

**MINUTES
ISABELLA COUNTY
BOARD OF COMMISSIONERS
November 1, 2016**

The Isabella County Board of Commissioners was called to order at 7:00 p.m., by Chairperson George Green in the Commission Chambers on the above date.

The Pledge of Allegiance to the United States of America was led by Chairperson George Green.

Roll was called with the following Commissioners present: George Green, John Haupt, Jerry Jaloszynski, Jim Horton, Jim Moreno, David Ling and Michael Fisher

Commissioners Absent: None

Also present were: Isabella County Administrator/Controller Margaret McAvoy, and Isabella County Clerk Minde` B. Lux

AGENDA:

It was moved by Commissioner Ling and seconded by Commissioner Horton to approve the agenda as presented.

GENERAL PUBLIC COMMENTS: None

PRESENTATIONS AND SPECIAL REPORTS: None

APPOINTMENTS TO BOARDS AND COMMISSIONS:

1. Human Rights Committee:

It was moved by Commissioner Haupt and seconded by Commissioner Moreno to accept with regret the resignation of Shirley Decker from the Isabella County Human Rights Committee. Motion Carried.

2. Deputy Medical Examiner:

It was moved by Commissioner Jaloszynski and seconded by Commissioner Haupt to appoint Dr. Patrick Hansma as a Deputy Medical Examiner for the County of Isabella. Motion Carried.

CONSENT AGENDA:

It was moved by Commissioner Fisher and seconded by Commissioner Moreno to approve and place on file the October 18, 2016 Regular Meeting minutes, the October 25, 2016 Finance and Administration Committee meeting minutes, the October 25, 2016 Criminal Justice and County Affairs Committee meeting minutes, and the October 20, 2016 Routine Personnel Items. Motion Carried.

COMMITTEE REPORTS:

Finance and Administration Committee:

1. October 12, 2016 Claims List, and the October 19, 2016 Claims List:

It was moved by Commissioner Horton and seconded by Commissioner Ling to ratify and place on file the October 12, 2016 Claims List in the amount of \$28,271.62, and the October 19, 2016 Claims List in

the amount of \$38,380.70. The motion carried with 7 yeas and 0 nays. Yeas: Commissioners Green, Haupt, Jaloszynski, Horton, Moreno, Ling and Fisher. Nays: None.

2. Resolution No. 16-10-02:

Resolution Pledging Full Faith and Credit to Little Tobacco Intercounty Drain Note

WHEREAS, pursuant to a petition filed with the Drain Commissioner of the County of Clare, State of Michigan, proceedings have been taken under the provisions of Act 40, Public Acts of Michigan, 1956, as amended (the “Act”), for the making of certain improvements to the Little Tobacco Intercounty Drain (the “Project”) which is being undertaken by the Little Tobacco Intercounty Drain Drainage District (the “Drainage District”); and

WHEREAS, the Drainage District has issued its Little Tobacco Intercounty Drain Note, Series 2015 (the “Prior Note”); and

WHEREAS, the Project is necessary for the protection of the public health, and in order to provide funds to pay preliminary costs of the Project, the Drainage Board intends to issue the Drainage District’s Note or Notes in an amount not to exceed \$250,000, in addition to amounts previously borrowed (the “Note”), pursuant to Section 434 of the Act; and

WHEREAS, the principal of and interest on the Note will be payable from bonds to be issued by the Drainage District to provide the permanent financing for the Project (the “Bonds”); and

WHEREAS, the apportionment of the costs of the Project have been revised since the issuance of the Prior Note and now 30% of the cost of the Project has been apportioned by the Drainage Board to the County of Isabella (the “County”) and 70% of the Cost of the Project has been apportioned by the Drainage Board to the County of Clare; and

WHEREAS, the Drainage Board deems it advisable and necessary to request that this Board adopt a resolution consenting to the pledge of the limited tax full faith and credit of the County on the Note to the extent that the cost of the Project has been apportioned to the County; and

WHEREAS, this Board (the “Board”) may, by resolution adopted by a majority vote of two-thirds of the members of the Board, pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Note pursuant to Section 434 of the Act; and

WHEREAS, the pledge of the full faith and credit of the County to the Note will reduce the cost of financing the Project and will be a benefit to the people of the County.

NOW, THEREFORE, IT IS RESOLVED as follows:

The County pledges its full faith and credit for the prompt payment of 30% of the principal of and interest on the Note and any Note issued to refinance the Note, and the County agrees that in the event that the Bonds are not issued prior to the date on which the principal of and interest on the Note (or a Note issued to refinance the Note) are due and that moneys are not otherwise available to the Drainage District on such date to pay such principal and interest, the County will immediately make such advancement from general funds of the County to the extent necessary to pay the County’s share of the principal of and interest on the Note (or a note issued to refinance the Note) when due. The ability of

the County to levy taxes to pay its share of the principal of and interest on the Note (or a note issued to refinance the Note) shall be subject to constitutional and statutory limitations on the taxing power of the County. The Note may be issued as part of one note issue together with portions of a note issued to refinance outstanding Prior Note.

The County's pledge of its full faith and credit to the Prior Note and any note issued to refinance the Prior Note as provided in Resolution No. 15-10-03 will be increased to 30% of the principal of and interest on the Prior Note or any note issued to refinance the Prior Note upon the issuance of a note to refinance the Prior Note.

In the event that, pursuant to said pledge of full faith and credit, the County advances out of County funds sums to pay any part of the principal of and interest due on the Note, the County shall take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

The Chairperson of the Board, the County Clerk, the County Treasurer, and any other official of the County, or any one or more of them, are authorized and directed to take all actions necessary or desirable for the issuance of the Note, and to execute any documents or certificates necessary to complete the issuance of the Note, including, but not limited to, any applications including applications to the Michigan Department of Treasury, any waivers, certificates, receipts, orders, agreements, instruments, and any certificates relating to federal or state securities laws, rules or regulations.

This resolution shall become effective only if the Board of Commissioners of the County of Clare adopts a resolution substantially in the form of this resolution that pledges the limited tax full faith and credit of the County of Clare to the payment of the principal of and interest on the Note to the extent of its apportioned share of the cost of the Project

All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

It was moved by Commissioner Horton and seconded by Commissioner Ling to adopt Resolution No. 16-10-02, Resolution Pledging Full Faith and Credit to Little Tobacco Intercounty Drain Note, and authorize the Board Chair to sign the same. The motion carried with 7 yeas and 0 nays. Yeas: Commissioners Green, Haupt, Jaloszynski, Horton, Moreno, Ling and Fisher. Nays: None.

Criminal Justice and County Affairs Committee: No Business

Human Resources and Public Works Committee: No Business

Intergovernmental Affairs Committee: None

Administrator/Controller: None

Unfinished Business: None

New Business: None

General Public Comments: None

Announcements: County Administrator/Controller Margaret McAvoy announced that the Segal Waters Job Study review would be moved from November 15th, 2016 to December 20th, 2016.

Adjournment: It was moved by Commissioner Fisher and seconded by Commissioner Ling to adjourn to the call of the chair at 7:07 p.m.