

**RESOLUTIONS – 2004**

- 04-01 Bond Authorizing Resolution General Obligations Ltd.  
Tax Refunding Bonds, Series 2004**
- 04-02 Placing Proposed Millage Renewal for County Parks &  
Rec. on August Primary Ballot.**
- 04-03 Opposing Collection of the State Minimum Fees**
- 04-04 Supporting the Landfill Surcharge (Resolution Failed)**
- 04-05 Amending Part of the SCC Employee Retirement System  
Ordinance**
- 04-06 Placing Millage Renewal for Drug Task Force on the August  
Ballot**
- 04-07 SCC Farmland Preservation Ordinance**
- 04-08 Resolution Establishing Authorized Parking Enforcement Agent**
- 04-09 Coastal Management Grant Application**
- 04-10 Village of Capac Refunding Bonds**
- 04-11 Opposing SB 1147 & HB 5762**
- 04-12 Authorizing Funding for Existing & Expand  
Transportation Positions for Services**
- 04-13 Relative to the Sale by the Sheriff of Unclaimed Stolen  
Property**
- 04-14 Intergovernmental Transfer of Function &  
Responsibility**
- 04-15 Intent to Establish a Brownfield Redevelopment Authority**
- 04-16 Creating a Brownfield Redevelopment Authority**
- 04-17 Ratifying Adoption of the SCC Empl. & Retirees Health Care  
Plan Policy & Procedure**
- 04-18 Soil Erosion & Sedimentation Control Permit Fee Changes**
- 04-19 Opposition to changing and/or reopening Sentencing Guidelines  
for Prisoners**
- 04-20 Opposition to the July Property Tax Collection Proposal for  
County Revenue Sharing Funds**
- 04-21 Opposition to Changes in Personal Property Taxes & House Bill  
4234**
- 04-22 Confirming Road Commission & Dept of Public Works  
Contracts with CPA's**
- 04-23 Ratifying Collective Bargaining Agreement Between SCC Sheriff  
& SCC and SCC Sheriff Dept Corrections Officers &  
Professional Employees Chapter COAM**

- 04-24 Ratifying Collective Bargaining Agreement Between SCC Sheriff & SCC and SCC Sheriff Dept POAM Supervisor's Union**
- 04-25 Approving AAA 1-B FY 2005 Annual Implementation Plan**
- 04-26 Clay Twp. Water Supply System No II-A Bonds**
- 04-27 Adopting Tentative Amended 911 Service Plan**
- 04-28 Annual Reversion of Fund Balances**
- 04-29 Apportioning Taxes for 2004**
- 04-30 Design Contract for Runway 10-28 SCC International Airport .**
- 04-31 Redemption of the City of Yale SDS No. XI Bonds**
- 04-32 Compensation for the SCC Board of Commissioners**
- 04-33 Accepting Agreement with MDNR for Lake Huron Shoreline Acquisition**
- 04-34 Ratifying Collective Bargaining Agreement between SCC Bd of Comm. & SCC Human Resources TPOAM union**
- 04-35 Res. Adopting Ordinance Amending the SCC Employees' Retirement System Ordinance**
- 04-36 Waiving Interest Accrued on Taxes Collected by Local Units**
- 04-37 SCC 2005 General Appropriations Resolution**
- 04-38 Establishing Salaries for Classification Structure (Wage & Grade)**
- 04-39 Electing SCC to Serve as Foreclosing Unit & Rescinding Resolution 99-41**
- 04-40 Supporting Marysville LDFA for Schefenacker Project**
- 04-41 Annual County at Large Drain Assessment**
- 04-42 Establishing Salaries for Elected & Appointed Officials for 2005**
- 04-43 Establishing Compensation for FIA Board**
- 04-44 Relative to Per Diems for Boards & Commissions**
- 04-45 Adopting Special Revenue, Debt Service & Other Specific Revenue Fund Budgets**
- 04-46 Establishing Compensation for the Road Commission**
- 04-47 Relative to the Appropriation of the Senior Citizens Millage Fund for 2005**
- 04-48 Amending the SCC Parking Control & Enforcement Ordinance**
- 04-49 Adopting Amended 911 Service Plan**
- 04-50 Adopting a Tentative Amended 911 Service Plan & Scheduling a Public Hearing on Final Adoption of an Amended 911 Service Plan**

Res. 04-29

2004

# ST. CLAIR COUNTY ANNUAL REPORT ON TAXES



PREPARED BY:  
 ST. CLAIR COUNTY EQUALIZATION DEPARTMENT  
 KENNETH G. HILL, DIRECTOR

Presented to:  
 St. Clair County Board of Commissioners  
 November 17, 2004



## COUNTY OF ST. CLAIR



Equalization Department  
KENNETH HILL, Director

To the St. Clair County Board of Commissioners

Dear Commissioners,

This report on local taxes has been compiled to provide you with detailed information on the 54 tax levying jurisdictions for Cities, Townships, Villages, and all other jurisdictions that levy taxes in St. Clair County for 2004.

This report contains rates in the manner in which the tax is levied, first by local unit of Government, second by authority and then by school districts. This rate information is compiled from all 31 local Cities Townships and Villages, 13 school districts (7 within St. Clair County and 6 school districts from surrounding counties), 4 intermediate school districts, the St. Clair County Community College District, and the St. Clair County office of the Controller.

Page 3 is a summary of the changes in tax rates from 2003.

Page 4 includes information on commercial and industrial facilities exemptions. Commercial and industrial facilities exemptions exceed \$101 million dollars in equivalent state equalized value and pay \$361,081 dollars in taxes to the county.

Page 5 provides data on tax increment financing. There are two (DDA'S), and nineteen (TIF) districts located in five cities, one village, and three townships with over \$229 million dollars in captured value.

In the remaining pages you will find the 2004 Apportionment Report (STC form L-4402), a statement of taxable values by school districts, and the county state equalized and taxable valuation statistics for 2004.

The 2004 St. Clair County state equalized value is \$7,055,937,140. The 2004 taxable value is \$5,571,093,474.

Respectfully submitted,

Kenneth G. Hill  
Director, SCCED

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RATES ARE EXPRESSED AS DOLLARS PER \$1000 OF TAXABLE VALUATION TOTAL RATES ARE FOR NON-HOMESTEAD PROPERTY

Table with columns: TOWNSHIP, VILLAGE AND SCHOOL DISTRICT, TAXABLE VALUE, STATE, LOCAL, OPERATING, DEBT, TOTALS, COLLEGE VOTED OPER., DEBT, TOTALS, INTERMEDIATE SCHOOLS FIXED OPER., VOTED, VOC. ED., VOTED, TOTALS, COUNTY FIXED OPER., VOTED, EXTRA, TOTALS, TOWNSHIPS FIXED OPER., OTHER, TOTALS, TOTAL 2004 RATE.

2004 Tax Rate Report

RATES ARE EXPRESSED AS DOLLARS PER \$1,000 OF TAXABLE VALUATION TOTAL RATES ARE FOR NON-HOMESTEAD PROPERTY

Table with columns: TOWNSHIP, VILLAGE AND SCHOOL DISTRICT, TAXABLE VALUE, K-12 SCHOOLS, COLLEGE, INTERMEDIATE SCHOOLS, COUNTY, TOWNSHIPS, TOTAL 2004 RATE. Rows include locations like LYNN, MUSSEY, PORT HURON, RILEY, VALES, CITY OF ALGONAC, CITY OF MARINE CITY, CITY OF MARYSVILLE, CITY OF MEMPHIS, CITY OF PORT HURON, CITY OF RICHMOND, CITY OF ST. CLAIR, CITY OF VALE.

Table with columns: LEGEND, A-Z, Description of services (e.g., Senior Citizen, Drug Task Force, Fire, Police, Streets, Sewer, etc.).

2004 TOTAL TAX RATE OF 54 TAX LEVYING JURISDICTIONS WITH CHANGE FROM 2003 RATE  
 Changes Expressed as Dollars per \$1,000 of Taxable Value

2004 RATE	CHANGE	JURISDICTION	2004 RATE	CHANGE	JURISDICTION
7.1048	0.0000	St. Clair County (c)	15.1195	0.0000	City of Memphis (c)
2.5973	(0.0588)	Berlin Twp. (c)	16.7163	0.0120	City of Port Huron (c)
2.7551	(1.4944)	Brockway Twp. (c)	20.0127	(0.8105)	City of Richmond (c)
2.0885	(0.0415)	Burtchville Twp. (c)	15.5000	(0.1000)	City of St. Clair (c)
0.7968	(0.0047)	Casco Twp. (c)	14.6370	(0.0751)	City of Yale (c)
2.3290	(0.0663)	China Twp.	19.2167	(0.4066)	Village of Capac (c)
8.9571	8.3698	Clay Twp. (c)	7.0000	0.0000	Village of Emmett (c)
0.9656	0.0017	Clyde Twp. (c)	26.0000	1.0000	Port Huron Area Schools 74-010
0.8021	(0.0123)	Columbus Twp. (c)	27.2500	1.3744	Algonac Community Schools 74-030
0.7297	(0.0068)	Cottrellville Twp. (c)	27.4281	0.7475	Capac Community Schools 74-040 (c)
3.6800	(0.0140)	East China Twp.	27.0000	1.0000	East China Schools 74-050
0.8081	(0.0152)	Emmett Twp. (c)	27.1300	1.0122	Marysville Public Schools 74-100
4.0386	0.0390	Fort Gratiot Twp. (c)	30.8614	1.0000	Memphis Community Schools 74-120
4.4936	(0.1287)	Grant Twp. (c)	30.7217	0.7883	Yale Public Schools 74-130
2.9811	(0.0111)	Greenwood Twp.	3.4468	0.0000	St. Clair Co. Inter., Spec., & Voc. Ed. (c)
3.1475	0.0093	Ira Twp. (c)	1.8891	0.0000	St. Clair Co. Community College (c)
2.3011	(0.0662)	Kenockee Twp. (c)	1.9874	0.0000	P.H. Downtown Development Authority (c)
0.7899	(0.0102)	Kimball Twp. (c)	0.6294	0.0000	Blue Water Area Transportation
1.8653	0.0262	Lynn Twp. (c)	(City of PH & Ft Gratiot Twp .6294, P H Twp .7632, Burtchville .4806 Marysville .2400)		
2.4276	0.4669	Mussey Twp. (c)	34.0000	1.1764	Anchor Bay Schools 50-040
6.5374	(0.6977)	Port Huron Twp. (c)	27.7500	1.0000	Richmond Community Schools 50-180
0.7504	(0.0102)	Riley Twp. (c)	29.8883	0.5509	Armada Area Schools 50-050 (c)
0.7822	0.0107	St. Clair Twp. (c)	32.4500	2.4016	Almont Community Schools 44-020 (c)
0.7467	(0.0143)	Wales Twp. (c)	29.2453	0.6892	Brown City Community Schools 76-060
13.5777	0.0000	City of Algonac (c)	26.2827	0.7228	Croswell-Lexington Comm. Schools 76-080 (c)
19.5476	0.2370	City of Marine City (c)	2.9615	(0.0114)	Macomb County Inter. & Spec. Ed. (c)
16.0500	(0.0200)	City of Marysville	2.9794	(0.0290)	Lapeer Co. Inter., Spec., & Voc. Ed. (c)
			2.7419	(0.0808)	Sanilac Co. Inter., Spec., & Voc. Ed. (c)

(a) Rollback due to Section 211.34 of the General Property Tax Laws (Truth in Assessing, County Equalization).  
 (b) Rollback due to Section 211.24e of the General Property Tax Laws (Truth in Taxation).  
 (c) Rollback due to Section 211.34d of the General Property Tax Laws (Headlee).  
 Numbers in parenthesis indicate a decrease.

2004 INDUSTRIAL FACILITIES VALUES, RATES & TAXES

Industrial Facilities which qualify for exemption under state law pay a specific tax in lieu of regular property taxes. Their values (excluding land) are not included in the taxable value of the county, schools, college, cities, or townships. Land values are included in the of regular taxable totals. New values can be adjusted each year and are taxed at 1/2 of the regular tax rates. Rehabilitation values are frozen for up to 12 years but are taxed at the regular rates.

