CYLINDER GASES, INC.	00380	COMPRESSED OXYGEN - AMBULANCE	59.70
MICHIGAN PLUMBING	02082	AFTER HOURS EMERGENCY CLEANUP-WASTE WTR	435.00
NORTH CENTRAL LABORATORIES	00959	SULFURIC ACID - WASTE WATER	288.46
MODEL FIRST AID SAFETY/TRAINING	00313	CABINET SUPPLIES - MOTOR POOL	67.27
IONIA COUNTY TREASURER	00209	PERSONAL PROPERTY TAX STATEMENTS-ASSESS	72.00
NYE UNIFORM CO.	00338	UNIFORM PANTS - POLICE	225.09
ROBERT BAUER	01656	REIMB FOR POLICE DEPT ITEMS - POLICE	182.55
MICHIGAN TASER DISTRIBUTING	01775	TASER CARTRIDGES - POLICE	197.15
LAFONTAINE FORD INC.	02166	REPLACE ENGINE IN AMBULANCE-MOTOR POOL	16,865.28
LANSING TRANSMISSION	00709	REBUILD TRANSMISSION IN CROWN VIC-MP	1,900.24
AlcoPro, Inc.	01114	PBT MOUTHPIECES - POLICE	129.00
FP MAILING SOLUTIONS	01758	POSTAGE RESET - GENERAL	12.00
VERIZON WIRELESS	00470	TELEPHONE SVC-CODE, ELEC, WW, WTR, M POOL	129.04
WOW! INTERNET-CABLE PHONE	02132	CABLE SERVICE - WASTE WATER, MTR POOL	71.27
CONSUMERS ENERGY	00095	GAS SERVICE - PARKS, ELEC, MTR POOL	1,190.52
INDEPENDENT BANK	00197	BOND & REDEMPTION -ELECTRIC	15,000.00
SCOTT CASSEL	00071	UNIFORM ALLOWANCE - ELECTRIC	181.25
POWER LINE SUPPLY COMPANY	00389	QUICK PATCHES - ELECTRIC	171.46
KENDALL ELECTRIC	00225	ELBOWS & FITTINGS - ELECTRIC	9.24
KENDALL ELECTRIC	00225	ELBOWS & FITTINGS- ELECTRIC	32.88
RESCO	00392	SPLIT BOLTS - ELECTRIC	297.52
PAYNE-ROSSO COMPANY	02167	PAPER TOWEL DISPENSER- PARKS	58.00
CHIEF SUPPLY	00081	BADGES - POLICE	187.57
RESCO	00392	DEADEND CAPS - ELECTRIC	443.00
DORNBOS, SIGN & SAFETY, INC.	00067	HIGH SCHOOL FOOTBALL SIGNS- COMM PROMO	233.51
INTERSTATE BILLING SVC	00202	FITINGS - MOTOR POOL	50.57
INTERSTATE BILLING SVC	00202	HOSES - MOTOR POOL	37.89

VENDOR NAME	VENDOR	DESCRIPTION	AMOUNT
KEUSCH SUPER SERVICE	00228	GOODYEAR/EAGLE POLICE CARS- MOTOR POOL	427.28
MICHIGAN CAT	01920	CYLINDER G/LOADER - MOTOR POOL	464.54
MICHIGAN CAT	01920	SPRING AS/DOWEL/PIN - MOTOR POOL	206.89
MODEL FIRST AID SAFETY/TRAINING	00313	MISC FIRST AID SUPPLIES - WASTE WATER	57.35
MUNICIPAL SUPPLY CO.	00324	OLD-STYLE REPAIR LID - WATER	61.00
TRUCK & TRAILER	00461	CARBIDE - MAJ STS	266.50
TRUCK & TRAILER	00461	BLADE CARBIDE/BOX BOLTS -MAJ STS	311.50
TRUCK & TRAILER	00461	CARBIDE - MAJ STS	266.50
WARD'S GARAGE	00475	TIRES - MOTOR POOL	497.00
NOLAN CHAPMAN	00079	UNIFORM ALLOWANCE - MAJ STS	48.22
VAN BRO'S IRRIGATION INC.	01762	MAINT CONTRACT IRRIGATION-CITY HALL	215.00
K-13 LAWN CARE	00220	APPLICATIONS WEED & FEED- CITY HALL/PARK.	400.00
KATHY'S CLEANING	01684	CLEANING SERVICES - CITY HALL	745.00
KENDALL ELECTRIC	00225	SLIP FITTER COUPLING - ELECTRIC	100.65
KENDALL ELECTRIC	00225	SLIP FITTER COUPLING - ELECTRIC	240.85
OVERHEAD DOOR OF LANSING	00935	REPAIR DOOR AT WAREHOUSE-ELECTRIC	200.00
AUTOMATED BUSINESS EQUIPMENT	00027	POSTAGE MACHINE RAGE CHG CARD-GEN	236.00
CLARK HILL PLC	01422	LEGAL SERVICE DEC - GENERAL	76.00
FIRE PROS, INC.	00151	FIRE EXTINGUISHER INSPEC- PARKS	73.75
FIRE PROS, INC.	00151	FIRE EXTINGUISHER INSPEC- ELECTRIC	104.50
FIRE PROS, INC.	00151	FIRE EXTINGUISHER INSPEC - WATER	127.00
FLEIS & VANDENBRINK	00153	HYDRANT/ST ESTIMATES/HYDRO IMRP-VAR DEPT	370.55
MHR BILLING	01780	MONTHLY BILL SVC - AMBULANCE	1,116.00
MRE SERVICES, INC.	00318	COMPUTER SVC, COMPUTER - GEN,POL, AMB	3,521.50
NORTHSIDE SERVICE	MISC	TOW AMBULANCE - MTR POOL	185.00
PLEUNE SERVICE COMPANY INC.	00741	BIANNUAL INSPEC 30% FILTERS - ELECTRIC	535.00
PLEUNE SERVICE COMPANY INC.	00741	REPAIR/REPLACE BELTS- ELECTRIC	34.11
STATE OF MICHIGAN	00428	MIC FEES FOR 9 RADIOS- POLICE	900.00
BRIAN KRIEGER	00568	OFFICIALS - REC	80.00

VENDOR NAME	VENDOR	DESCRIPTION	AMOUNT
BRYAN SCHEURER	00600	OFFICIALS - REC	80.00
NICHOLAS NURENBERG	02039	OFFICIALS - REC	200.00
RYAN WILCOX	01734	OFFICIALS - REC	220.00
FRED KRAMER	00564	OFFICIALS - REC	120.00
JAMIE FOGARTY	01668	OFFICIALS - REC	60.00
JORDAN RUSSELL	01377	OFFICIALS - REC	255.00
MARTI SCHRAUBEN	02076	OFFICIALS - REC	60.00
BRUCE ELLIOTT	02017	OFFICIALS - REC	80.00
SCOTT MCKIMMY	01930	OFFICIALS - REC	160.00
MAURICE LITTLEJOHN	02088	OFFICIALS - REC	120.00
DAVID QUIGLEY	02005	OFFICIALS - REC	160.00
TODD SCHAEFFER	02158	OFFICIALS - REC	120.00
DONALD CHILDS	02008	OFFICIALS - REC	60.00
REGGIE TOWNSEND	02168	OFFICIALS - REC	60.00
DAN MCGUIRE	02004	OFFICIALS - REC	80.00
MANDY SIMON	02084	OFFICIALS - REC	80.00
ALLISON RUSSELL	01954	OFFICIALS - REC	42.00
SHELBI WILCOX	01439	SCOREKEEPERS - REC	42.00
TAYLOR WILCOX	02159	SCOREKEEPERS - REC	21.00
ALYSSA PUNG	02160	OFFICIALS - REC	63.00
ZACH GUSTAFSON	02161	SCOREKEEPERS - REC	63.00
RHET SCHRABUEN	02162	SCOREKEEPERS - REC	21.00
BRYANT PETTIT	02163	SCOREKEEPERS - REC	28.00
LAUREN RUSSELL	02134	SCOREKEEPERS - REC	84.00
MICHIGAN CAT	01920	BRAKE CABLE, CLIP BRACKET- MOTOR POOL	192.68
MICHIGAN CAT	01920	CALBE, CLIP - MOTOR POOL	122.27
FREMONT INDUSTRIES	02091	55 GALLON DRUMS - WASTE WTR	2,659.50
CITY OF PORTLAND-PETTY CASH	00701	MILEAGE, POSTAGE - CTY MGR, COUNCIL, ELEC	89.44
Total:			\$68,867.51

