

WEDNESDAY, AUGUST 14, 2013

DW&S

SPECIAL MEETING

The special meeting of the Bay County Road Commission, Department of Water & Sewer, was called to order at 9:00 a.m., at 2600 E. Beaver Road, by the Chairman, Richard Gromaski.

Roll Call: Richard Gromaski, Edward Rivet & Michael Rivard

Also present were: Road Commission Representatives: Jim Lillo, Engineer-Manager; Dept. of Water & Sewer Representatives: Thomas Paige, Director; Supervisors - Mark Galus, Fraser; Tom Foret & Pam Wright, Hampton; Dennis Bragiel & Greg Petrimoulx, Kawkawlin; David Schabel & Kathy Bremer, Merritt; Gary Brandt, Monitor; Russell Tanner, City of Essexville; Dawn Bublitz, Bangor Township; Dan Hansford, Essexville; Sarah Wilcox, Essexville; and Jackie McCarthy, Clerk of the Board.

Pledge of Allegiance

PUBLIC INPUT – NONE

Commissioner Gromaski moved to approve and authorize execution of Resolution Approving Contract and Bond Resolution.

Yeas: Gromaski, Rivet & Rivard

RESOLUTION APPROVING CONTRACT AND BOND RESOLUTION

At a special meeting of the Board of County Road Commissioners of the County of Bay, Michigan, held on the 14th day of August, 2013.

PRESENT: Gromaski, Rivet & Rivard

ABSENT: None

The following resolution was made by Gromaski and seconded by Rivet

WHEREAS, the County of Bay, State of Michigan (the "County"), by resolution of its Board of Commissioners adopted on June 17, 1980, designated the Board of County Road Commissioners as the duly designated county agency (the "County Agency") for County water, sewer and/or sewage disposal systems pursuant to the provisions of Act 342, Public Acts of Michigan, 1939, as amended ("Act 342") for and on behalf of the County; and

WHEREAS, it is anticipated that the Board of Commissioners of the County will establish a system of water supply improvements and services to serve the Charter Townships of Bangor, Hampton, Monitor, Portsmouth and Williams, the Cities of Bay City, Essexville and Pinconning, the Townships of Beaver, Frankenlust, Fraser, Kawkawlin and Merritt (collectively, the "Municipalities") and the County, said system to be known as the "Bay Area Water Treatment Plant and Raw Water Transmission Mains System" (the "System"), and

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WHEREAS, under and subject to the terms of Act 342, the County is authorized, through the County Agency, to acquire and construct the water supply facilities constituting the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project (the "Project") as part of the System, the County, by and through the County Agency, and the Municipalities are authorized to enter into the proposed Bay Area Water Treatment Plant and Raw Water Transmission Mains Project Contract (the "Contract") for the acquisition and construction of the Project by the County and for the payment of the cost thereof by the issuance of revenue bonds by the County pursuant to section 7 of Act 342 and the provisions of Act No. 94, Public Acts of Michigan, 1933, as amended, secured by the revenues of the System, including payments made by the Municipalities pursuant to the Contract; and

WHEREAS, to finance part of the cost of the Project it is proposed that the County borrow the sum of not to exceed \$42,000,000 and issue its water supply system revenue bonds (the "Bonds"); and

WHEREAS, the County is authorized to pledge its full faith and credit for the payment of the Bonds and the interest thereon if authorized by majority vote of the members-elect of its Board of Commissioners; and

WHEREAS, preliminary plans for the Project and estimates of the cost and period of usefulness thereof have been prepared, all of which have been submitted to and placed on file with said Board of Commissioners in the office of the County Agency, said preliminary plans and estimates being set forth in Appendices #1 and #2, respectively, to the Contract; and

WHEREAS, there has been submitted to the County Agency (i) a form of the Contract and (ii) a form of resolution establishing the System, approving said estimates and the Contract and authorizing the issuance of the Bonds (the "Bond Resolution").

NOW, THEREFORE, BE IT RESOLVED by the Board of County Road Commissioners of the County of Bay, as follows:

1. The preliminary plans for the Project and estimates of the cost and period of usefulness thereof, in the form of Appendices #1 and #2, respectively, to the Contract, are approved and adopted.
2. The Contract, in the form presented to this meeting, is approved, and the Chairperson and the Clerk of the Board are authorized to execute the Contract in the form approved.
3. The Bond Resolution, in the form presented at this meeting, is approved and adopted and the Chairperson is directed to submit the Bond Resolution to the Board of Commissioners of the County with the recommendation that the Bond Resolution be adopted by said Board of Commissioners.

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- 4. The County Agency accepts the duties and obligations imposed on it, on behalf of the County, in the Bond Resolution, and agrees to fulfill such duties and obligations on behalf of the County.
- 5. All resolutions and parts of resolutions, insofar as the same may be in conflict herewith, are hereby rescinded.

YEAS: Gromaski, Rivard & Rivet

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

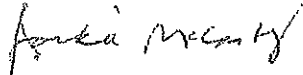
PUBLIC INPUT – NONE


There being no further business before the Board, Commissioner Rivard moved to adjourn the meeting until Wednesday, August 21, 2013 immediately following the Road Department meeting. Motion was adopted on a roll call vote at 9:20 a.m.:

Yeas: Rivard, Rivet & Gromaski

Respectfully Submitted by:

Approved by:


 Jackie McCarthy
 Clerk of the Board


 Richard S. Gromaski
 Chairman of the Board