TOWNSHIP/CITY AND SCHOOL DISTRICTS	TAXABLE VALUE	COUNTY OPER. & EXTRA VOTED RATES	TOTAL RATES	TOTAL TAXES
EAST CHINA TOWNSHIP, East China New Facilities issued after 12/31/93	36,117,375	3.55240	3.55240	128,303
IRA TOWNSHIP, Anchor Bay New Facilities issued after 12/31/93	2,485,670	3.55240	3.55240	8,830
KIMBALL TOWNSHIP, Marysville Public New Facilities issued before 1/1/94	428,892	3.55240	3.55240	1,524
New Facilities issued after 12/31/93	799,707	3.55240	3.55240	2,841
PORT HURON TOWNSHIP, Port Huron Area New Facilities issued before 1/1/94	0	3.55240	3.55240	0
New Facilities issued after 12/31/93	2,343,050	3.55240	3.55240	8,323
SAINT CLAIR TOWNSHIP, Marysville New Facilities issued after 12/31/93	107,874	3.55240	3.55240	383
MARINE CITY, East China New Facilities issued before 1/1/94	0	3.55240	3.55240	0
New Facilities issued after 12/31/93	3,543,986	3.55240	3.55240	12,590
CITY OF MARYSVILLE, Marysville Public New Facilities issued before 1/1/94	0	3.55240	3.55240	0
New Facilities issued after 12/31/93	5,468,990	3.55240	3.55240	19,428
CITY OF PORT HURON, Port Huron Area New Facilities issued before 1/1/94	4,447,775	3.55240	3.55240	15,800
New Facilities issued after 12/31/93	36,244,384	3.55240	3.55240	128,755
CITY OF ST. CLAIR, East China New Facilities issued before 1/1/94	226,801	3.55240	3.55240	803
New Facilities issued after 12/31/93	9,046,416	3.55240	3.55240	32,136
CITY OF VALE, Vale Public New Facilities issued after 12/31/93	384,218	3.55240	3.55240	1,365
TOTAL IFT				
NEW FACILITIES	101,644,338			
REHABILITATION FACILITIES	0			
GRAND TOTAL	101,644,338	360,278		361,081

(1) Values show are a reflection of the counties anticipated income from IFT's. For new facilities issued prior to 1994 taxes are calculated using the 1993 school operating rates.  
Individual totals may not equal grand total due to rounding.



P.A. 197 of 1975, 450 of 1980, & 281 of 1986 amended by P.A. 280, 281, & 282 of 1994 respectively

The Tax Increment Financing Acts permit a city or township to designate properties or districts in which the property taxes on subsequent improvements are "captured" by a district authority. Property owners pay their property taxes on the same valuation basis and same rates as other similar property owners. However, the authority captures the taxes which would have gone to other taxing jurisdictions such as the county, school, special education, city, etc. The authority must expend the captured taxes on improvements which further the district's development program. The captured value listed is the amount which exceeds the initial value.

T.I.F. DISTRICTS	GENERAL LOCATION	APPROXIMATE NUMBER OF PARCELS	CAPTURED TAXABLE VALUE
ALCONAC	D.D.A	239	859,740
CLAY TOWNSHIP District #1	Pte. Tremble, Taft, Fruit Sts.	545	32,920,330
EAST CHINA	TIFA-Brownfield	60	2,082,968
PORT HURON TOWNSHIP District #1	Harrington, Lapeer, 24th Sts., Grand Trunk Western R.R., Howard St., I-94	653	25,761,544 *
MARINE CITY, CITY OF District #1	Broadway, Water, Bridge, Main Sts.	83	2,019,072
District #2	South Parker at Riverside Plaza	24	2,054,173
District #3	Parker, south of West Blvd.	209	6,102,941
PORT HURON, CITY OF Downtown Development #1	Black River, Military, Wall, & 7th Sts.	163	12,423,270
Downtown Development #2	Fort, Glenwood, and Beers Sts... & alley east of Huron Ave.	8	1,450,000
Downtown Development #3	Military, Wall, 3rd, Pine, and 4th Sts.	5	778,375
Downtown Development #4	Lincoln, Pine Grove, Prospect, Sedgwick, Stone, St. Clair, State Sts., St. Clair River	73	11,557,675
Downtown Development #5	McMortan Blvd., Fort St., Black River, Erie St.	178	1,589,851
Industrial Park	Dove, 24th & 16th Sts., Grand Trunk RR	278	59,184,499 *
Industrial Park Expansion Area	Dove, 22nd, 24th, 26th, 32nd, Cleveland Sts.	24	11,475,943 *
Krafft-Holland Peerless Site	Krafft Rd., Holland & 24th Aves.	298	21,479,889
Port Huron Paper Corp.	State, Stone, Thomas Sts., St. Clair River	15	3,450,168
	Thomas St., 12th Ave., Black River	56	25,096,500 *
ST. CLAIR, CITY OF	1st, Military, Water, Griswold, Wall, Court Streets	22	2,383,050
	D.D.A.	266	1,657,266
YALE, CITY OF District #1	Main, Wood, Kennefic, Smith, North, Park, Bettes, First, Fraser Sts.	187	3,006,701 *
CAPAC, VILLAGE OF District #1	Aldrich, Walker, Meier, Neeser Sts.	100	1,829,779
GRAND TOTAL		3,486	229,163,734 *

\* Includes IFT values taxed at 1/2 of the regular millages for Apportionment 2004

L-4402

## Statement Showing Taxable Valuations and Mills Apportioned by the County Board of Commissioners of the County of St Clair for the Year 2004

This report is issued under the authority of P. A. 282 of 1905. Filing of this report is mandatory. Failure to complete and file this report may result in a penalty of \$100.

1 Taxing Gov. Authority	2 Taxable Valuation	3 Separate or Allocated			4 Operating		5 Bldg. Site/Debt	6 Purpose
		Millages		Extra Voted				
State Education Tax	5,571,093,474	6.0000						
County	5,571,093,474	1.7761		5.3287				Seniors .5000, Drug Task force .2805, Lib. .5000, Parks/Rec. .4956
Townships:								
Berlin	93,506,688	1.8402		0.7571				Fire 1.8402
Brockway	52,833,803	1.9121		0.8430				Fire 1.9121
Burtchville	112,105,918	1.3976		0.6909				Bus .4806, Fire .9170
Casco	125,071,905	-		0.7968				
China	466,619,056	1.0000		1.0000		0.3290		Roads 1.000, Water Plant .3290
Clay	418,478,051	8.3750		0.5821				Voted 8/04 Police 4.3500, Fire 4.0250
Clyde	143,452,772	0.2500		0.7156				Fire
Columbus	148,233,125	-		0.8021				
Cottrellville	115,167,786	-		0.7297				
East China	452,009,498	-		3.0000		0.6800		Water Plant
Ermett	65,436,973			0.8081				
Fort Gratiot	397,072,397	3.3211		0.7175				BWATC .6284, Police 1.3373, Fire 1.3544
Grant	46,392,617	2.8983		0.8053		0.7900		Roads 1.9566, Fire .9417
Greenwood	117,706,602	1.9874		0.9937				Fire, Roads 1.9874
Ira	157,928,447	1.0000		2.1475				Fire
Kenockee	65,944,901	1.5622		0.7389				Fire 1.5622
Kimball	205,947,782	-		0.7899				
Lynn	34,913,887	1.0000		0.8653				Roads 1.0000
Mussey	103,749,920	1.5483		0.8793				Fire
Port Huron	254,050,891	5.5374		1.0000				Sewer 1.0000, Fire .4945, Rds .9892, BUS.7632, Police 1.9882, Lights .3023
Riley	98,079,706			0.7504				
St Clair	252,351,422			0.7822				
Wales	88,445,261			0.7467				

Once Completed, mail to: Michigan Department of Treasury, State Tax Commission, Treasury Building, Lansing, Michigan 48922.

Continued on page 2

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# Statement Showing Taxable Valuations and Mills Apportioned by the County Board of Commissioners of the County of St Clair for the Year 2004

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7 Taxing Gov. Authority	8 Taxable Valuation	9 Total Tax Rates	10 Dollars of Ad Valorem Taxes Levied
<b>Cities:</b>			
Algonac	108,553,768	13.5777	1,473,910.50
Marine City	116,344,283	19.5476	2,274,251.51
Manysville	392,085,525	16.0500	6,292,972.68
Memphis	7,312,170	15.1195	110,556.35
Port Huron	684,309,080	16.7163	11,439,115.87
Richmond	205,981	20.0127	4,122.24
St Clair	212,229,294	15.5000	3,289,554.06
Yale	34,553,965	14.6370	505,766.39

### CERTIFICATION

County of Saint Clair for the year 2004

Signature of County Equalization Director

### NOTARIZATION

Notary Public

County, Michigan

STATE OF MICHIGAN

County of Saint Clair } ss

Subscribed before me this \_\_\_\_\_

day of \_\_\_\_\_ year \_\_\_\_\_

My commission expires \_\_\_\_\_

			-
			-
			-
			-
<b>Villages:</b>			
Capac	32,231,582	19.2167	619,384.64
Emmett	5,601,401	7.0000	39,209.81
			-
			-
			-
			-
			-
			-
			-

It is Important That All City ad Valorem Taxes Be Entered On This Sheet. County Board Of Commissioners Do Not Certify City Or Village Rax Rates. These Rates Are For Informational Purposes Only. List All School Districts On Page 3.

Continued on page 3

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**Statement Showing Taxable Valuations and Mills Apportioned by the County Board of Commissioners of the County of St Clair for the Year 2004**

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11 Taxing Gov. Authority	12 Taxable Valuation	13 Operating Tax Rates	14 Debt Tax Rates
City of Pt Huron DDA	68,202,030	1.9874	-
Other:			

Continued on page 3

Use this sheet to list all authorities within the county such as; District Libraries, Fire Auth., DDA, etc.  
List All School Districts On Page 3.

**Statement Showing Taxable Valuations and Mills Apportioned by the County Board of Commissioners of the County of St Clair for the Year 2004**

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1 All Property	2 Non Home-Stead	3 School Districts Name and Code	4 Township/City Where Located	5 Taxable Valuation	6 Mills			8 County Use (Notes)
					5 ISD Only Allocated	6 Operating	7 Extra Voted Bldg. Site/Debt	
X		Algonac Schools 74-030	Total TV	602,993,571				
	X		City of Algonac	108,553,768			3.2500	
	X		City of Algonac	28,901,521		18.0000		
	X		Clay Twp	418,478,051			3.2500	
	X		Clay Twp	127,228,745		18.0000		
	X		Ira Twp	75,961,752			3.2500	
	X		Ira Twp	20,695,721		18.0000		
		Capac Comm. 74-040	Total TV	230,271,479				
	X		Berlin Twp	37,952,126			3.9000	
	X		Berlin Twp	4,229,472		17.5281		
	X		Brockway Twp	427,807			3.9000	
	X		Brockway Twp	81,200		17.5281		
	X		Emmett Twp	36,945,685			3.9000	
	X		Emmett Twp	3,539,727		17.5281		
	X		Lynn Twp	15,769,794			3.9000	
	X		Lynn Twp	3,082,782		17.5281		
	X		Mussey Twp	103,749,920			3.9000	
	X		Mussey Twp	32,172,422		17.5281		
	X		Riley Twp	35,426,147			3.9000	
	X		Riley Twp	4,125,304		17.5281		
		East China Schools 74-050	Total TV	1,667,970,163				
	X		Marine City	116,344,283			3.0000	
	X		Marine City	50,722,757		18.0000		
	X		St Clair City	212,229,294			3.0000	
	X		St Clair City	81,692,709		18.0000		
	X		Casco Twp	50,654,586			3.0000	
	X		Casco Twp	9,559,251		18.0000		
	X		China Twp	466,619,056			3.0000	
	X		China Twp	359,534,408		18.0000		
	X		Columbus Twp	46,022,431			3.0000	
	X		Columbus Twp	11,671,120		18.0000		
	X		Cottrellville Twp	115,167,786			3.0000	
	X		Cottrellville Twp	20,242,521		18.0000		