BI-WEEKLY  
WAGE REPORT  
February 4, 2013

DEPARTMENT	GROSS EARNINGS CURRENT PAY	GROSS EARNINGS YEAR-TO-DATE	SOCIAL SECURITY & FRINGE BENEFITS CURRENT PAY	SOCIAL SECURITY & FRINGE BENEFITS YEAR-TO-DATE	GRAND TOTAL YEAR-TO-DATE
GENERAL ADMIN.	7,905.69	139,096.86	6,279.23	78,950.07	218,046.93
ASSESSOR	1,237.55	18,923.25	332.89	5,304.06	24,227.31
CEMETERY	1,686.46	45,792.83	740.02	15,599.30	61,392.13
POLICE	11,598.55	201,406.63	5,650.40	73,892.65	275,299.28
FIRE	-	3,046.00	-	233.02	3,279.02
CODE ENFORCEMENT	4,821.20	26,481.75	1,294.75	7,665.35	34,147.10
PARKS	1,099.84	37,985.84	524.03	9,651.17	47,637.01
INCOME TAX	1,357.30	22,767.04	1,538.61	17,326.87	40,093.91
MAJOR STREETS	3,640.14	47,554.09	3,512.34	36,564.00	84,118.09
LOCAL STREETS	2,483.45	32,285.20	2,440.03	25,488.53	57,773.73
RECREATION	1,925.92	32,837.99	1,187.46	15,787.48	48,625.47
AMBULANCE	13,567.72	152,819.85	5,657.86	57,020.00	209,839.85
DDA	1,584.55	25,217.49	493.33	7,566.78	32,784.27
ELECTRIC	14,126.42	256,849.21	11,847.39	147,695.66	404,544.87
WASTEWATER	7,833.22	127,860.87	6,439.27	76,545.50	204,406.37
WATER	4,861.15	85,045.79	3,304.01	44,102.22	129,148.01
MOTOR POOL	3,105.88	37,071.90	3,037.18	30,071.93	67,143.83
TOTALS:	82,835.04	1,293,042.59	54,278.80	649,464.59	1,942,507.18





COPY

January 24, 2013

Ms. Lisa Green, Project Manager  
Michigan Economic Development Corporation  
300 North Washington Square  
Lansing, Michigan 48913

Re: Downtown Façade Grant for 136 and 143 Kent Street  
Grant # MSC210044-CDF

Dear Ms. Green:

Please be advised that property owner, Bernie Pelc of West Educational Leasing, has advised us that he is unable to proceed with the above referenced project due to changes in the financial conditions. We have advised Mr. Pelc that should he pursue a similar grant opportunity in the future he will be required to provide adequate financial assurances and must create new jobs to meet the job creation requirements.

We appreciate your assistance and guidance and the cooperation of the MEDC on this project. We are disappointed and regret having to withdraw from this grant opportunity but look forward to working with you on future projects in the City of Portland.

Sincerely,

A handwritten signature in black ink, appearing to read "P. T. Reagan".

Patrick T. Reagan, Director  
City of Portland Downtown Development Authority

A handwritten signature in black ink, appearing to read "Thomas J. Dempsey".

Thomas J. Dempsey  
Portland City Manager

"The City of Portland is an equal opportunity provider and employer."

IONIA COUNTY BOARD OF COMMISSIONERS  
Organizational Meeting  
**January 8, 2013**  
4:00 p.m.

The County Clerk called the meeting to order and led with the Pledge of Allegiance.

Members present: Mason, Tiejema, Banks, Cowling-Cronk, Wirtz, Shattuck and Calley

Others present: Mary Ellen Snyder, Jack Elliott, Ken and Darlene Thompson, Bob VanLente, Lisa McCafferty, Diane Adams, Cheryl O'Connor, Walter Barnes, Sharyn Overton, Mari Droste, Bob Cusack, Don Ransom, John Bush, Karen Bota, Tom Thelen, Randy Zenk, Don Lehman, Dale Miller, Chris Pelz, Stephanie Hurlbut and Tonda Rich

**Organization of Board and Committees**

**A. Selection of Chairperson**

Clerk Rich opened up nominations for Chairperson of the Board of Commissioners for 2013.

Commissioner Shattuck placed the name of Julie Calley in nomination.  
Commissioner Mason placed the name of James Banks in nomination.

Moved by Mason, supported by Cowling-Cronk, to close nominations and cast the votes by secret ballot, per the Board By-Laws. Discussion followed concerning the vote being cast by ballot, with Commissioners' Calley, Tiejema and Mason both commenting on the process. Clerk Rich stated that each ballot would have the Commissioners' name on it and that the ballots would become part of the public record. Motion carried by voice vote, with Commissioners' Calley and Tiejema voting no.

Ballots were passed out to the Commissioners. Clerk Rich appointed the County Administrator, Stephanie Hurlbut, as a teller, to tally the votes. The following votes were cast:

- Commissioner Calley received four votes for Chairperson.
- Commissioner Banks received three votes for Chairperson.

Clerk Rich congratulated Chairperson Calley and turned the meeting over to her.

**B. Selection of Vice-Chairperson**

Chair Calley proceeded to conduct the election of Vice-Chairperson.

Commissioner Tiejema placed the name of James Banks into nomination.

Moved by Shattuck, supported by Tiejema, to close nominations and cast a unanimous vote for Commissioner Banks to serve as Vice-Chairperson. Motion carried by voice vote.

### C. Review and Adoption of Board Rules

A copy of the Board's By-Laws were presented to the Board with proposed changes outlined by the county attorney. County Administrator, Stephanie Hurlbut, requested the Board to consider changing their 7:00 p.m. meeting time due to the court security hours and proposed the Board to begin that meeting sooner. Discussion followed with concerns voiced by some of the Commissioners stating that the 7:00 p.m. meeting is held so that the public has the option of attending a meeting that does not conflict with regular working hours. Hurlbut stated she will submit what the cost is to have court security available when there is a 7:00 p.m. meeting. It was the consensus of the Board to keep the following meeting schedule and times as they were in 2012, which will be the second Tuesday of each month at 4:00 p.m. and the fourth Tuesday of each month at 7:00 p.m., with a committee-of-the-whole meeting to take place the third Tuesday of each month at 4:00 p.m.

Other discussions concerning the Board's By-Laws included:

- Eliminating 2.4 Emergency Meetings. Hurlbut stated that the Open Meetings Act does not allow for emergency meetings.
- Commissioner Mason stated she was opposed to how 4.1 Quorum, Attendance is worded.

Moved by Banks, supported by Tiejema, to approve the proposed changes of the Board's By-Laws as recommended by the county attorney and to make changes by way of a motion as the items are discussed.

Moved by Mason, supported by Shattuck, to amend section 4.1 Quorum, Attendance, back to the way it read before any changes were made by the county attorney. Commissioner Banks requested that more information be gathered before changing section 4.1 back. Commissioner Mason withdrew her motion.