			East China Twp	335,804,081	18.0000	
X			Ira Twp	18,824,733	18.0000	3.0000
X			Ira Twp	4,318,411	18.0000	
X			St Clair Twp	190,098,496		3.0000
X			St Clair Twp	29,874,709	18.0000	
		74-100	Total TV	510,842,103		
X			Marysville Schools	392,085,525		3.1300
			Marysville City	192,244,669	18.0000	
X			Columbus Twp	5,221,688		3.1300
X			Columbus Twp	674,188	18.0000	
X			Kimball Twp	49,833,195		3.1300
			Kimball Twp	15,277,252	18.0000	
X			St Clair Twp	62,252,926		3.1300
X			St Clair Twp	16,930,305	18.0000	
X			Wales Twp	1,448,769		3.1300
X			Wales Twp	87,385	18.0000	
		74-120	Total TV	124,617,240		
X			Memphis City	7,312,170		7.0000
X			Memphis City	2,363,903	17.8614	
X			Columbus Twp	4,304,625		7.0000
			Columbus Twp	1,149,932	17.8614	
X			Kenockee Twp	848,898		7.0000
X			Kenockee Twp	32,527	17.8614	
X			Kimball Twp	178,543		7.0000
X			Kimball Twp	57,300	17.8614	
X			Riley Twp	48,286,542		7.0000
X			Riley Twp	7,126,897	17.8614	
X			Wales Twp	63,686,462		7.0000
X			Wales Twp	7,185,789	17.8614	
		74-010	Total TV	1,733,235,159		
X			Port Huron Area Schools	684,309,080		2.0000
			City of Port Huron	361,182,085	18.0000	
X			Burtchville Twp	81,424,519		2.0000
X			Burtchville Twp	19,634,142	18.0000	
X			Clyde Twp	125,757,720		2.0000
X			Clyde Twp	12,968,336	18.0000	
X			Fort Gratiot Twp	397,072,397		2.0000
X			Fort Gratiot Twp	155,178,710	18.0000	
X			Grant Twp	21,445,578		2.0000
X			Grant Twp	2,318,334	18.0000	
X			Kenockee Twp	143,653	18.0000	2.0000

X				Kimball Twp	155,936,044				2,000
X	X			Kimball Twp	43,847,099		18,0000		
X	X			Port Huron Twp	254,050,891		18,0000		
X	X			Port Huron Twp	109,470,432				
X	X			Wales Twp	13,095,277				2,000
				Wales Twp	2,193,518		18,0000		
			74-130	Total TV	352,441,037				
X				Yale City	34,553,965				7,000
X	X			Yale City	15,171,746		17,7217		
X	X			Brockway Twp	52,405,996				7,000
X	X			Brockway Twp	10,362,524		17,7217		
X	X			Clyde Twp	17,695,052				7,000
X	X			Clyde Twp	2,153,305		17,7217		
X	X			Emmett Twp	28,491,288				7,000
X	X			Emmett Twp	4,940,571		17,7217		
X	X			Grant Twp	10,233,386				7,000
X	X			Grant Twp	1,179,666		17,7217		
X	X			Greenwood Twp	116,103,276				7,000
X	X			Greenwood Twp	86,369,432		17,7217		
X	X			Kenockee Twp	64,952,350				7,000
X	X			Kenockee Twp	11,406,157		17,7217		
X	X			Lynn Twp	13,988,501				7,000
X	X			Lynn Twp	1,442,796		17,7217		
X	X			Riley Twp	673,257				7,000
X	X			Riley Twp	522,562		17,7217		
X	X			Wales Twp	10,214,753				7,000
X	X			Wales Twp	1,338,468		17,7217		
				<b>Out County Districts</b>					
				<b>Almont Schools</b>					
X			44-020	Total TV	31,662,968				
X				Berlin Twp	31,662,968				8,4500
X	X			Berlin Twp	3,705,959		18,0000		
				Total TV	84,138,674				
X			50-040	Casco Twp	20,996,712				10,0000
X	X			Casco Twp	6,853,917		18,0000		
X	X			Ira Twp	63,141,962				10,0000
X	X			Ira Twp	28,564,925		18,0000		
				Total TV	37,585,354				
X			50-050	Berlin Twp	23,891,594				7,000
X	X			Berlin Twp	3,248,543		16,8883		
X	X			Riley Twp	13,693,760				7,000
X	X			Riley Twp	1,658,069		16,8883		

Account	Agency	Category	Sub-Category	Amount	Balance	Operating
X	Richmond City	76-060	Richmond City	205,981		3,7500
X	Richmond City	76-060	Richmond City	77,862	18,0000	
X	Casco Twp	76-060	Casco Twp	53,420,607		3,7500
X	Casco Twp	76-060	Casco Twp	10,831,364	18,0000	
X	Columbus Twp	76-060	Columbus Twp	92,684,381		3,7500
X	Columbus Twp	76-060	Columbus Twp	27,388,639	18,0000	
	<b>Brown City Comm</b>	<b>76-060</b>	<b>Total TV</b>	<b>5,155,592</b>		
X	Lynn Twp	76-060	Lynn Twp	5,155,592		5,9980
X	Lynn Twp	76-060	Lynn Twp	756,859	17,2473	
	<b>Croswell Lexington</b>	<b>76-080</b>		<b>46,998,378</b>		
X	Burtchville Twp	76-080	Burtchville Twp	30,681,399		2,8000
X	Burtchville Twp	76-080	Burtchville Twp	7,133,107	17,4827	
X	Grant Twp	76-080	Grant Twp	14,713,653		2,8000
X	Grant Twp	76-080	Grant Twp	2,207,747	17,4827	
X	Greenwood Twp	76-080	Greenwood Twp	1,603,326		2,8000
X	Greenwood Twp	76-080	Greenwood Twp	274,624	17,4827	
	<b>Intermediate School Districts</b>					
X	St Clair County					
X	Intermediate Schools	74-000	All units in St Clair Co	5,219,241,539	0.1949	
X	Special Education	74-000	All units in St Clair Co	5,219,241,539	2,3228	
X	Vocational Education	74-000	All units in St Clair Co	5,219,241,539	0.9291	
	<b>Lapeer County</b>					
X	Intermediate Schools	44-020	Berlin Twp	31,662,968	0.1899	Operating
X	Special Education	44-020	Berlin Twp	31,662,968	0.8452	
X	Vocational Education	44-020	Berlin Twp	31,662,968	1.9443	
	<b>Macomb County</b>					
X	Intermediate Schools					
X	Richmond City	50-180	Richmond City	205,981	0.2036	
X	Berlin Twp	50-050	Berlin Twp	23,891,594	0.2036	
X	Casco Twp	50-040	Casco Twp	20,996,712	0.2036	
X	Casco Twp	50-180	Casco Twp	53,420,607	0.2036	
X	Columbus Twp	50-180	Columbus Twp	92,684,381	0.2036	
X	Ira Twp	50-040	Ira Twp	63,141,962	0.2036	
X	Riley Twp	50-050	Riley Twp	13,693,760	0.2036	
X	Special Education	50-180	Richmond City	205,981	2.7579	
X		50-050	Berlin Twp	23,891,594	2.7579	
X		50-040	Casco Twp	20,996,712	2.7579	
X		50-180	Casco Twp	53,420,607	2.7579	



Account Number	Agency	Account Description	Account Type	Account Balance	Account Status	Account Date
X	50-040	Ira Twp		63,141,962		2.7579
X	50-050	Riley Twp		13,693,760		2.7579
X		<b>Sanilac County</b>				
		Intermediate Schools				
X	76-080	Burtchville Twp		30,681,399	0.2056	
X	76-080	Grant Twp		14,713,653	0.2056	
X	76-080	Greenwood Twp		1,603,326	0.2056	
X	76-060	Lynn Twp		5,155,592	0.2056	
X	76-080	Burtchville Twp		30,681,399		0.7404
X	76-080	Grant Twp		14,713,653		0.7404
X	76-080	Greenwood Twp		1,603,326		0.7404
X	76-060	Lynn Twp		5,155,592		0.7404
X	76-080	Burtchville Twp		30,681,399		1.7959
X	76-080	Grant Twp		14,713,653		1.7959
X	76-080	Greenwood Twp		1,603,326		1.7959
X	76-060	Lynn Twp		5,155,592		1.7959
X		<b>SCCCommunity College</b>	5359	5,219,241,539		1.8891
		All units in St Clair Co				



# COUNTY OF ST. CLAIR



## 2004 STATE EQUALIZED VALUATION STATISTICS

Prepared by: Kenneth G. Hill, Director

### A. Percent of Total Valuation

<b>By Municipality:</b>	Townships	73.91%	Cities	26.09%
<b>By Use:</b>	Agricultural	7.33%	Residential	63.65%
	Commercial	8.50%	Developmental	<0.01%
	Industrial	12.94%	Personal	7.57%
<b>By Type:</b>	Real	92.43%	Personal	7.57%

### B. State Equalized Value of Past 10 Years

2004	\$7,055,937,140	1995	\$3,588,271,637
2003	\$6,717,712,399	2002	\$6,371,421,877
2001	\$5,792,757,622	2000	\$5,318,228,755
1999	\$4,850,126,163	1998	\$4,463,415,448
1997	\$4,133,168,717	1996	\$3,848,600,101

### C. Ten Highest Valued Property Owners

#### 2004 State Equalized Value

1.	Detroit Edison Company	\$894,071,458
2.	Michigan Dept. of Natural Resources	32,290,908
3.	SEMCO Energy Gas Company	31,333,583
4.	Michigan Consolidated Gas Co.	30,192,834
5.	Mueller Brass Company	21,430,741
6.	E.B. Eddy	20,357,800
7.	Daimler Chrysler	20,063,193
8.	Consumers Power Co.	18,913,207
9.	ANR Pipeline Co.	17,047,737
10.	Birchwood Mall Ltd. Partnership	14,938,450

*Industrial Facilities Tax Exemptions are included in various amounts.*

These statistics represent values adopted by the St. Clair County Board of Commissioners as of April 12, 2004.

*A Government of Service*



# COUNTY OF ST. CLAIR



## 2004 TAXABLE VALUE STATISTICS

Prepared by: Kenneth G. Hill, Director

### A. Percent of Taxable Valuation

By Municipality:	Townships	72.08%	Cities	27.92%
By Use:	Agricultural Real	4.64%	Residential Real	62.48%
	Commercial Real	8.78%	Developmental Real	(0.0098%) (less than 1%)
	Industrial Real	14.54%	Personal	9.56%
By Type:	Real	90.44%	Personal	9.56%

### B. Taxable Value of Past 10 Years

2004	5,571,093,474	1995	3,504,001,304
2003	5,305,446,418	2002	5,170,334,325
2001	4,816,286,422	2000	4,532,540,516
1999	4,269,992,378	1998	4,066,477,838
1997	3,844,361,916	1996	3,678,083,276

\* taxable values established in 1995

### C. Ten Highest Taxable Valued Property Owners w/2004 Values & collective parcel count

1	DTE Energy & Affiliated Properties	\$884,539,142	197 Parcels
2	SEMCO Energy & Affiliated Properties	\$ 30,632,392	121 Parcels
3	Michigan Consolidated Gas Co.	\$ 29,303,261	37 Parcels
4	Mueller Brass Co. Affiliated Properties.	\$ 21,091,177	28 Parcels
5	E. B Eddy Paper Co.	\$ 20,338,185	21 Parcels
6	Daimler Chrysler Motors	\$ 19,261,392	5 Parcels
7	ANR Pipeline Co.	\$ 16,854,522	12 Parcels
8	Consumers Powers	\$ 14,877,325	65 Parcels
9	Birchwood Mall LTD Partnership	\$ 12,993,786	11 Parcels
10	Schefenacker Vision	\$ 12,695,373	5 Parcels

*Industrial Facilities Tax Exemptions are included in various amounts.*

These statistics represent values adopted by the St. Clair County Board of Commissioners as of April 12, 2004.

*A Government of Service*

**RESOLUTION 04-50**

**Resolution Scheduling a Public Hearing on Adoption of Amended 911 Service Plan**

**Whereas**, St. Clair County established a 911 Service Plan for St. Clair County ("Service Plan") on July 22, 1992 under the authority of Public Act 32 of 1986, as amended, MCLA §484.1101 *et. seq.*, the Emergency Telephone Service Enabling Act ("Act"); and,

**Whereas**, the Service Plan established a rate for recurring operational costs to fund the Service Plan based on the maximum charge then available of 4% of the highest monthly residential rate for residential telephone service in St. Clair County which charges are currently assessed on monthly telephone bills; and

**Whereas**, the rate charged for recurring operational costs under the Service Plan have not been adjusted since the inception of the Service Plan in 1992 and St. Clair County proposes to amend its Service Plan to provide for a rate adjustment; and,

**Whereas**, the Act provides that an amendment of the Service Plan requires adoption of a Tentative Amendment of the Service Plan by the County, the transmittal of the proposed amendment by certified mail to each public agency located within the 911 district of the Service Plan, and the scheduling of a public hearing on the final adoption of the amendment to the Service Plan;

**Whereas** the St. Clair County Board of Commissioners is considering the following 911 Service Plan Amendment for which the public hearing is being conducted:

**PLAN AMENDMENT**

The St. Clair County 911 Service Plan is hereby amended to provide for recurring emergency telephone operational costs to be established in the amount of the lesser of 4% of \$20.00 or \$0.80 per month per subscriber, or 4% of the highest monthly rate charged by a service supplier for basic local exchange service within the County.