- Commissioner Shattuck recommended that section 11.3 Votes Required be reviewed and more information gathered as well.
- Grievance Hearing Committee 8.3.1– Moved by Banks, supported by Mason, to amend section 8.3.1 to read (second sentence), "Members of the Grievance Hearing Committee shall consist of the Board Chair, Vice-Chair, and another Commissioner appointed by the Board Chair. If any member also serves as the Union Negotiation Bargaining Team Representative, the Board shall appoint another commissioner to serve as the third member of the Grievance Hearing Committee." Motion carried by voice vote.
- Abstaining from voting 11.1– Commissioner Tiejema requested that the wording of this section be the same as the wording used in the Central Dispatch Board By-Laws. Moved by

Tiejema, supported by Banks, to amend the wording in section 11.1, second sentence, to read as follows: "Any member may be excused from voting only if that person has a bonafide conflict of interest as recognized by the majority of the remaining members of the Board." Motion carried by voice vote.

Chair Calley called for a vote on the original motion. Motion carried by voice vote.

### **Approval of Agenda**

Moved by Shattuck, supported by Banks, to approve the agenda as presented. Motion carried by voice vote.

The Chair opened up the first Public Comment period. Jack Elliot addressed the Board concerning Court Security and the board meeting dates and times. Randall Zenk with the Village of Pewamo discussed the West Michigan Regional Planning Commission. Ken Thompson congratulated Commissioner Calley on her election of Chairperson.

### **Consent Calendar**

A. Approve minutes of the previous meeting(s)

Hearing no objections, the Chair declared the Consent Calendar approved.

### **Appointments**

A. Appointments to Standing Committee(s)

1. Audit Committee – Moved by Shattuck, supported by Wirtz, to appoint Commissioners' Tiejema, Mason and Calley to the Audit Committee. Motion carried by voice vote.
2. Bargaining Committee – Moved by Banks, supported by Tiejema, to appoint Commissioner Shattuck to the Bargaining Committee. Motion carried by voice vote.
3. Facilities Committee – Moved by Shattuck, supported by Mason, to appoint Commissioners' Banks, Shattuck and Cowling-Cronk to the Facilities Committee. Motion carried by voice vote.
4. Grievance Hearing Committee – Moved by Banks, supported by Wirtz, to appoint Commissioner Mason to the Grievance Hearing Committee. Motion carried by voice vote.
5. Personnel Committee – Moved by Mason, supported by Shattuck, to appoint Commissioners' Tiejema, Mason and Banks to the Personnel Committee. Motion carried by voice vote.

B. Commissioner Appointments to Boards/Commissions

1. Airport Board – Moved by Tiejema, supported by Cowling-Cronk, to appoint Commissioners' Banks, Wirtz and Shattuck to the Airport Board. Motion carried by voice vote.

2. Area Agency on Aging of Western Michigan Board of Directors – Moved by Banks, supported by Cowling-Cronk, to appoint Commissioner Tiejema to the Area Agency on Aging of Western Michigan Board of Directors. Motion carried by voice vote.
3. Central Area Michigan Works! Consortium – Moved by Cowling-Cronk, supported by Wirtz, to appoint Commissioners' Banks and Tiejema to the Central Area Michigan Works! Consortium. Motion carried by voice vote.
4. Community Corrections Advisory Board – Moved by Mason, supported by Cowling-Cronk, to appoint Commissioner Wirtz to the Community Corrections Advisory Board. Motion carried by voice vote.
5. Department of Human Services Board – Moved by Tiejema, supported by Mason, to appoint Commissioner Cowling-Cronk to the Department of Human Services Board. Motion carried by voice vote.
6. Green View Point Park Ad Hoc Committee– Moved by Banks, supported by Tiejema, to appoint Commissioner Shattuck to the Green View Point Park Ad Hoc Committee. Motion carried by voice vote.
7. Ionia County Economic Alliance – Moved by Cowling-Cronk, supported by Mason, to appoint Commissioner Banks to the Ionia County Economic Alliance. Motion carried by voice vote.
8. Lake Boards -
  - Long Lake Board
  - Jordan Lake Board
  - Morrison Lake Board
 Moved by Cowling-Cronk, supported by Mason, to appoint Commissioner Wirtz to the Long Lake Board, Commissioner Banks to the Jordan Lake Board and Commissioner Tiejema to the Morrison Lake Board. Motion carried by voice vote.
9. MAC Workers' Compensation Board – Moved by Wirtz, supported by Banks, to appoint Commissioner Shattuck to the MAC Workers' Compensation Board. Motion carried by voice vote.
10. MSU Extension District Extension Council – Moved by Tiejema, supported by Cowling-Cronk, to appoint Commissioner Wirtz to the MSU Extension District Extension Council. Motion carried by voice vote.
11. Park Advisory Board – Moved by Banks, supported by Mason, to appoint Commissioner Shattuck to the Park Advisory Board. Motion carried by voice vote.
12. Pension Advisory Committee – Moved by Tiejema, supported by Mason, to appoint Commissioner Banks to the Pension Advisory Committee. Motion carried by voice vote.
13. Road Commission Board– Moved by Banks, supported by Wirtz, to appoint Commissioner Shattuck to the Road Commission Board. Motion carried by voice vote.
14. Tax Allocation Board – Moved by Banks, supported by Cowling-Cronk, to appoint Chair Calley to the Tax Allocation Board. Motion carried by voice vote.

### **C. Legal Counsel**

Moved by Shattuck, supported by Banks, to appoint Peter Cohl as the county's legal counsel. Motion carried by voice vote.

Discussion took place concerning moving the commissioner appointment to the Central Dispatch Board to the Organizational Meeting.

Moved by Banks, supported by Shattuck, to reappoint Commissioner Tiejema to the Central Dispatch Board. Motion carried by voice vote.

It was the consensus of the Board to move the commissioner appointment to the Central Dispatch Board to the January Organizational meetings.

#### **D. Department Heads**

1. Administrative Health Officer – Moved by Mason, supported by Banks, to appoint Lisa McCafferty as the Administrative Health Officer for a one year appointment. Motion carried by voice vote.
2. Animal Control Officer – Moved by Tiejema, supported by Cowling-Cronk, to appoint Ronald Teaker, Gordon Douglas and Robin Anderson as the Animal Control Officers for a two year appointment. Hurlbut explained that according to statute and policy, the terms are for two years. Motion carried by voice vote.
3. Building Codes Official – Moved by Tiejema, supported by Banks, to appoint Don Sult as the Building Codes Official for a one year appointment. Motion carried by voice vote.
4. Central Dispatch Director – Moved by Mason, supported by Tiejema, to appoint James Valentine as the Central Dispatch Director for a one year appointment. Motion carried by voice vote.
5. Equalization Director – Moved by Shattuck, supported by Banks, to appoint Cheryl O'Connor as the Equalization Director for a one year appointment. Motion carried by voice vote.

#### **Unfinished Business**

- A. Moved by Mason, supported by Cowling-Cronk, to appoint Sharon Carlson to the Substance Abuse Initiative for District 5 and to appoint Robert Cusack to the Substance Abuse Initiative for District 3. Motion carried by voice vote.

#### **New Business**

- A. Moved by Banks, supported by Mason, to adopt the Ranney Lake Resolution that will authorize John Bush, Ionia County Drain Commissioner, to initiate action in Circuit Court that will set the Ranney Lake level. The Resolution was adopted by the following roll call vote: yes – all. The Resolution is as follows:

RESOLUTION OF THE IONIA COUNTY BOARD OF COMMISSIONERS RANNEY LAKE

~~2013-01~~

**WHEREAS**, a petition for the establishment of an inland lake level for Ranney Lake was submitted under Part 309 of the Natural Resources and Environmental Protection Act (Inland Lake Levels), MCL 324.30701 *et seq* (Part 307); and

**WHEREAS**, a Resolution was passed on July 24, 2012, accepting the petition and for the submission of a preliminary study for the establishment of a lake level; and

**WHEREAS**, after a review of the preliminary study, the Ionia County Board of Commissioners deems it expedient to establish the lake level and to establish a special assessment district pursuant to Part 307.