All other provisions of the St. Clair County 911 Service Plan, as amended, not inconsistent with this Amendment shall continue in effect.

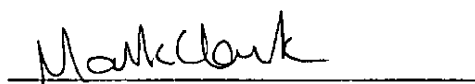
**NOW THEREFORE BE IT RESOLVED** a public hearing to hear comments on the proposed adoption of the Plan Amendment is scheduled for \_\_\_\_\_, 2005 at 6 p.m. at the \_\_\_\_\_.

**Adopted by the St. Clair County Board of Commissioners on \_\_\_\_\_, 2004.**

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MARILYN DUNN  
St. Clair County Clerk

Reviewed and Approved by:



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Gary A. Fletcher  
County Corporation Counsel  
522 Michigan Street  
Port Huron, Michigan 48060

**RESOLUTION 04-49**

**Resolution Adopting an Amended 911 Service Plan**

**Whereas**, St. Clair County has established a 911 Service Plan for St. Clair County ("Service Plan") under the authority of Public Act 32 of 1986, as amended, MCLA §484.1101 *et. seq.*, the Emergency Telephone Service Enabling Act ("Act"); and,

**Whereas**, St. Clair County proposed to amend its Service Plan to provide for the creation of the St. Clair County Central Dispatch Authority to administer the Service Plan and to provide for the operation of the new County Dispatch Center; and,

**Whereas**, consistent with the Act, the County adopted a Tentative 911 Amended Service Plan, transmitted the Tentative Amended 911 Service Plan by certified mail to each public agency located within the 911 district of the Tentative Amended 911 Service Plan, and conducted a public hearing on the implementation of a Final Amended 911 Service Plan on December 1, 2004;

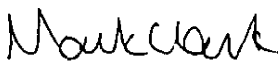
**NOW, THEREFORE, BE IT RESOLVED:**

1. The attached Amended 911 Service Plan is hereby adopted by the St. Clair County Board of Commissioners.

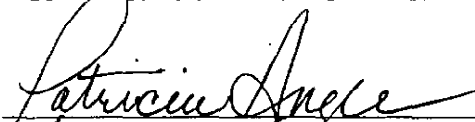

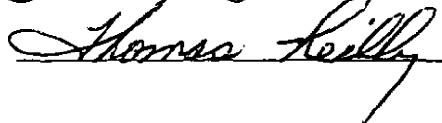
**Adopted by the St. Clair County Board of Commissioners on December 15, 2004.**

\_\_\_\_\_  
MARILYN DUNN, County Clerk

Reviewed and Approved as to Form by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan Street  
Port Huron, Michigan 48060

BOARD OF COMMISSIONERS:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

AMENDED ENHANCED 9-1-1  
EMERGENCY TELEPHONE SYSTEM

ST. CLAIR COUNTY, MICHIGAN  
EMERGENCY TELEPHONE SERVICE DISTRICT PRELIMINARY AMENDED PLAN

## AMENDED 9-1-1 SERVICE PLAN ST. CLAIR COUNTY, MICHIGAN

Public Act 32 of 1986, as amended, provides for the St. Clair County Board of Commissioners to create an emergency telephone district within their county by adopting a "9-1-1 Service Plan." The County is currently operating under a 9-1-1 Service Plan adopted in 1992 and proposes to amend the existing 9-1-1 Service Plan with respect to Section II. B., and Section III. B., the amended Sections to state as follows:

### II. OPERATIONAL CONSIDERATIONS

- B. The following "Public Safety Agencies" shall serve as a Primary Public Safety Answering Point (PSAP).
1. St. Clair County Central Dispatch Center
  2. City of Port Huron Communications Center
  3. Clay Township Dispatch Center

### III. MANAGERIAL CONSIDERATIONS

- B. The St. Clair County Central Dispatch Authority shall be created and shall act as the Emergency Telephone District Board as provided in the attached Articles creating the St. Clair County Central Dispatch Authority. The St. Clair County Central Dispatch Authority will be responsible, and consistent with Public Act 32 of 1986, as amended, to ensure the appropriate maintenance of the county-wide E 9-1-1 system established by the Plan. Such activities may include, but are not necessarily limited to:
1. System-wide planning and policy.
  2. Coordination and implementation of new equipment.
  3. Providing resource information.
  4. Liaison between entities involved.
  5. Payment and distribution of approved system charges.

Each public safety agency which operates a PSAP will continue to be responsible for the management of its own PSAP consistent with the original 9-1-1 Service Plan.

The PSAP operated by the St. Clair County Central Dispatch Authority shall provide dispatch service to its member municipalities upon providing its notice to commence functioning as a PSAP to the county clerk. When the St. Clair County Central Dispatch Authority provides its notice to begin functioning as a PSAP, the PSAP designated under the existing Plan as the St. Clair County Sheriff Dispatch Center shall provide its notice of termination to cease functioning as a PSAP to the county clerk.



Proposed letter to participating municipalities subscribing to Central Dispatch Agreement

Dear \_\_\_\_\_:

The St. Clair County Board of Commissioners has adopted its resolution amending the St. Clair County 911 Service Plan ("Plan") creating the St. Clair County Central Dispatch Authority ("SCCCDA"). As indicated in my earlier correspondence the amendment to the Plan creating the SCCCDA has made each participating municipality who did not elect to opt out a member of the SCCCDA. The enabling act under which the SCCCDA was created requires each participating member to subscribe to the enclosed Articles of Incorporation creating the SCCCDA so the Articles of Incorporation can be filed with the Michigan Secretary of State as required by law. Please have the enclosed copy of the Articles of Incorporation signed by the appropriate municipal officials and return a signature page with original signatures to my office immediately so the Articles of Incorporation may be timely filed with the Secretary of State.

Sincerely,

Troy Feltman  
County Administrator

**ARTICLES OF INCORPORATION CREATING THE ST. CLAIR COUNTY  
CENTRAL DISPATCH AUTHORITY**

**SECTION 1  
STATEMENT OF PARTIES**

THESE ARTICLES OF INCORPORATION (also referred to herein as "Agreement") made and entered into by and between St. Clair County, a Michigan municipal corporation, whose address is 200 Grand River Avenue, Port Huron, Michigan 48060, sometimes hereinafter referred to as the "COUNTY," and the participating municipalities as reflected on the executed signature pages of this document.

**SECTION 2  
RECITALS**

WHEREAS, St. Clair County has established a 9-1-1 Service Plan for St. Clair County under the authority of Public Act 32 of the Public Acts of the State of Michigan of 1986 as amended [MCLA 484.1101 *et seq.*]; the Emergency Telephone Service Enabling Act; and

WHEREAS, the St. Clair County and the undersigned local units of government desire to create a Central Dispatch Authority to administer the 911 Service Plan, as amended, and to operate a Central Dispatch Authority to provide dispatch and related services to the County and the undersigned local units of government and to promote the most efficient response to public safety emergencies; and

WHEREAS, St. Clair County and the undersigned local governmental units located within St. Clair County desire to promote efficiency and the non-duplication of local governmental public safety services; and

WHEREAS, the creation of a public entity called the St. Clair County Central Dispatch Authority is the most efficient, effective, and non-duplicative method of providing public safety related services for the dispatch of emergency police, fire and medical services within St. Clair County and to the undersigned local units of government under the Emergency Telephone Service Enabling Act;

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

### **SECTION 3**

#### **CREATION**

There is hereby created under the authority of Public Act 57 of the Public Acts of the State of Michigan of 1988 as amended [MCLA §124.601 *et seq.*]; the Municipal Emergency Services Act of 1988, the "St. Clair County Central Dispatch Authority," (SCCCDA).

### **SECTION 4**

#### **DEFINITIONS**

As used in this Agreement, the following terms, whether capitalized or not, shall have the following meanings:

- A. "Board" refers to the Emergency Telephone District Board established pursuant to the Emergency Telephone Service Enabling Act described in this Agreement.
- B. "Budget" refers to the annual fiscal plan regarding anticipated expenditures and revenue adopted by the Board at its October meeting.
- C. "Emergency Telephone Service Enabling Act" refers to 1986 PA 32, as amended [MCLA §484.110 *et seq.*];
- D. "Fiscal year" refers to the period of time in which the budget shall be effective, but in no event shall this be other than a calendar year.
- E. "Legislative body" refers to the governing body of each participating municipality.
- F. "SCCCDA" refers to the St. Clair County Central Dispatch Authority as created herein.
- G. "Participating agencies" refers to the law enforcement agencies, fire departments and emergency services of participating municipalities.
- H. "Participating entities" refers to the non-governmental units located within the participating municipalities, which provide emergency, fire, ambulance or medical services.
- I. "Participating municipalities" refers to those municipalities who subscribe to these articles as indicated by their signatures on the signature pages.
- J. "Properly convened meeting" refers to a Board meeting where a majority of the appointed members are present.
- K. "Proper vote" refers to a majority of members present and voting of the Board.
- L. "Supporting municipalities or agencies or entities" refers to all municipalities and agencies or entities located within St. Clair County that are public agency or public or private safety agencies or entities — within the meaning of Section 102 of the Emergency Telephone Service Enabling Act — that have separately agreed to take part in the County's 9-1-1 Plan.
- M. "9-1-1 Plan" refers to the Final 9-1-1 Service Plan adopted by the St. Clair County Board of Commissioners on July 22, 1992, as amended, pursuant to the Emergency Telephone Service Enabling Act.

**SECTION 5**  
**MANAGEMENT**

**A. EMERGENCY TELEPHONE DISTRICT BOARD**

- A. County Sheriff's Representative
- B. State Police Representative
- C. A fireman employed within the County
- D. Fire Chief's representative
- E. Police Chief's representative
- F. Medical Control Representative
- G. City Manager Representative
- H. Township Supervisor Representative
- I. County Emergency Management Representative

**B. POWERS AND DUTIES**

In addition to its general policy-making authority, the Board is authorized to perform the following functions for the SCCCDA:

- (1) Enter into contracts.
- (2) Acquire, hold and dispose of property of all kinds, both real and personal.
- (3) Construct, manage or operate buildings or improvements.
- (4) Contract with supporting municipalities and supporting agencies or other entities to provide personnel, equipment or administrative services.
- (5) Receive and administer appropriations, grants, gifts, bequests or assistance funds.
- (6) Incur expenses in the name of SCCCDA within its approved budget.
- (7) Approve SCCCDA's annual report.
- (8) Contract with supporting municipalities and supporting agencies and entities for the provision of central dispatch and record services in exchange for financial or other in-kind payments.
- (9) Hire, employ and terminate a SCCCDA director
- (10) Approve and control the annual budget.
- (11) Establish committees.
- (12) Create and establish operation and policy procedures for the SCCCDA; specifically including personnel and budgetary policies, and impose said policies and procedures on the day to day activities of the SCCCDA, including its director, staff and employees.

Notwithstanding any of the foregoing, the authority of the Board shall be limited to the operations of the SCCCDA and administration of the 911 Service Plan. The Board shall not have the authority to otherwise bind, commit or encumber the funds of the participating or supporting municipalities or supporting agencies or entities without their consent.

**C. EXERCISE OF AUTHORITY**

The Board as defined in Section 5(A) shall be appointed by the St. Clair County Board of Commissioners. The Board may meet more frequently at its discretion but must meet in January for organizational purposes and in October for budget purposes. At the January meeting, the Board shall elect a chairperson, vice-chairperson, secretary and treasurer. At its October meeting, it shall adopt a budget for the ensuing calendar year. Meetings of the Board shall be conducted according to the current edition of Roberts Rules of Order in accordance with the requirements of Public Act 267 of the Public Acts of the State of Michigan 1976, as amended, [MCLA 15.261 *et seq.*; MSA 4.1800(11) *et seq.*, the Open Meetings Act]. No action shall be taken except at a properly convened meeting upon a proper vote by the Board. Each member shall be entitled to one vote which may not be made by proxy.

**D. BOARD CHAIRPERSON**

The Board Chairperson elected by the members of the Board at the January meeting shall preside over the Board and appoint, subject to the approval of the Board, persons to other committees.

**E. TREASURER**

The treasurer shall be appointed by the Board at its January meeting and shall supervise the collection and disbursement of funds as directed by the Board and pursuant to the provisions of this Agreement. A written treasurer's report shall be presented to each Board member at least annually.