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

1. The Board authorizes the delegated authority to institute proceedings in the Ionia County Circuit Court to establish an inland lake level consistent with the preliminary study, and to establish and confirm special assessment district boundaries for the established lake level of Ranney Lake, and all costs to do so shall be borne by the special assessment district.
2. The Board of Commissioners does hereby determine that the whole cost of the project to establish the lake level and to establish and confirm special assessment district boundaries for the lake level for Ranney Lake shall be defrayed by special assessments against privately owned parcels of land, State owned lands that are under the jurisdiction and control of the Michigan Department of Natural Resources, and political subdivisions of the State that are benefited by the project in accordance with procedures set forth in part 307.
3. After the establishment of the lake level and establishment of the special assessment district for Ranney Lake, the Drain Commissioner, as delegated authority, shall prepare a computation of cost of the project and prepare a special assessment roll consistent with the requirements of Part 307.
4. All resolutions and parts of resolutions insofar as the same may be in conflict herewith are hereby rescinded.

- B. Moved by Shattuck, supported by Tiejema, to approve the five year New World Systems Software Maintenance Agreement and ratify the signature of former Chairperson Jack Shattuck. Motion carried by voice vote.

### County Administrator's Report

- 1) Presented a 2012 Year in Review to the Board that shows the accomplishments that the Board made in 2012;
- 2) Received a dividend check for \$90,000 from the Michigan Counties Workers' Compensation Fund.

### Reports of Officers, Boards and Standing Committee

Commissioner Tiejema gave an update on the county pension/MERS issue that is being reviewed.

### Public Comment

The Chair opened up the second Public Comment period. Chris Pelz addressed the Board regarding mentoring.

Moved by Mason, supported by Tiejema, to adjourn the meeting at 5:41 p.m. Motion carried by voice vote.

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Julie Calley, Chair

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Tonda Rich, Clerk

Minutes approved on:

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RESOLUTION AUTHORIZING  
WATER AND SEWER IMPROVEMENT AND REFUNDING BONDS  
(CITY OF IONIA), (LIMITED TAX GENERAL OBLIGATION)

2013-2

A RESOLUTION TO APPROVE:

- Net Present Value Savings through refunding Water and Sewer Improvement Bonds (City of Ionia) Series 2004, 2005 and 2006;
- Sale of a single series of Bonds to pay for:
  - Water and Sewer System Improvements previously authorized and
  - Refunding;
- County Pledge of Full Faith and Credit as secondary security for bonds.
- Other matters relative to sale and delivery of bonds.

WHEREAS, the County of Ionia (the "County"), pursuant to the authority conferred upon it by Act 185, Public Acts of Michigan, 1957, as amended ("Act 185") has previously established a Board of Public Works (the "Board of Public Works"); and

WHEREAS, the County acting by and through the Board of Public Works, and the City of Ionia (the "City") have previously entered into a Contract dated March 22, 2004 (the "2004 Contract"), and under the 2004 Contract the County issued its \$4,200,000 Water and Sewer Improvement Bonds (City of Ionia), Series 2004 (Limited Tax General Obligation) dated as of April 1, 2004 (the "2004 Bonds") to provide funds to pay the costs of water and sewer system improvements within the City as a part of the Ionia County Water Supply and Sewer System (City of Ionia) (the "System"); and

WHEREAS, the County acting by and through the Board of Public Works, and the City have previously entered into the Contract dated May 9, 2005 (the "2005 Contract"), and under the 2005 Contract the County issued its \$3,700,000 Water and Sewer Improvement Bonds (City of Ionia), Series 2005A (Limited Tax General Obligation), dated as of May 1, 2005 (the "2005 Bonds") and its \$1,500,000 Water and Sewer Improvement Bonds (City of Ionia), Series 2006 (Limited Tax General Obligation) dated as of May 1, 2006 (the "2006 Bonds") to provide funds to pay the costs of water and sewer system improvements within the City as a part of the System; and

WHEREAS, Bendzinski & Co., Registered Municipal Advisors with the Municipal Securities Rulemaking Board (the "Registered Municipal Advisors") has advised the County and the City that the current conditions in the bond market could permit all or a portion of 2004 Bonds, the 2005 Bonds and the 2006 Bonds (collectively, the "Prior Bonds") to be refunded at a significant savings; and

WHEREAS, the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") authorizes the County to refund all or any part of its outstanding bonds by issuing refunding bonds; and

WHEREAS, a First Supplement to the 2004 Contract (the "First Supplement to 2004 Contract") and a First Supplement to the 2005 Contract (the "First Supplement to 2005 Contract") have been prepared providing for the issuance by the County of refunding bonds (the "Refunding Bonds"); and

WHEREAS, under the First Supplement to 2004 Contract and the First Supplement to 2005 Contract, in the event any Refunding Bonds are issued, the duties and obligations of the County and the City as expressed and set forth in the 2004 Contract and 2005 Contract shall be applicable to such Refunding Bonds as well as the Prior Bonds, it being at all times fully recognized and agreed that the payments to be paid by the City shall be based upon the total amount of bonds issued to finance or refinance the costs of the projects financed thereby; and

WHEREAS, it is the determination and judgment of the County that the Prior Bonds should be refunded to secure for the City the interest savings anticipated and thereby permit the operation of the System in a more economical fashion for the benefit of the users of the System and the taxpayers of the City; and

WHEREAS, the County acting by and through the Board of Public Works, and the City have previously entered into the Contract Providing for Issuance of Ionia County Water and Sewer Improvement Bonds (City of Ionia) dated March 25, 2008 as amended on March 22, 2011 (the "2008 Contract"), for the construction, financing and operation of certain water and sewer system improvements within the City as a part of the System as more particularly described in the 2008 Contract (the "Project"), and the payment of the cost thereof by the City; and

WHEREAS, the City has advised the County that it wishes the County to sell the next series of bonds previously authorized under the 2008 Contract in the principal amount of not-to-exceed \$3,000,000 (the "Project Bonds" as defined below); and

WHEREAS, issuing the Project Bonds in a single series with the Refunding Bonds will reduce costs of issuance; and

WHEREAS, the City has been fulfilling its obligations under the 2004 Contract, the 2005 Contract and the 2008 Contract, including timely payment of amounts owed by the City thereunder; and

WHEREAS, the County has received a proposal from Robert W. Baird & Co., Incorporated (the "Underwriter") to purchase the Project Bonds and the Refunding Bonds at negotiated sale; and

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

WHEREAS, this Board of Commissioners wishes to severally authorize the Chairman or Secretary of the Board of Public Works and the County Administrator (each, an "Authorized Officer") to take actions necessary to provide for issuance and sale of the Bonds.

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

## BOND AUTHORIZATION

1. The First Supplement to 2004 Contract and the First Supplement to 2005 Contract attached hereto in full and made a part of this resolution are hereby approved. The Chairman and Secretary of the Board of Public Works are authorized and directed to execute the First Supplement to 2004 Contract and the First Supplement to 2005 Contract for and on behalf of the County, with such changes and insertions in consultation with bond counsel as may be necessary or desirable to effectuate the sale and delivery by the County of the Refunding Bonds, if such changes or insertions are permitted by Act 185 and otherwise by law and are not materially adverse to the County.

2. If, upon the advice of the Registered Municipal Advisors, refunding all or a portion of the Prior Bonds would accomplish a net savings of debt service costs, then the County shall issue the Refunding Bonds in one or more series in the aggregate principal amount of not to exceed Nine Million Dollars (\$9,000,000), as finally determined by the Authorized Officer at the time of sale in consultation with the City, for the purpose of paying costs of refunding all or a portion of the Prior Bonds including payment of legal, financial and other expenses incident thereto. The Refunding Bonds shall be designated WATER AND SEWER IMPROVEMENT REFUNDING BONDS (CITY OF IONIA), SERIES [DATE] (LIMITED TAX GENERAL OBLIGATION), with an appropriate series designation to be approved by the Authorized Officer at the time of sale.

3. The County shall issue the remaining bonds authorized under the 2008 Contract (the "Project Bonds") in one or more series in the aggregate principal amount of not to exceed Three Million Dollars (\$3,000,000), as finally determined by the Authorized Officer at the time of sale in consultation with the City, for the purpose of defraying costs of the Project including payment of engineering, legal, and financial expenses. Any costs of the Project in excess of costs paid from proceeds of the Project Bonds shall be paid by the City as provided in the 2008 Contract. To the extent that the Project Bonds are sold as authorized under this resolution, then the provisions of the resolution adopted by this Board on March 25, 2008 as amended on March 22, 2011 authorizing the Board of Public Works to sell the Project Bonds by competitive sale shall not apply. The Project Bonds shall be designated as the WATER AND SEWER IMPROVEMENT BONDS (CITY OF IONIA), SERIES [DATE] (LIMITED TAX GENERAL OBLIGATION), with an appropriate series designation to be approved by the Authorized Officer at the time of sale.

4. The Authorized Officer, in consultation with the City, is authorized to determine whether the Refunding Bonds shall be issued in a single series with the Project Bonds designated as the WATER AND SEWER IMPROVEMENT AND REFUNDING BONDS (CITY OF IONIA), SERIES [DATE] (LIMITED TAX GENERAL OBLIGATION), with an appropriate series designation to be approved by the Authorized Officer at the time of sale. Whether issued as a single or multiple series of bonds, the Refunding Bonds and the Project Bonds issued under this resolution are referred to collectively or separately as the "Bonds."

5. The principal of and interest on the Refunding Bonds shall be payable primarily out of the payments required to be paid by the City pursuant to the 2004 Contract, as supplemented, and the 2005 Contract, as supplemented, and the principal of and interest on the

Project Bonds shall be payable primarily out of the payments required to be paid by the City pursuant to the 2008 Contract. The 2004 Contract as supplemented by the First Supplement to 2004 Contract, the 2005 Contract as supplemented by the First Supplement to 2005 Contract, and the 2008 Contract are referred to collectively as the "Contracts," and the payments required to be paid by the City pursuant to the Contracts are referred to collectively as the "Contractual Payments."

The dated date of each series of the Bonds, the series designation, and the dates and amounts of the principal maturities shall be finally determined by the Authorized Officer at the time of the sale of the Bonds. The Bonds shall mature serially as may be determined by the Authorized Officer at the time of sale thereof, and/or, if permitted by law at the time of sale, as term bonds. The Bonds shall be registered as to principal and interest of the denomination of \$5,000 or multiples of \$5,000 up to the amount of a single maturity, numbered consecutively in order of authentication or registration from 1 upwards, dated as of such date as may be approved by the Authorized Officer at the time of sale of the Bonds, and shall be payable annually on August 1 as provided by the Authorized Officer at the time of sale of the Bonds.

The Bonds shall bear interest at a rate or rates determined on sale thereof, payable on such date as the Authorized Officer may select at the time of sale of the Bonds, and semiannually thereafter, by check drawn on the Transfer Agent (defined below) for the Bonds and mailed to the registered owner at the registered address, as shown on the registration books of the County maintained by the Transfer Agent. Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this section may be changed by the County to conform to market practice in the future.

The principal of the Bonds shall be payable at U.S. Bank National Association, Detroit, Michigan (the "Transfer Agent"), or such other bank or trust company as shall be selected to act as transfer agent for the Bonds by any Authorized Officer. Any Authorized Officer is hereby authorized to enter into all required contractual arrangements with the Transfer Agent. Notwithstanding the other provisions of this Resolution, if the Bonds are held in book-entry form by DTC, payment shall be made in the manner prescribed by DTC. The Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and any Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form, and to make such changes in the form of the Bonds within the parameters of this Resolution as may be required to accomplish the foregoing.

The Bonds shall be subject to optional redemption prior to maturity at times and prices as may be determined by the Authorized Officer at the time of sale of the Bonds. If permitted by law at the time of sale of the Bonds, the Bonds may be subject to mandatory redemption as may be determined by the Authorized Officer at the time of sale thereof.

Unless waived by any registered owner of bonds to be redeemed, official notice of redemption shall be given by the transfer agent on behalf of the County. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers, and in the case of partial

3

redemption, the called amounts of each certificate; the redemption date; the redemption price or premium; the place where bonds called for redemption are to be surrendered for payment; and that interest on bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the transfer agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

6. The Chairman of the Board of Commissioners and the County Clerk are hereby authorized and directed to execute the Bonds by means of their manual or facsimile signatures when issued and sold for and on behalf of the County and to cause to be impressed thereon the seal of the County or a facsimile of the seal of the County to be printed thereon. No bond of this series shall be valid until authenticated by an authorized signer of the transfer agent. The Bonds shall be delivered to the transfer agent for authentication and shall then be delivered to the purchaser in accordance with instructions from an Authorized Officer upon payment of the purchase price for the Bonds. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

Any bond may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any bond or bonds shall be surrendered for transfer, the transfer agent shall authenticate and deliver a new bond or bonds, for like aggregate principal amount. The transfer agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

#### BOND SECURITY AND PROCEEDS

7. The Bonds and the interest thereon shall be payable primarily from the Contractual Payments received by the Board of Public Works on behalf of the County, for the payment of which the City has in the Contracts pledged its full faith and credit pursuant to the provisions of Act 185. Pursuant to the provisions of Section 6, Article IX of the Michigan Constitution of 1963, the City has covenanted and agreed to levy taxes annually to the extent necessary to provide the funds to meet its Contractual Payments when due in anticipation of which the Bonds are issued, which taxes shall be subject to statutory, constitutional and charter limitations. All of such Contractual Payments are hereby pledged solely and only for the payment of principal of and interest on the Bonds and the other bonds issued under the Contracts.

8. Pursuant to the authorization provided in Act 185, the full faith and credit of the County is hereby pledged for the prompt payment of the principal of and interest on the Bonds as the same shall become due. If for any reason there are not sufficient funds on hand from the

Contractual Payments to pay the principal of and interest on the Bonds when due, upon written notification by the Board of Public Works to the County Treasurer of the amount of such deficiency, the County Treasurer shall promptly deposit into the Debt Retirement Fund for the Bonds the amount of such deficiency out of general funds of the County. If it becomes necessary for the County to so advance any such moneys, it shall be entitled to reimbursement from any surplus from time to time existing in the fund from which said principal and interest are primarily payable, or from any other legally available source. The County recognizes and covenants that its full faith and credit pledge hereunder is a first budget obligation, and, to the extent necessary to provide funds to meet such pledge herein provided, it is obligated to levy ad valorem taxes against the taxable property in the County, which taxes, however, shall be subject to statutory and constitutional limitations.

9. It shall be the duty of the County Treasurer, after the sale of the Bonds, to open a separate depository or trust account with a bank or trust company to be designated by the County Treasurer, such account to be designated as the DEBT RETIREMENT FUND - WATER AND SEWER IMPROVEMENT [AND] [REFUNDING] BONDS (CITY OF IONIA) for each series of Bonds with a series designation, if any, as determined by the County Treasurer (the "Debt Retirement Fund"), into which account the County shall deposit any accrued interest received upon delivery of the Bonds and all Contractual Payments as received, and into which account any advances made by the County pursuant to Section 8 of this resolution shall be deposited. In addition the County Treasurer may deposit premium received upon delivery of the Bonds to the Debt Retirement Fund. The Debt Retirement Fund may be pooled or combined with other debt retirement funds for issues of bonds of like character as provided by Act 34 or other state law. The moneys from time to time on hand in said Debt Retirement Fund shall be used solely and only for the payment of the principal of and interest on the Bonds, or, to the extent of any surplus, to reimburse the County for any advances made pursuant to Section 8 hereof. The County shall have the right to invest moneys in the debt retirement account as provided in the Contracts, which investments may be in obligations other than those of the depository bank or trust company only.