**SECTION 6**  
**OPERATIONS**

**A. DIRECTOR**

A director hired by the Board and shall serve at its pleasure. The compensation of the director's services shall be set annually by the Board. The director shall be generally responsible:

- (1) To hire, employ and terminate personnel of the Central Dispatch and Central Records operation.
- (2) For the day-to-day Central Dispatch and Central Records operations within such policies that the Board may set.
- (3) To prepare and submit for final Board approval an annual budget in a time frame established by the Board.
- (4) To keep an accurate accounting of the financial operation of the Central Dispatch and Central Records and to report at least monthly to the Board regarding the financial condition of these operations.
- (5) To prepare and post the agenda and notice of all Board and committee meetings.
- (6) To cause minutes of all Board and committee meetings to be kept and distributed to each member of the Board and committee.
- (7) To conduct such other duties as the Board may from time to time assign.

**B. LIABILITIES**

The Board, on behalf of the SCCCDA, may secure all appropriate insurance it deems necessary. SCCCDA may agree to indemnify any participating or supporting municipality or supporting agency or entity against any general losses, damages or liabilities arising out of the service and activities of the SCCCDA or participation in the SCCCDA up to its liability insurance policy limits. SCCCDA liability or losses in excess of such limits shall be apportioned among the participating and supporting municipalities and supporting agencies or entities but only if and to the extent such liability or losses can be legally imputed to the participation or supporting municipality or the supporting agency or entity. The participating municipalities, participating agencies, and participating entities may be named as additional insureds to any policy of insurance secured on behalf of the SCCCDA.

**C. CENTRAL DISPATCH**

SCCCDA is charged with the responsibility consistent with the County's 9-1-1 Service Plan of operating a central dispatch warning entry point and emergency services telephone answering system for participating municipalities and supporting agencies or entities in the central dispatch program. A supplier must be consistent with the County's 9-1-1 Service Plan.

SCCCDA is charged with the responsibility for operating a central records service for the compiling, filing and distribution of public safety records received by SCCCDA in its ordinary course of business. Central Records may act as a clearinghouse for additional information for all or some of the participating or supporting municipalities, agencies or entities.

**SECTION 7**  
**FISCAL ADMINISTRATION****A. FINANCING**

As provided in the Emergency Telephone Service Enabling Act, a telephone surcharge, and a countywide millage or enhanced surcharge, if approved by the voters, shall provide the primary revenue for the operation of the SCCCDA.

**B. BUDGET**

For each fiscal year, the Board shall adopt a budget, which shall generally segregate anticipated revenues into accounts designed to cover expected expenditures. The budget shall balance anticipated revenues with expected expenditures and contingency accounts. No expenditure shall be authorized by the Board if it will result in an actual budgetary account deficit or is at a rate which will eventually lead to an actual budgetary account deficit prior to the end of the fiscal year. The Board shall amend the budget to meet deviations in expected revenues or authorized expenditures.

**C. DEPOSITORY**

The Board shall designate a depository which shall be a federally or state-regulated bank or savings institution insured by the Federal Deposit Insurance Corporation and establish therein accounts wherein the treasurer shall deposit all SCCCDA revenues. The treasurer's signature and that of at least one other person designated in writing by the Board shall be required before the depository may release any SCCCDA funds.

**D. EXPENDITURES**

The Board must approve all SCCCDA expenditures. Notwithstanding the foregoing, the SCCCDA director may approve an expenditure for SCCCDA operations in an amount not to exceed \$10,000 without Board approval provided there are existing appropriations in the budget to cover the expenditure. Expenditures in excess of \$10,000 shall be approved by Board action before implementation.

**E. ANNUAL AUDIT**

All SCCCDA finances and expenditures shall be subject to a complete annual audit to be performed by an independent certified public accountant. A copy of the annual audit shall be provided to each participating municipality. Each participating municipality and supporting entity shall also have the right to request other financial information regarding SCCCDA's budget, funds and expenditures.

**SECTION 8  
MISCELLANEOUS**

**A. MERGER**

This Agreement constitutes the complete agreement between the participating municipalities, and there are no oral or written agreements or understandings between the municipalities concerning the SCCCDA. Any prior agreements or understandings on the matters addressed in this Agreement are hereby rescinded, revoked or terminated.

**B. SEVERABILITY**

This Agreement shall be interpreted in a manner consistent with applicable law. If any portion is held to be illegal, invalid or unenforceable, the remainder of the Agreement shall be deemed severable and shall remain in full force and effect.

**C. TERM**

This Agreement shall become effective upon the adoption of an Amended 911 Service Plan by the St. Clair County Commissioners to occur in the year 2004 (the date of signature by the parties notwithstanding) and remain so until terminated as provide herein.

**D. TERMINATION**

This Agreement shall be terminated upon the withdrawal of either the County of St. Clair, or a majority of the remaining municipalities party to this Agreement. Any withdrawal by a participating municipality shall not take effect until January 1 of the year following the providing of notice as required by Section 8G of this Agreement and the requirements of Section 505 of the Emergency Telephone Service Enabling Act.

**E. ASSIGNMENT OF ASSETS AND ASSUMPTION OF LIABILITIES UPON DISSOLUTION**

In the event of termination of this Agreement pursuant to Section 8D above, all of the SCCCDA's assets and liabilities as of the January 1 following the required notice set forth in said section shall be assigned, transferred, distributed or conveyed to the County of St. Clair. Notwithstanding the foregoing, a cash reserve of \$50,000 shall be retained by the SCCCDA following the January 1 date of termination to pay any estimated or contingent liabilities and expenses. The SCCCDA shall use this cash reserve to pay the liabilities and expenses and shall then convey the unused balance to the County of St. Clair.

**F. COUNTER-PARTS AND AMENDMENT**

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one agreement. The signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart. This Agreement may be modified or amended by a subsequent written agreement executed by the participating municipalities.

**G. NOTICE REQUIREMENT**

Any notices required under this Agreement shall be in writing, sent by first-class mail, return receipt requested, and shall be addressed to the participating municipalities at their addresses first mentioned above. The County Clerk shall be responsible for publishing this document in the Port Huron Times Herald as required by law and for filing this document with the Secretary of State.

The foregoing articles of incorporation were adopted by the St. Clair County Board of Commissioners, St. Clair County, Michigan, at a meeting duly held on the 15<sup>th</sup> day of December, 2004 of said County Commission.



## RESOLUTION 04-47

### APPROPRIATION OF SENIOR CITIZENS MILLAGE FUNDS FOR CALENDAR YEAR 2005

WHEREAS: the Citizens of St. Clair County voted approval of a special millage levy for Senior Citizens services for a period of four (4) years; and

WHEREAS: the Commission On Aging, appointed by the County Board of Commission, reviewed and recommended approval of certain appropriations.

NOW, THEREFORE, BE IT RESOLVED:

1. That the base appropriation of the Senior Citizens Millage Fund for Calendar Year 2005 is as follows:

Catholic Social Services of St. Clair County	67,451
St. Clair County Council On Aging	2,205,822
Safe Horizons	8,225
Lakeshore Legal Aid	143,486
St. Clair County Public Guardian	1,148
Visiting Nurse Association	214,190
Area Agency On Aging 1B	14,024
Tax Appeals	12,000
St. Clair County Commission On Aging	31,774
Contingency Fund	322,311
Detroit Edison Tax Appeal Set Aside	<u>163,438</u>

Total 3,183,869

See Exhibits "A" and "B" attached.

**DATED: December 15, 2005**

Reviewed and Approved as to Form by:

Mark Clark

Gary A. Fletcher  
County Corporation Counsel

St. Clair County  
Board of Commissioners:

Patricia Spivey  
Howard Heidemann  
Thomas Kelly

**Resolution 04-46**

**Establishing Compensation to be Paid to Members  
of the St. Clair County Road Commission**

**Whereas**, it is the statutory duty of the St. Clair County Board of Commissioners, at the October Session of each year to determine the compensation to be paid to the Members of the St. Clair County Road Commission, appointed by the Board of Commissioners; and

**Whereas**, the St. Clair County Board of Commissioners has given due consideration to this matter.

**Now, Therefore, Be it Resolved:**

- 1. That the following schedule may be, and the same is hereby adopted, reflecting the compensation for the officials named herein, for the year 2005 and 2006:

Effective January 1, 2005

A. Member, Road Commission	\$5,363
B. Chairperson, Road Commission	\$7,051

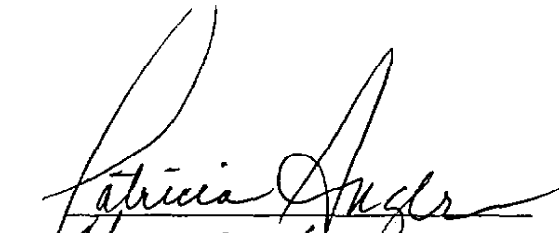

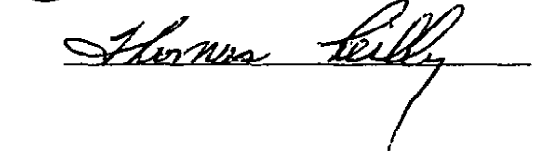
- 2. Effective January 1, 2006 – The Compensation rate shall be provided consistent and in conformity of general across the board adjustments provided classifications subject to the Wage-Grade Plan.
- 3. The Members of the St. Clair County Road Commission shall be paid a “Per Diem Rate” of \$30 per meeting and \$40 per Road Commission Board Meeting Chaired, with a maximum of 34 total meetings including attendance at authorized conferences.
- 4. Members of the St. Clair County Road Commission shall only be eligible for specified benefits as authorized by official action of the St. Clair County Board of Commissioners.
- 5. All resolutions and parts of resolutions in conflict with this resolution are, to the extent of the conflict, hereby rescinded.

**Dated: December 15, 2004**

Reviewed and Approved as to Form by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron MI 48060

**RESOLUTION 04-45**

**ADOPTING 2005 SPECIAL REVENUE FUNDS BUDGETS AND  
AMENDING THE 2004 GENERAL AND SPECIAL REVENUE FUNDS BUDGETS**

**WHEREAS**, under the provisions of the Uniform Budgeting and Accounting Act, P.A. 621 of 1978 as amended, for local units of government in Michigan, all budgets for Special Revenue Funds must be adopted by the Legislative Body; and

**WHEREAS**, the County Administrator/Controller hereby submits and recommends the adoption of the 2005 budgets of the County's various Special Revenue Funds (attached as Exhibit "A") in accordance with the Uniform Budgeting and Accounting Act, P.A. 621 of 1978 as amended; and

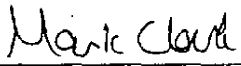
**WHEREAS**, also under P.A. 621 of 1978 as amended, amendments to governmental fund type budgets must be approved by the Legislative Body and in accordance with generally accepted accounting principles, as applicable to governmental units, the budgeted revenues and expenditures should be compared with the actual revenues and expenditures in the financial statements at year-end; and

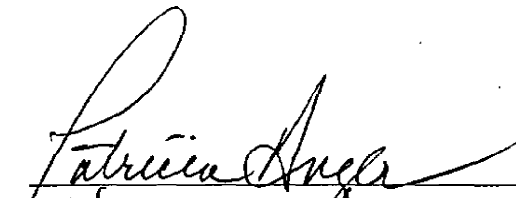

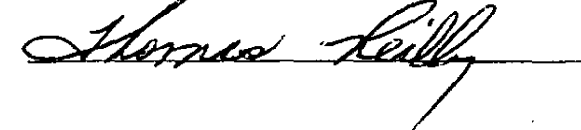
**WHEREAS**, in the 2004 General and Special Revenue Funds budgets the revenues and expenditures totals should be amended as recommended by the Administrator/Controller (attached as Exhibit "B").

**NOW, THEREFORE BE IT RESOLVED**, that the above recommended 2005 Special Revenue Funds Budgets be adopted and the 2004 Budgets of the General and Special Revenue Funds be amended as recommended, in compliance with State of Michigan Public Act 621 of 1978, as amended, which amends Public Act 2 of 1968, entitled "The Uniform Budgeting and Accounting Act".

**DATED: December 15, 2004**

Reviewed and Approved as to form by:

  
\_\_\_\_\_  
GARY A. FLETCHER  
Corporation Counsel  
522 Michigan St.  
Port Huron, Michigan

  
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**RESOLUTION 04-44**

**RELATIVE TO "PER DIEMS"**  
**FOR BOARDS AND COMMISSIONS**

**WHEREAS**, it is the duty of the St. Clair County Board of Commissioners annually, to determine the "Per Diems" to be paid to members of Boards and Commissions in cases where no provision is made by Board action or statute; and

**WHEREAS**, it is the opinion of the St. Clair County Board of Commissioners, that in such cases the "Per Diem" to be paid to members of various appointed Boards and Commissioners should be \$30.00 per day, in addition to such mileage allowance for travel, as the Board from time to time may determine.