10. Nothing contained in this resolution or the Contracts shall be construed to prevent the County from issuing additional bonds under the provisions of Act 185 for any of the purposes authorized by Act 185, but any such bonds shall in no way have any lien on or be payable out of the Contractual Payments pledged to the payment of the Bonds and the other bonds authorized under the Contracts.

11. U.S. Bank National Association, Detroit, Michigan is hereby designated to serve as escrow trustee (the "Escrow Agent"). In order to secure payment of the Prior Bonds being refunded, the County will enter into an Escrow Agreement (the "Escrow Agreement") with the Escrow Agent which shall provide for the creation of a fund designated as the COUNTY OF IONIA REFUNDING BONDS (CITY OF IONIA) ESCROW FUND with a series designation, if any, as determined by the County Treasurer (the "Escrow Fund"). The Escrow Agreement shall irrevocably direct the Escrow Agent to hold the Escrow Fund in trust for the payment of the principal of and interest on the Prior Bonds being refunded, and to take all necessary steps to call for redemption of any Bonds being refunded as specified by the Authorized Officer upon sale of the Refunding Bonds, including publication and mailing of redemption notices, on any date specified by the County on which the Prior Bonds may be called for redemption. The

Authorized Officer or the County Treasurer are hereby authorized to execute and deliver the Escrow Agreement and to purchase, or cause to be purchased, escrow securities, including, but not limited to, United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

The County Treasurer is hereby authorized to transfer monies from the debt retirement fund for the Prior Bonds being refunded to the Escrow Fund, to be invested as provided in the Escrow Agreement and to be used to pay principal and interest on the Prior Bonds being refunded. The amount to be transferred under this section shall be an amount which will enable the interest on the Bonds and the Prior Bonds to be, or continue to be, excluded from gross income for federal income tax purposes as determined by bond counsel.

12. The County Treasurer shall establish a fund designated as the “2013 WATER AND SEWER SYSTEM (CITY OF IONIA) CONSTRUCTION FUND” (hereinafter referred to as the “Construction Fund”) for proceeds of the Project Bonds. The moneys from time to time in the Construction Fund shall be used solely and only to pay costs of acquiring and constructing the Project.

13. Upon receipt of the proceeds of sale of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund and used to pay interest on the Bonds on the first interest payment date, provided, however, that at the discretion of the Authorized Officer, all or a portion of any premium received upon delivery of the Bonds may be deposited in the Escrow Fund or the Construction Fund.

Upon delivery of the Refunding Bonds, there shall be deposited to the Escrow Fund from Refunding Bond proceeds monies which may be invested as described in the Escrow Agreement and which shall be used by the Escrow Agent solely to pay the principal of and interest on the Prior Bonds being refunded. The County shall deposit to the Escrow Fund from bond proceeds and other monies available to the County an amount which, together with the investment proceeds to be received thereon, will be sufficient, without reinvestment, to pay the principal of and interest on the Prior Bonds being refunded as they become due pursuant to maturity or the call for redemption.

Upon delivery of the Project Bonds, and except as set forth above, there shall be deposited in Construction Fund the proceeds of sale of the Project Bonds allocated for payment of costs of constructing the Project.

The remaining proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds. At the option of the Authorized Officer, the costs of the issuance may be paid from a fund established for that purpose in the Escrow Agreement. Any monies remaining after payment of costs of issuance and costs of refunding the Prior Bonds shall be transferred to the Debt Retirement Fund.

#### BOND FORM

14. The Bonds shall be in substantially the following form with such revisions, additions and deletions as may be advisable or necessary to comply with the final terms of the Bonds established upon sale thereof:

[FORM OF BOND TO BE COMPLETED AFTER BOND SALE]

United States of America  
State of Michigan

COUNTY OF IONIA  
WATER AND SEWER IMPROVEMENT [AND] [REFUNDING] BOND  
(CITY OF IONIA), SERIES [DATE]  
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
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Registered Owner:

Principal Amount:

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

The bonds of this issue are payable primarily from the proceeds of contractual payments to be paid by the City of Ionia (the "City"), located in the County, to the County's Board of Public Works (the "Board of Public Works"), acting for and on behalf of the County, pursuant to certain contracts between the County and the City dated as of April 1, 2004 as supplemented \_\_\_\_\_, 201\_\_, dated as of May 9, 2005 as supplemented \_\_\_\_\_, 201\_\_, and dated as of March 25, 2008 as amended March 23, 2011 (collectively the "Contracts"). Under the Contracts the Board of Public Works, on behalf of the County, financed water supply and sewer system improvements to service the City, said system being designated as "Ionia County Water Supply and Sewer System (City of Ionia)." By the provisions of the Contracts and pursuant to the authorization provided by law, the City has pledged its full faith and credit for the payment of its contractual payments. The County has irrevocably pledged to the payment of this issue of bonds the total contractual payments, which said total payments are established in the amount required to pay the principal of and interest on this issue of bonds when due. As additional security for the payment of the bonds of this issue, the County, pursuant to the provisions of Act 185, Public

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

This bond is one of a total authorized issue of bonds of even Date of Original Issue, aggregating the principal sum of \$[amount] issued pursuant to a resolution duly adopted by the Board of Commissioners of the County on [date] and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 185, Public Acts of Michigan, 1957, as amended, and Act 34, Public Acts of Michigan, 2001, as amended, for the purposes of paying the costs of constructing water and sewer system improvements to service the City and refunding bonds previously issued by the County. The bonds being refunded were issued for the purpose of paying the costs of constructing water and sewer system improvements to service the City. For a complete statement of the funds from which and the conditions under which this bond is payable, and the general covenants and provisions pursuant to which this bond is issued, reference is made to the above described resolution.

Bonds of this issue maturing in the years [date] to [date], inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the years [date] to [date], inclusive, shall be subject to redemption prior to maturity, at the option of the County, in such order of maturity as the County shall determine and within any maturity by lot, on any date on or after [date], at par plus accrued interest to the date fixed for redemption.

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

Notice of redemption shall be given to the registered owners of bonds or portions thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner at the address of the registered owner as shown on the registration books of the County kept by the Transfer Agent. Bonds shall be called for redemption in multiples of \$5,000, and bonds of denominations of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bonds by \$5,000, and such bonds may be redeemed in part. The notice of redemption for bonds redeemed in part shall state that, upon surrender of the bond to be redeemed, a new bond or bonds in the same aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof with the same interest rate and maturity. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether the bonds have been presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bonds or portion thereof.

Any bond may be transferred by the registered owner of record, in person or by the registered owner's duly authorized attorney or legal representative, upon surrender of the bond to the Transfer Agent for cancellation, together with a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any bond is surrendered for transfer, the Transfer Agent shall authenticate and deliver a new bond or bonds, in like aggregate principal amount, interest rate and maturity. The Transfer Agent shall require the bondholder requesting the transfer to pay any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required: (i) to issue, register the transfer of, or exchange any bond during a period beginning at the opening of business fifteen (15) days before the day of the mailing of a notice of redemption of bonds selected for redemption and ending at the close of business on the day of that mailing, or (ii) to register the transfer of or exchange any bond so selected for redemption in whole or in part, except the unredeemed portion of bonds being redeemed in part.

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

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

IN WITNESS WHEREOF, the County of Ionia, State of Michigan, by its Board of Commissioners, has caused this bond to be signed in the name of said County [by] / [with the facsimile signatures of] the Chairman of the Board of Commissioners and the County Clerk and the County seal or a facsimile thereof to be [manually impressed/printed], all as of the Date of Original Issue.