**NOW THEREFORE, BE IT RESOLVED:**

- 1) That for the year 2005, the "Per Diem" to be paid to members of Boards and Commissions appointed by the St. Clair County Board of Commissioners, shall be \$30.00 per day, plus such mileage allowance for travel as the Board of Commissioners from time to time may determine.
- 2) That such payments shall be limited to those Boards and Commissions for which the payment of "Per Diem" is specifically allowed by statute and not otherwise prohibited.
- 3) All resolutions and parts of resolutions in conflict with this Resolution are, to the extent of the conflict hereby rescinded.

**DATED: December 15, 2004**

Reviewed and Approved As To Form By:

Mark Carl

Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

Patricia Anger

Howard Heidemann

Thomas Kelly

**Resolution 04-43**

**Establishing Compensation to be Paid to  
Members of the Family Independence Agency**

**Whereas**, it is the statutory duty of the St. Clair County Board of Commissioners to determine the compensation to be paid to the Members of the Family Independence Agency appointed by the Board of Commissioners; and

**Whereas**, the St. Clair County Board of Commissioners has given due consideration to this matter.

**Now, Therefore, be it Resolved:**

- 1. That the following schedule may be, and the same is hereby adopted, reflecting compensation for Members of the Family Independence Agency for 2003 and 2004:

Effective January 1, 2005

- A. Member, Family Independence Agency \$3,592
- B. Chairperson, Family Independence Agency \$5,249

2. Effective January 1, 2006

A. The Compensation Rate shall be provided consistent and in conformity of general across the Board adjustments provided classifications subject to the Wage-Grade Plan.

- 3. Members of the Family Independence Agency shall only be eligible for specified benefits as authorized by official action of the County Board of Commissioners.
- 4. This salary structure replaces the previous salary plus per diem structure.
- 5. All resolutions and parts of resolutions in conflict with this Resolution, are to the extent of the conflict, hereby rescinded.

**Dated: December 15, 2004**

Reviewed and Approved as to Form by:

Mark Cowie  
 Gary A. Fletcher  
 County Corporation Counsel  
 522 Michigan  
 Port Huron, MI 48060

Patricia Angel  
Howard Heidemann  
Howard Kelly

Not Passed**RESOLUTION 04-42****ESTABLISHING SALARIES  
OF SPECIFIC COUNTY ELECTED OFFICERS FOR 2005**

WHEREAS, the St. Clair County Board of Commissioners has responsibility to establish the salary levels of all County Elected Officers; and

WHEREAS, the St. Clair County Board of Commissioners has reviewed and evaluated the compensation of said Officers and recommends that said compensation is appropriate.

NOW, THEREFORE, BE IT RESOLVED:

- 1) That the salary levels of County Elected Officers, be, and the same hereby are established as specified as follows.

<u>Elected Officer</u>	<u>Annual Salary</u>
Surveyor	\$ 7,133
Drain Commissioner	\$ 61,324
Treasurer	\$ 73,126
Clerk/Register	\$ 68,795
Prosecuting Attorney	\$ 109,543
Sheriff	\$ 84,583
Magistrates	\$ 48.57 per hour

- 2) That the salary assigned herein to each classification shall be for one (1) year (2005) effective January 1, 2005.
- 3) All resolutions and parts of resolutions in conflict with this resolution, are, to the extent of the conflict, hereby rescinded.

**Dated: December 15, 2004**

Reviewed and Approved as to Form by:

Mark A. Fletcher  
 Gary A. Fletcher  
 County Corporation Counsel  
 522 Michigan  
 Port Huron MI 48060

Patricia Ayer  
Howard Heidemann  
Thomas Kelly

**RESOLUTION 04-41**

**RELATIVE TO ANNUAL COUNTY AT LARGE DRAIN ASSESSMENTS**

WHEREAS, pursuant to provisions of the Michigan Drain Code, the Drain Commissioner has submitted to the County Board of Commissioners, a listing of County Drains and the associated County At Large Drain Assessments showing the money to be paid by and assessed against the County for drain purposes for the year 2004; and

WHEREAS, the payments of said amounts must be reviewed and approved by the County Board of Commissioners for the purpose of authorizing the payment or transfer of said amounts from the County's general fund to the drain funds; and

WHEREAS, the County has previously budgeted \$100,000 dollars for "Drains-Public Benefit" for Fiscal Year 2004;

NOW, THEREFORE, BE IT RESOLVED:

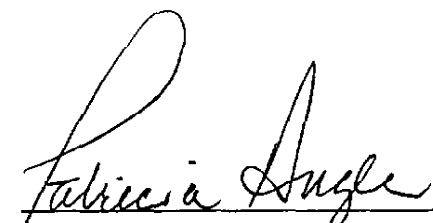
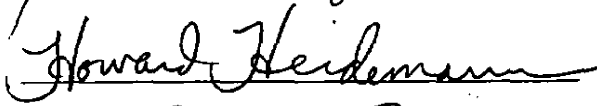

1. That the County At Large Drain Assessment Roll for 2004 is marked as "Exhibit A", attached hereto and made a part hereof by reference.
2. That the Drain Commissioner's County At Large Drain Assessments, totaling \$128,330.20, are hereby approved, and the amounts apportioned therein shall be paid and assessed against the County at Large, according to such apportionment of benefits provided and as agreed to by the County.
3. All resolutions and parts of resolutions in conflict with this Resolution are, to the extent of the conflict, rescinded.

DATED: December 15, 2004

Reviewed and Approved by:



\_\_\_\_\_  
Gary A. Fletcher  
Corporation Counsel

  
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**RESOLUTION 04-40**

**Supporting the City of Marysville LDFA for the Schefenacker Project**

**WHEREAS**, The City of Marysville is creating an Local Development Finance Authority (the "LDFA") and establishing an LDFA District for the purposes of working with the St. Clair County Economic Development Alliance ("EDA") for the purposes of constructing a paint facility for Schefenacker USA, Inc.; and

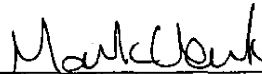
**WHEREAS**, the County of St. Clair has sixty (60) days after the City of Marysville conducts a public hearing to opt out of the LDFA, however the City of Marysville and the EDA need an indication from St. Clair County as to whether it will opt out before such sixty (60) day period expires in order to complete the Schefenacker project in time for Schefenacker to start production to meet Schefenacker's contractual commitments;

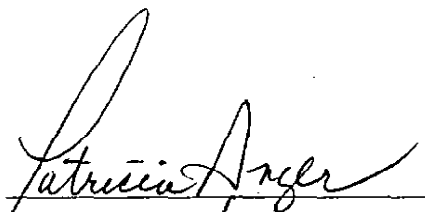
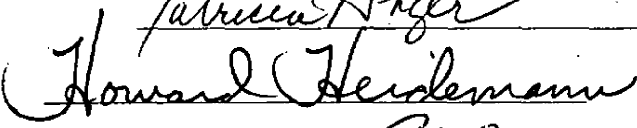
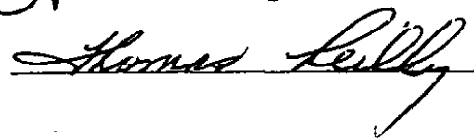
**WHEREAS**, the County Board of Commissioners supports the Schefenacker project because it will retain approximately 800 jobs and create 50 new jobs which were in danger of being relocated to Mexico.

**NOW, THEREFORE, BE IT RESOLVED** that the St. Clair County Board of Commissioners hereby states its support for the Schefenacker project and further affirms it does not intend to opt out of the LDFA.

Dated: December

Reviewed and Approved by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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**RESOLUTION 04-39**

RESOLUTION ELECTING TO HAVE THE COUNTY OF ST. CLAIR SERVE AS THE FORECLOSING GOVERNMENTAL UNIT (FGU) AND TO RECIND RESOLUTION 99-41 PREVIOUSLY ELECTING THE STATE OF MICHIGAN TO SERVE AS THE FORECLOSING GOVERNMENTAL UNIT

**WHEREAS**, the provisions of Section 78, subsection (3) of Act. No. 206 of the Michigan Public Acts of 1893, as amended (Act 206) permits a County to elect to have property forfeited to its County Treasurer pursuant to Act 206 foreclosed either by the County Treasurer or by the State of Michigan; and

**WHEREAS**, this Board of Commissioners believes it is in the best interest of the citizens of the County of St. Clair to elect to have the property foreclosure handled locally by the County Treasurer in St. Clair rather than by the State of Michigan in Lansing; and

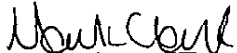
**WHEREAS**, the County Treasurer has concurred in this decision;

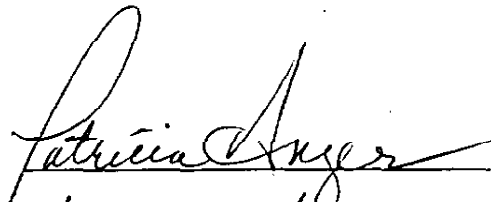

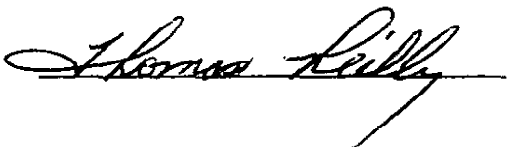
**NOW THEREFORE BE IT RESOLVED** BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ST. CLAIR AS FOLLOWS:

The County of St. Clair hereby elects, pursuant to the authority granted to it by Section 78, Subsection (3) of Act 206, to have the County Treasurer foreclose property previously forfeited to the County Treasurer under section 78q of Act 206 and hereby recinds Resolution 99-41.

**Dated: December 15, 2004**

Reviewed and approved as to form by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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\_\_\_\_\_

Not Passed

**RESOLUTION 04 -38**

ESTABLISHING  
PAY FOR PERFORMANCE DEPARTMENTAL CLASSIFICATION AND  
COMPENSATION PLAN  
FOR  
SPECIFIC APPOINTED COUNTY OFFICERS  
AND  
NON-UNION EMPLOYEES  
FOR CALENDAR YEAR 2005

WHEREAS, the St. Clair County Board of Commissioners has responsibility to establish the salary levels of all Appointed County Officers and Non-Union County Employees; and

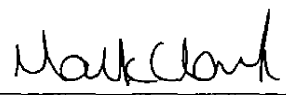
WHEREAS, the St. Clair County Board of Commissioners has reviewed and evaluated the classifications and compensation of said Officers and Employees and recommends that said Pay for Performance Departmental Classification and Compensation Plan is appropriate.

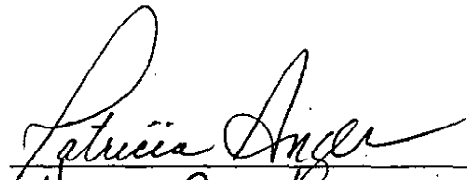

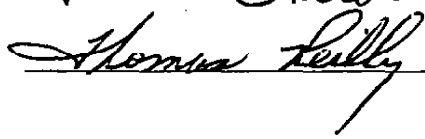
NOW, THEREFORE, BE IT RESOLVED:

- 1) That the salary levels of Appointed County Officers and Non-Union County Employees, be, and the same hereby are established as specified in Exhibit "A".
- 2) That the salary assigned herein to each classification shall be for one (1) year (2005) effective January 1, 2005.
- 3) All resolutions and parts of resolutions in conflict with this resolution, are, to the extent of the conflict, hereby rescinded.

**DATED: December 15, 2004**

Reviewed and Approved as to Form by:

  
 \_\_\_\_\_  
 Gary A. Fletcher  
 County Corporation Counsel  
 522 Michigan  
 Port Huron MI 48060

  
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**RESOLUTION 04-37**

**ST. CLAIR COUNTY 2005 GENERAL APPROPRIATIONS RESOLUTION**

WHEREAS, the Uniform Budgeting and Accounting Act, Public Act 621 of 1978, as amended, requires that each local unit of government adopt a balanced budget for certain funds; and

WHEREAS, County Departments, the Courts and others have submitted budget requests as required by the Act, including those with requests for a County Appropriation; and

WHEREAS, the County Budgetary Committee has considered these requests and has submitted a recommended budget to the Administrator/Controller who has in turn submitted a proposed budget to the Board of Commissioners' as required by statute; and

WHEREAS, the Board of Commissioners' has received the proposed budget and have made recommendations for modification to the Administrator/Controller; and

WHEREAS, the Board of Commissioners' has held the required Public Hearing regarding the proposed budget: and

WHEREAS, the Board of Commissioners' annually adopts a budget and authorizes appropriations subject to the conditions set forth in its annual General Appropriations Resolution: and

WHEREAS, the budget contains anticipated revenues and expenditures from various grant programs, which will also require approval of agreements with granting agencies at various times during the fiscal year.

THEREFORE BE IT RESOLVED, that the 2005 St Clair County General Fund Budget, as attached and marked "Exhibit A" is hereby adopted on a basis consistent with the Public Act 621 of 1978, as amended,

BE IT FURTHER RESOLVED, that the following tax levies are hereby authorized for the 2004 tax year/2005 budget year for a total County levy of 7.1048 mills, including levies for general fund operations and special purpose millages:

General operations	5.3287
Drug Task Force	.2805
Senior Citizens	.5000
Library	.5000
Parks	.4956


BE IT FURTHER RESOLVED, that the revenues received by the County under Public Acts 106 and 107 of 1985 (Convention Facility Tax revenue) shall not be used to reduce the County's operating millage as defined by Public Act 2 of 1986 and that 50% of the actual Convention Facility Tax revenue not used to reduce the County's operating tax rate will be transferred to the Substance Abuse Fund with the remaining revenues to be deposited in the General Fund.


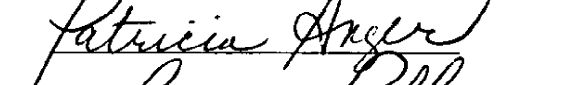
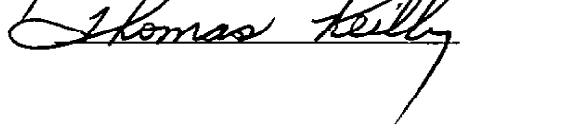
BE IT FURTHER RESOLVED, that the revenues received by the County under Public Act 264 of 1987 (Health and Safety Fund Act) shall not be used to reduce the County's operating millage and that 11/17 of the actual revenues will be appropriated for public health prevention programs, 5/17 of the actual revenues will be appropriated for jail facilities and that 1/17 of the actual revenues will be appropriated for general services in accordance with the Act.

BE IT FURTHER RESOLVED, that the adopted budget is based on current estimates of revenues and expenditures, and that the Board of Commissioners', upon recommendation by the Administrator/Controller, may find it necessary to adjust budgeted revenues and expenditures from time to time during the year.

Dated: December 1, 2004

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, Michigan

  
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**REVISED**

**ST. CLAIR COUNTY  
2005 GENERAL FUND  
BUDGETED CHANGES TO AVAILABLE FUND BALANCE**

December 1, 2004

Estimated Available Fund Balance at December 31, 2004	\$	7,625,388
Add: 2005 Budgeted Revenues		52,835,402
Less: 2005 Budgeted Expenditures		<u>52,835,402</u>
Estimated Available Fund Balance at December 31, 2005	\$	<u><u>7,625,388</u></u>

**REVISED**

**ST. CLAIR COUNTY**  
**PROPOSED GENERAL FUND BUDGET**  
**REVENUES**

12/1/2004

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2005 PROPOSED</b>
<b><u>100 Legislative</u></b>		
	Other Legislative Activities	180,785
	Employee of the Quarter/Year	2,000
		<u>182,785</u>
<b><u>130 Judicial</u></b>		
131	Circuit Court	137,172
	Pretrial Services Grant	44,950
136	District Court	2,986,600
141	Friend of Court	1,905,455
	Incentive Payments	148,133
	Medical Grant	81,604
	FOC - GF/GP	82,423
145	Law Library	7,500
148	Probate Court	206,317
149	Family Division-Circuit Court	181,117
166	Family Counseling	20,000
		<u>5,801,271</u>
<b><u>170 General Government</u></b>		
191	Elections	50,000
215	Clerk	836,800
225	Equalization	188,500
	Professional Development	3,500
229	Prosecuting Attorney	270,693
	Drug Forfeitures	5,000
	Child Protective Investigations	20,000
231	Victims Rights	61,000
236	Register of Deeds	1,720,500
253	County Treasurer	36,507,008
257	Cooperative Extension	2,000
	Co-op. Ext. - 21st Century Grant	77,357
	Co-op. Ext. - Great Start Grant	30,000
	Co-op. Ext. - CMH Grant	57,768
	Co-op. Ext. - Head Start Grant	5,100
	Co-op. Ext. - FNP/Milias Grant	1,500
259	Information Technology	35,000
275	Drain Commissioner	293,529
		<u>40,165,255</u>
<b><u>300 Public Safety</u></b>		
301	Sheriff	1,364,600
	Secondary Road Patrol	225,975
320	Criminal Justice Training Grant	15,000
325	Communications/Radio	584,674
331	Marine Law Enforcement	130,700

DEPT.#	DEPARTMENT	2005 PROPOSED
	<b><u>Public Safety - Continued</u></b>	
351	Corrections/Jail	1,481,000
	Inmate Billing	275,000
362	Other Corrections Activities	219,250
	Probation Resident Services	565,020
372	Jail Population Monitor	46,000
426	Emergency Preparedness	110,826
	Emerg. Prep. - Equipment Grant	1,275,796
428	Hazardous Materials Handling	2,000
430	Animal Shelter	319,500
	Spay/Neutering Program	10,000
	Animal Cruelty/Custody Program	200
		<u>6,625,541</u>
	<b><u>600 Health and Welfare</u></b>	
661	Public Guardian	<u>60,550</u>
	Totals	<u><u>52,835,402</u></u>

REVISED

**REVISED**

**ST. CLAIR COUNTY**  
**PROPOSED GENERAL FUND BUDGET**  
**EXPENDITURES**

12/1/2004

<b>DEPT.#</b>	<b>DEPARTMENT</b>	<b>2005 PROPOSED</b>
<b><u>100 Legislative</u></b>		
101	Board of Commissioners	218,130
103	Other Legislative Activities	1,522,200
	Employee of the Quarter/Year	2,000
	<b><u>Appropriations to other Funds:</u></b>	
	Road Commission	500,000
	Health Department	2,552,866
	Child Care - Probate	2,683,378
	Child Care - Welfare	244,750
	Family Independence Agency	490,000
	Library	100,000
	Airport	117,907
	Retirement Fund	14,186
	Public Improvement	-
	Planning	461,069
	Parks and Recreation Millage	50,000
	Community Development Block Grant	10,000
	Administrative Building Debt Fund	816,395
	Building Authority Construction	194
		<u>9,783,075</u>
<b><u>130 Judicial</u></b>		
131	Circuit Court	1,743,877
	Pretrial Services Grant	127,173
136	District Court	2,361,221
138	Court Security	375,790
141	Friend of Court	2,341,111
	Medical Grant	96,073
145	Law Library	500
148	Probate Court	729,846
149	Family Division-Circuit Court	2,068,299
151	Adult Probation	20,900
153	District Court Probation	552,431
166	Family Counseling	20,000
		<u>10,437,221</u>
<b><u>170 General Government</u></b>		
172	Administrator/Controller	457,568
191	Election	140,642
201	Accounting	427,164
215	Clerk	809,548
225	Equalization	860,103
226	Human Resources	667,864
227	Staff Resource Pool	301,171
	Professional Development	72,872
229	Prosecuting Attorney	2,362,843



**REVISED**

DEPT. #	DEPARTMENT	2005 PROPOSED
	<b><u>General Government - Continued</u></b>	
	Drug Forfeitures	5,000
231	Victims Rights	14,400
236	Register of Deeds	330,737
244	Boundary Commission	350
253	County Treasurer	636,449
257	Cooperative Extension	397,339
	Co-op. Ext. - 21st Century Grant	77,357
	Co-op. Ext. - Great Start Grant	30,000
	Co-op. Ext. - CMH Grant	57,768
	Co-op. Ext. - Head Start Grant	5,100
	Co-op. Ext. - FNP/Milias Grant	1,500
259	Information Technology	1,869,159
265	Buildings and Grounds	1,838,607
	FIA Building Lease Maintenance	818,942
275	Drain Commissioner	666,213
289	Motor Pool	10,705
		<u>12,859,401</u>
	<b><u>300 Public Safety</u></b>	
301	Sheriff	5,645,365
	Secondary Road Patrol	225,974
320	Criminal Justice Training Grant	15,000
325	Communications/Radio	1,013,458
331	Marine Law Enforcement	320,313
334	Dive Team	8,194
351	Corrections/Jail	7,852,793
	Inmate Billing	118,609
362	Other Correctional Activities	200,000
	Probation Resident Services	565,020
372	Jail Population Monitor	46,000
426	Emergency Preparedness	287,807
	Emerg. Prep. - Equipment Grant	1,244,470
	Skywarn	500
428	Hazardous Materials Handling	25,500
430	Animal Shelter	363,101
	Spay/Neutering Program	10,000
	Animal Cruelty/Custody Program	200
		<u>17,942,304</u>
	<b><u>440 Public Works</u></b>	
445	Drains - Public Benefit	100,000
		<u>100,000</u>
	<b><u>600 Health and Welfare</u></b>	
649	Mental Health	955,672
651	Ambulance	70,000
661	Public Guardian	227,467
681	Veteran's Burial	21,300
682	Veteran's Counselor	194,718
689	Soldiers and Sailors Relief	1,350
		<u>1,470,507</u>

REVISED

<u>DEPT. #</u>	<u>DEPARTMENT</u>	<u>2005 PROPOSED</u>
<b>850 Other Functions</b>		
890	Contingencies	<u>242,894</u>
	Totals	<u><u>52,835,402</u></u>

REVISED

ST. CLAIR COUNTY  
2005 PROPOSED GENERAL FUND BUDGET  
REVENUES

12/1/2004

DEPT. #	DEPARTMENT	2003 ACTUAL	2004 ESTIMATE	2005 PROPOSED	2005 REQUESTED
<b>100</b>	<b>Legislative</b>				
103	Other Legislative Activities	1,040,192	-	182,785	180,785
<b>130</b>	<b>Judicial</b>				
131	Circuit Court	137,678	137,372	137,172	137,172
136	District Court	2,578,967	2,733,100	2,986,600	2,877,600
141	Friend of Court	1,905,751	1,632,515	1,905,455	1,964,323
	Incentive Payments	164,024	194,029	148,133	148,133
	Medical Grant	78,132	91,440	81,604	81,604
	Parenting Program	5,584	11,582	-	-
	FOC - GF/GP	3,253	-	82,423	82,423
	Pretrial Services Grant	-	35,450	44,950	44,950
145	Law Library	6,555	6,500	7,500	7,500
148	Probate Court	249,293	206,117	206,317	186,317
149	Family Division - Circuit Court	203,809	191,317	181,117	181,117
166	Family Counseling	16,770	20,000	20,000	20,000
		5,349,816	5,259,422	5,801,271	5,731,139
<b>170</b>	<b>General Government</b>				
191	Elections	6,695	11,000	50,000	10,000
215	County Clerk	693,004	732,100	836,800	836,800
225	Equalization	-	-	188,500	188,500
	Staff Resource Pool	11,876	-	-	-
	Professional Development	-	-	3,500	-
229	Prosecuting Attorney	281,615	262,891	270,693	270,693
	Drug Forfeitures	3,498	5,000	5,000	5,000
	Child Protective Investigation - Title IV-E	25,137	20,000	20,000	20,000
231	Victims Rights	27,353	61,000	61,000	61,000
236	Register of Deeds	2,075,440	2,187,400	1,720,500	1,720,500
243	Property Description	-	50,470	-	-

REVISED

DEPT. #	DEPARTMENT	2003 ACTUAL	2004 ESTIMATE	2005 PROPOSED	2005 REQUESTED
<b>170 General Government - Continued</b>					
253	County Treasurer	33,406,725	34,950,475	36,507,008	35,165,051
257	Cooperative Extension	68,676	15,000	2,000	2,000
	Co-op. Ext. - 21st Century Grant	-	-	77,357	77,357
	Co-op. Ext. - Great Start Grant	-	-	30,000	30,000
	Co-op. Ext. - CMH Grant	-	-	57,768	57,768
	Co-op. Ext. - Head Start Grant	-	-	5,100	5,100
	Co-op. Ext. - FNP/Milias Grant	261	-	1,500	1,500
259	Information Technology	36,695	132,888	35,000	35,000
275	Drain Commissioner	171,055	229,615	293,529	293,529
289	Motor Pool	8,505	-	-	-
		<b>36,808,030</b>	<b>38,657,839</b>	<b>40,165,255</b>	<b>38,779,798</b>
<b>300 Public Safety</b>					
301	Sheriff	1,465,087	1,324,320	1,364,600	1,364,600
	Secondary Road Patrol	204,291	225,893	225,975	225,975
320	Criminal Justice Training Grant	14,977	14,870	15,000	15,000
325	Communications/Radio	475,780	881,087	584,674	584,674
331	Marine Law Enforcement	125,295	159,500	130,700	130,700
351	Corrections/Jail	694,959	389,470	1,481,000	700,000
	Inmate Billing	257,439	275,000	275,000	275,000
362	Other Correctional Activities	-	107,250	219,250	219,250
372	Probation Resident Services Grant	745,847	660,996	565,020	565,020
426	Jail Population Monitor	-	44,800	46,000	46,000
	Emergency Preparedness	234,590	109,350	110,826	110,826
428	Emerg. Prep. - Equipment Grant	-	-	1,275,796	1,275,796
430	Hazardous Materials Handling	5,337	2,000	2,000	2,000
	Animal Shelter	245,294	321,200	319,500	312,500
	Spay/Neutering Program	12,684	10,000	10,000	10,000
	Animal Cruelty/Custody Program	1,066	200	200	200
		<b>4,482,646</b>	<b>4,525,936</b>	<b>6,625,541</b>	<b>5,837,541</b>