COUNTY OF IONIA, Michigan

By Board Chairman to sign Bond  
Chairman of the Board of Commissioners

(County Seal)

Countersigned:

By [Clerk to sign bond]  
County Clerk

[Insert Standard Form of Transfer Agent's Certificate of Authentication  
and Standard Form of Assignment]

## AGREEMENTS WITH BONDHOLDERS

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

16. The County covenants and agrees with the successive holders of the Bonds that as long as any of the Bonds remain outstanding and unpaid as to either principal or interest:

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

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

(c) The County shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the Bonds pursuant to the Internal Revenue Code of 1986, as amended (the "Internal Revenue Code") in such a manner as to cause the Bonds to be "arbitrage bonds" within the meaning of the Internal Revenue Code and such applicable regulations. The County hereby covenants that, to the extent permitted by law, it will take all actions within its control and that it shall not fail to take any action as may be necessary to maintain the exemption of interest on the Bonds from gross income for federal income tax purposes, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the County with the Bonds.

## SALE OF BONDS

17. Any of the Authorized Officers is authorized to designate the Bonds as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the Internal Revenue Code. Designation of the Bonds as "qualified tax-exempt obligations" as described in this section shall be confirmed by execution of the Non-Arbitrage and Tax Compliance Certificate or other certificate to be delivered by the County in connection with delivery of the Bonds.

18. The County hereby determines to sell the Bonds at a negotiated sale instead of a competitive sale for the reason that a negotiated sale will permit the County to enter the market on short notice at a point in time which appears to be most advantageous, and thereby possibly obtain a lower rate of interest on the Bonds and the most favorable price for purchase of securities to be escrowed for payment of the Prior Bonds to be refunded.

19. Robert W. Baird & Co., Incorporated is hereby named as senior managing underwriter for the Bonds. The County reserves the right to name additional co-managers and/or to develop a selling group. By adoption of this resolution the County assumes no obligations or liability to the Underwriter for any loss or damage that may result to the Underwriter from the adoption of this resolution, and all costs and expenses incurred by the Underwriter in preparing for sale of the Bonds shall be paid from the proceeds of the Bonds, if issued, except as may be otherwise provided in the Bond Purchase Agreement for the Bonds.

The County requests that Miller, Canfield, Paddock and Stone, P.L.C. continue to serve as the County's bond counsel notwithstanding representation by Miller, Canfield of Robert W. Baird & Co. and potential selling group members in connection with matters unrelated to issuance of the Bonds

20. The Authorized Officer is hereby authorized, on behalf of the County, subject to the provisions and limitations of this resolution, to negotiate sale of the Bonds to the Underwriter and to accept an offer by the Underwriter to purchase the Bonds without further resolution of this County Board of Commissioners. This authorization includes, but is not limited to, determination of original principal amount of the Bonds; the prices at which the Bonds are sold; the date of the Bonds; the schedule of principal maturities and whether the Bonds shall mature serially or as term bonds (if term bonds are authorized by law at the time of issuance of the Bonds); the provisions for early redemption including mandatory redemption of term bonds, if any; the interest rates and payment dates of the Bonds, additional series designations if the Bonds are issued in more than one series, and designation of which maturities of the Prior Bonds will be refunded. The Authorized Officer is authorized to sign the Bond Purchase Agreement on behalf of the County.

The Refunding Bonds shall not be sold unless net present value savings are realized after payment of all costs of issuance. The first maturity of principal on the Refunding Bonds shall occur no earlier than 2013, and the date of the final maturity shall not be later than 2029. The first maturity of principal on the Project Bonds shall occur no earlier than 2013, and the date of the final maturity shall not be later than 2037. The Underwriter's Discount shall not exceed 1.00% of the par value of the Bonds. In making such determinations the Authorized Officer is

authorized to rely upon data and computer runs provided by the Registered Municipal Advisor or the Underwriter.

Approval of the matters delegated to the Authorized Officer under this resolution may be evidenced by execution of the Bond Purchase Agreement or the Official Statement by the Authorized Officer.

21. Any Authorized Officer is hereby directed to approve circulation of a preliminary official statement describing the Bonds and to deem such Preliminary Official Statement "final" for purposes of compliance with Securities and Exchange Commission Rule 15c2-12. After sale of Bonds, any Authorized Officer is authorized to prepare a final Official Statement describing the Bonds and to execute and deliver the final Official Statement.

21. Any Authorized Officer is authorized to apply for ratings on the Bonds. If the Registered Municipal Advisors recommends that the County consider purchase of municipal bond insurance, then any Authorized Officer is hereby authorized and directed, on behalf of the County, to negotiate with insurers with respect to acquisition of municipal bond insurance, and, in consultation with the Registered Municipal Advisors, to select an insurer and determine which bonds, if any, shall be insured.

22. In order to enable underwriters to comply with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, the County hereby agrees to undertake Continuing Disclosure. Any of the Authorized Officers is authorized to execute such Continuing Disclosure Undertaking on behalf of the County in such form as he or she shall, in consultation with bond counsel, determine appropriate.

23. Any Authorized Officer is authorized to select an independent certified public accountant to serve as verification agent to verify that the securities and cash to be deposited to the Escrow Fund will be sufficient to provide, at the times and in the amounts required, sufficient moneys to pay the principal of and interest on the Prior Bonds being refunded as they become due.

24. The Authorized Officer and the officers, administrators, agents and attorneys of the County are authorized and directed to take all other actions necessary and to facilitate issuance and sale of the Bonds, and to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient to complete the issuance and delivery of the Bonds in accordance with this Resolution and expenditure of Bond proceeds in accordance with this Resolution, including appropriation and transfer of Bond proceeds as appropriate, and payment of costs necessary to accomplish sale and delivery of the Bonds, including but not limited to rating agency fees, costs of printing the preliminary and final official statements, publication of notices, municipal advisor fees, transfer and escrow agent fees, verification agent fees, bond counsel fees, and any other costs necessary to accomplish sale and delivery of the Bonds.

MISCELLANEOUS

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

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

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the County Board of Commissioners of the County of Ionia, Michigan at a regular meeting held on January 22, 2013, at 7:00 o'clock p.m. prevailing Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

If such meeting was a Special meeting I further certify that notice of said Special meeting was given to each member of the Board in accordance with the rules of procedure of the Board.

I further certify that Notice of this meeting was posted pursuant to the requirements of Section 308, Act 34, Public Acts of Michigan, 2001, as amended, not less than 18 hours prior to the meeting, in the form attached hereto as Exhibit A.

I further certify that the following Commissioners were present at the hearing: Mason, Tiejema, Banks, Cowling-Cronk, Wirtz, Shattuck and Calley.

I further certify that Commissioner Banks moved for adoption of said resolution and that Commissioner Cowling Cronk supported said motion.

I further certify that the following Members voted for adoption of said resolution: Mason, Tiejema, Banks, Cowling-Cronk, Wirtz, Shattuck and Calley.

I further certify that the Members voting for adoption of said resolution constitute at least a three-fifths (3/5) majority of the Members of the Board of Commissioners.

*Tonda Rich, Ionia County Clerk*

EXHIBIT A  
Form of Notice pursuant to Section 308, Act 34,  
Public Acts of Michigan, 2001, as amended

MEETING NOTICE  
County Board of Commissioners  
County of Ionia, State of Michigan

At the Regular meeting of the County Board of Commissioners of the County of Ionia, Michigan to be held on January 22, 2013 at 7:00 p.m. Eastern Time, at the Board Chambers located at 100 W. Main Street in Ionia, the Board of Commissioners will consider issuance of bonds to assist the City of Ionia by financing a water and sewer project. The bonds will contain a limited tax full faith and credit pledge of the County.

The City has signed a contract agreeing to pay the County the amounts necessary to make all payments on the bonds, and the County has previously authorized sale of the bonds by competitive sale. The resolution to be considered at this meeting would permit the County to reduce costs by selling the bonds by negotiated sale with bonds issued to save debt service costs by refunding outstanding bonds.

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

Tonda Rich  
Ionia County Clerk

**IONIA COUNTY BOARD OF COMMISSIONERS**  
*"Collaborating For Safe, Strong and Healthy Communities"*

**Agenda**  
**January 22, 2013**  
**7:00 p.m.**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Invocation**
- IV. Approval of Agenda**
  - A. Consideration of additional items
- V. Public Comment**  
(3 minute time limit per speaker – please state name/organization)
- VI. Did You Know?**
- VII. Action on Consent Calendar**
  - A. Approve minutes of the previous meeting(s)
  - B. Approve per diem and mileage
  - C. Approve payment of General Fund payroll and accounts payable for the month of December 2012 - \$1,063,978.34
  - D. Approve payment of Health Fund bills - \$109,624.44
  - E.
- VIII. Unfinished Business**
  - A. Appointments
    1. Board of Public Works – Two three-year appointments.
    2. Park Advisory Board – One two-year appointment.
    3. Pension Advisory Committee – One two-year appointment.
    4. Tax Allocation Board – One one-year appointment.
  - B.
- IX. New Business**
  - A. Michigan Department of Community Health CPBC Agreement Amendment
  - B. Resolution Authorizing Water and Sewer Improvement and Refunding Bonds
  - C. Approval of First Supplement to 2004 Contract for Issuance of Water and Sewer Bonds
  - D. Approval of First Supplement to 2005 Contract for Issuance of Water and Sewer Bonds
  - E. Pension Plan Resolution – County Treasurer
  - F. Pension Plan Resolution – Board of Commissioner Chairperson
  - G.

X. Reports of Officers, Boards, and Standing Committees

A. Chairperson

B. County Administrator

XI. Reports of Special or Ad Hoc Committees

XII. Public Comment (3 minute time limit per speaker)

XIII. Executive Session

XIV. Adjournment

**Board and/or Commission Vacancies**

- Area Agency on Aging of Western Michigan Advisory Council – One one-year appointment expiring April 2013.
- Substance Abuse Initiative – One two-year appointment expiring December 2012. Appointment must be made from Commissioner District #4.

**Appointments for consideration in the month of February 2013:** None

**Appointments for consideration in the month of March 2013:**

- Community Mental Health Services Board – Three three-year appointments.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF CONSTRUCTION CODES  
NOTICE OF PUBLIC HEARING

Michigan Part 8- Electrical Code Rules (ORR# 2011-040 LR)  
State Boundary Commission General Rules (ORR# 2011-041 LR)  
Michigan Part 9a.-Mechanical Code (ORR# 2012-010 LR)

The Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, will hold a public hearing on Thursday, February 28, 2013, at 9:00 a.m. in Conference Room 3, 2501 Woodlake Circle, Okemos, MI 48864. The Part 8 Electrical Code rules are proposed to be effective 30 days after filing with the Secretary of State. The State Boundary Commission General rules are proposed to be effective 30 days after filing with the Secretary of State. The Part 9a. Mechanical Code is proposed to be effective 120 days after filing with the Secretary of State.

The public hearing is being held to receive public comments on the proposed amendments to the administrative rules noted above. Testimony will be taken for each rule set in the order the rules are listed above. Individuals who are not present during testimony for a particular rule set will be provided an opportunity to testify after final testimony on the Michigan Part 9a Mechanical Code.

The proposed revisions to Part 8 Electrical rules will adopt the 2011 edition of the National Electrical Code, a national industry standard, and provide Michigan-specific amendments. The hearing is being conducted by the Department under the authority of Section 4 of 1972 PA 230, MCL 125.1504, and Executive Reorganization Order Nos. 2003-1, 2008-4 and 2011-4, MCL 445.2011, 445.2025, and 445.2030.

The proposed revisions to the State Boundary Commission General rules will streamline the procedures specified in the rules that the State Boundary Commission follows to process petitions for incorporation or consolidation as well as petitions or resolutions for annexation and to reflect revisions to the State Boundary Commission Act. The hearing is being conducted by the Department under the authority of Section 4 of 1968 PA 191, MCL 123.1004 and Executive Reorganization Order Nos. 1973-2, 1980-1, 1996-2, 2003-1, 2008-4 and 2011-4, MCL 299.11, 16.732, 445.2001, 445.2011, 445.2025 and 445.2030.

The proposed Mechanical rules will adopt the 2012 edition of the International Mechanical Code with amendments, deletions, and additions deemed necessary for use in Michigan. The hearing is being conducted by the Department under the authority of Section 4 of 1972 PA 230, MCL 125.1504 and Executive Reorganization order Nos. 2003-1, 2008-20 and 2011-4, MCL 445.2011, 445.2025 and 445.2030.

The proposed rules will be published in the February 1, 2013 *Michigan Register*. Copies of the proposed Michigan amendments to the Michigan Electrical Code rules, the State Boundary Commission General rules and the Michigan Mechanical Code rules may be obtained for a fee of \$3.00 for each rule set by submitting a check or money order made payable to the State of Michigan, to the Bureau at the address below. You may download a free copy of the proposed amendments by

visiting the Bureau's website at [www.michigan.gov/bcc](http://www.michigan.gov/bcc). The amendments are located under "What's New" on the front page of the website.

Oral or written comments may be presented in person at the hearing on February 28, 2013, or submitted in writing by mail, email, or facsimile no later than 5:00 p.m., February 28, 2013 to the address stated below. If your presentation at the public hearing is in written form, please provide a copy to the Rules Analyst, at the conclusion of your testimony at the hearing.

Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes  
Office of Administrative Services  
P.O. Box 30254  
Lansing, MI 48909  
Telephone (517) 241-6312  
Facsimile (517) 241-9570  
[matsumotos@michigan.gov](mailto:matsumotos@michigan.gov)

The meeting site and parking is accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services (such as materials in alternative format) in order to participate in the meeting should call Hillary Cushman at (517) 335-2972 (voice) at least 14 days prior to the hearing. LARA is an equal opportunity employer/program.

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING  
FOR THE GAS CUSTOMERS OF  
CONSUMERS ENERGY COMPANY

CASE NO. U-17133

- Consumers Energy Company proposes to use a base gas cost recovery (GCR) ceiling factor of not less than \$4.6260 per thousand cubic feet (Mcf), plus additional amounts contingent on future events determined using the GCR Factor Ceiling Price Adjustment Mechanism, if the Michigan Public Service Commission approves its request.

~~• The information below describes how a person may participate in this case.~~

- You may call or write Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- The first public hearing in this matter will be held:

**DATE/TIME:** February 7, 2013, at 10:00 a.m.  
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

**BEFORE:** Administrative Law Judge Thomas E. Maier

**LOCATION:** Constitution Hall  
525 West Allegan  
Lansing, Michigan

**PARTICIPATION:** Any interested person may attend and participate. The hearing site is accessible, including handicapped parking.  
~~Persons needing any accommodation to participate should~~  
contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) December 27, 2012 application, which seeks approval of its GCR plan and monthly GCR factors for the 12-month period April 2013 through March 2014. Consumers Energy is requesting authorization of its monthly GCR factors for the period April 2013 through March 2014 consisting of the sum of two parts: (i) a base factor of \$4.6260 per Mcf, plus (ii) additional amounts contingent upon future events, determined using the GCR Factor Ceiling Price Adjustment Mechanism. The Company is also requesting that the Commission review its plans and projections through March 2018 and find its 5-year plan reasonable and prudent.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets). Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov). If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov).

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by January 31, 2013. (Petitions to intervene may also be filed using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department-Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case, may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information: available on the Michigan Public Service Commission's website, and subject to disclosure.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Consumers Energy's request may be reviewed on the Commission's website at: [michigan.gov/mpscedockets](http://michigan.gov/mpscedockets), and at the office of Consumers Energy Company, One Energy Plaza, Jackson, MI. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in 1982 P.A. 304 proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6h et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

[CONSUMERS ENERGY COMPANY HAS REQUESTED THE GAS COST RECOVERY FACTORS DESCRIBED IN THIS NOTICE. THE MICHIGAN PUBLIC SERVICE COMMISSION MAY APPROVE, REJECT OR AMEND THE FACTORS.]

January 9, 2013