REVISED

<u>DEPT. #</u>	<u>DEPARTMENT</u>	<u>2003 ACTUAL</u>	<u>2004 ESTIMATE</u>	<u>2005 PROPOSED</u>	<u>2005 REQUESTED</u>
600	Health and Welfare				
661	Public Guardian	62,420	65,500	60,550	40,550
		<u>47,743,104</u>	<u>48,508,697</u>	<u>52,835,402</u>	<u>50,569,813</u>

ST. CLAIR COUNTY  
2005 PROPOSED GENERAL FUND BUDGET  
EXPENDITURES

12/1/2004

REVISED

DEPT. #	DEPARTMENT	2003 ACTUAL	2004 ESTIMATE	2005 PROPOSED	2005 REQUESTED
<b>100 Legislative</b>					
101	Board of Commissioners	229,625	198,835	218,130	220,930
103	Other Legislative Activities	1,551,065	1,660,130	1,524,200	1,739,092
<b>Appropriations to Other Funds:</b>					
	Road Commission	870,292	700,000	500,000	700,000
	Health Department	2,697,037	2,658,497	2,552,866	2,900,321
	Child Care - Probate	3,413,366	2,762,157	2,683,378	3,640,806
	Child Care - Welfare	303,750	243,750	244,750	244,750
	Family Independence Agency	364,500	515,000	490,000	599,000
	Library	378,021	248,617	100,000	248,617
	Airport	278,878	191,007	117,907	229,049
	Retirement Fund	12,265	13,383	14,186	14,186
	Public Improvement Fund	-	234,632	-	-
	Planning	482,319	519,852	461,069	520,202
	Parks and Recreation Millage	116,800	116,800	50,000	116,800
	Community Development Block Grant	10,000	10,000	10,000	10,000
	Administrative Building Debt Fund	870,050	849,250	816,395	478,195
	Building Authority Construction	200	161	194	194
		11,578,168	10,922,071	9,783,075	11,662,142

DEPT. #	DEPARTMENT	2003 ACTUAL	2004 ESTIMATE	2005 PROPOSED	2005 REQUESTED
<b>130 Judicial</b>					
131	Circuit Court	1,663,629	1,739,976	1,743,877	1,815,981
136	District Court	2,152,482	2,189,749	2,361,221	2,503,186
138	Courthouse Security	352,525	395,282	375,790	686,191
141	Friend Of Court	2,100,264	2,028,694	2,341,111	2,455,177
	Medical Grant	76,326	91,440	96,073	81,604
	Parenting Program	5,084	11,055	-	-
	Pretrial Services Grant	63,506	126,400	127,173	132,173
145	Law Library	7,567	6,500	500	7,500
148	Probate Court	851,621	845,155	729,846	710,879
149	Family Division - Circuit Court	1,783,997	1,995,994	2,068,299	2,148,966

REVISED

DEPT. #	DEPARTMENT	2003 ACTUAL	2004 ESTIMATE	2005 PROPOSED	2005 REQUESTED
<b>130 Judicial - Continued</b>					
151	Adult Probation	26,488	30,700	20,900	30,700
153	District Court Probation	489,721	532,043	552,431	565,371
166	Family Counseling	1,611	20,000	20,000	20,000
		9,574,821	10,012,988	10,437,221	11,157,728
<b>170 General Government</b>					
172	Administrator/Controller	441,660	464,399	457,568	496,751
191	Elections	64,361	191,576	140,642	159,033
201	Accounting	487,394	444,040	427,164	432,564
215	County Clerk	740,386	738,362	809,548	803,818
225	Equalization	470,839	482,713	860,103	881,699
226	Human Resources	597,702	640,074	667,864	814,437
227	Staff Resource Pool	272,752	334,243	301,171	321,038
	Professional Development	36,653	49,550	72,872	124,122
229	Prosecuting Attorney	2,130,693	2,359,066	2,362,843	2,403,950
	Drug Forfeitures	12,473	5,000	5,000	5,000
	Child Protective Investigation - Title IV-E	2,614	-	-	-
231	Victims Rights	9,885	14,100	14,400	14,400
236	Register of Deeds	286,043	280,779	330,737	339,948
243	Property Description	266,527	305,748	-	-
244	Boundary Commission	382	350	350	350
253	County Treasurer	519,931	615,211	636,449	666,795
257	Cooperative Extension	441,552	398,324	397,339	401,201
	Co-op. Ext. - 21st Century Grant	-	-	77,357	77,357
	Co-op. Ext. - Great Start Grant	-	-	30,000	30,000
	Co-op. Ext. - CMH Grant	-	-	57,768	57,768
	Co-op. Ext. - Head Start Grant	-	-	5,100	5,100
	Co-op. Ext. - FNP/Milias Grant	1,355	-	1,500	1,500
259	Information Technology	1,871,269	1,581,001	1,869,159	2,857,429
265	Building and Grounds	1,704,943	1,804,430	1,838,607	1,990,667
	FIA Building Lease Maintenance	680,957	781,881	818,942	833,975
275	Drain Commissioner	517,516	584,012	666,213	699,554
289	Motor Pool	43,821	10,605	10,705	50,705
		11,601,708	12,085,464	12,859,401	14,469,161

**REVISED**

DEPT. #	DEPARTMENT	2003 ACTUAL	2004 ESTIMATE	2005 PROPOSED	2005 REQUESTED
<b>300 Public Safety</b>					
301	Sheriff	5,533,322	5,146,309	5,645,365	5,927,013
	Secondary Road Patrol	194,592	225,044	225,974	225,974
320	Criminal Justice Training Grant	9,537	20,000	15,000	15,000
325	Communications/Radio	954,303	958,527	1,013,458	1,105,991
331	Marine Law Enforcement	323,897	324,313	320,313	523,016
334	Dive Team	14,924	8,194	8,194	29,786
351	Corrections/Jail	5,109,898	5,473,105	7,852,793	7,784,921
	Inmate Billing	104,159	115,497	118,609	119,696
362	Other Correctional Activities	54,072	107,250	200,000	219,250
	Probation Resident Services	594,002	660,996	565,020	565,020
372	Jail Population Monitor	54,233	43,709	46,000	46,000
426	Emergency Preparedness	415,062	281,440	287,807	297,207
428	Emerg. Prep. - Equipment Grant	-	-	1,244,470	1,244,470
	Hazardous Materials Handling	29,928	20,600	25,500	28,000
	Skywarn	-	750	500	1,000
430	Animal Shelter	362,863	336,470	363,101	427,815
	Spay/Neutering program	6,433	10,000	10,000	10,000
	Animal Cruelty/Custody Program	903	200	200	200
		13,762,128	13,732,404	17,942,304	18,570,359
<b>440 Public Works</b>					
445	Drain - Public Benefit	110,254	100,000	100,000	150,000
<b>600 Health and Welfare</b>					
649	Mental Health	955,672	955,672	955,672	955,672
651	Ambulance	193,428	128,213	70,000	62,957
661	Public Guardian	181,795	219,400	227,467	238,467
681	Veteran's Burial	15,980	20,000	21,300	21,300
682	Veterans Counselor	176,712	180,635	194,718	196,920
689	Soldiers and Sailors Relief	-	1,850	1,350	1,850
		1,523,587	1,505,770	1,470,507	1,477,166



REVISED

<u>DEPT. #</u>	<u>DEPARTMENT</u>	<u>2003 ACTUAL</u>	<u>2004 ESTIMATE</u>	<u>2005 PROPOSED</u>	<u>2005 REQUESTED</u>
<u>850</u>	<u>Other Functions</u>				
890	Contingencies	-	150,000	242,894	150,000
		48,150,666	48,508,697	52,835,402	57,636,556

**RESOLUTION 04-36**

**WAIVING INTEREST ACCRUED ON TAXES  
COLLECTED BY LOCAL UNITS**

**WHEREAS**, the General Property Tax Act of Michigan, being No. 206 of P.A. of 1893, as amended, provides that townships and city treasurers charged with the responsibility of collecting taxes, shall account for and deliver to the County Treasurers, and the School District Treasurers, taxes collected within 10 business days after the first and fifteenth day of each month; and

**WHEREAS**, Public Act No. 169 of 1988, addressed the subject of interest earned on tax collections, providing that an agreement can be made between a collecting unit and a taxing unit regarding interest earned; and

**WHEREAS**, to divide and distribute accrued interest owed to the County of St. Clair by the local tax collecting units would impose a severe administrative burden on the local collecting units; and


**WHEREAS**, in the opinion of this Board of Commissioners, the accounting costs incidental to the distribution of interest would likely surpass the amount of interest; and

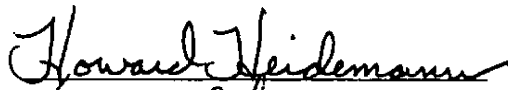
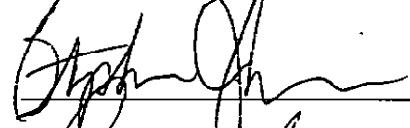

**WHEREAS**, this Board is not required to, but may, in its discretion, waive receipt of interest amounts attributed to collecting taxes for the year 2004.

**NOW, THEREFORE, BE IT RESOLVED**, that the payment of any interest which may be due and owing to the County from the 2004 Tax collections, is hereby waived.

**DATED: December 1, 2004**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
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## RESOLUTION 04-35

### RESOLUTION ADOPTING ORDINANCE AMENDING THE ST. CLAIR COUNTY EMPLOYEES' RETIREMENT SYSTEM ORDINANCE

#### Recitals


WHEREAS, St. Clair County provides retirement benefits to its retirees pursuant to the terms of the St. Clair County Employees' Retirement System Ordinance (the "Retirement System Ordinance").

WHEREAS, St. Clair County wishes to amend the Retirement System Ordinance by enacting an ordinance to provide for a deferred retirement option plan ("DROP") for certain of its employees.

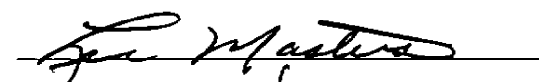


NOW THEREFORE, BE IT RESOLVED, that the attached Ordinance Amending the St. Clair County Employees' Retirement System Ordinance, by adding Article VI, Section 6.9, is hereby adopted.

DATED: November 17, 2004

Reviewed and Approved by:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

**AN ORDINANCE AMENDING THE ST. CLAIR COUNTY  
EMPLOYEES' RETIREMENT SYSTEM ORDINANCE**

1. The Retirement System Ordinance is amended to add Article VI, Section 6.9, which shall read as follows:

**Section 6.9 DEFERRED RETIREMENT OPTION PLAN.**

**(A) ELIGIBILITY.** On or after January 1, 2005, and before December 31, 2007, any member (the "Participant") of the St. Clair County Sheriff's Department Supervisors - COAM (the "Association") may participate in the Deferred Retirement Option Plan ("DROP") established pursuant to this Section, if the following requirements are met:

- (1) The Participant is eligible for retirement under the St. Clair County Retirement Ordinance.
- (2) The Participant voluntarily elects to participate in the DROP by indicating, in writing, his or her desire to do so to the Sheriff, with copies to the County Human Resources Director and the County Retirement Board.

**(B) PARTICIPATION IN THE DROP.** Participation in the DROP shall commence as soon as reasonably possible after the Participant has satisfied the conditions set forth in subsection (1). Upon approval of the Participant's election to participate in the DROP or, if later, the effective date selected by the Participant for commencement of participation in the DROP (the "Participation Date"), the Participant shall become a DROP participant. Upon commencement of participation in the DROP, the Participant shall become an independent contractor with the County and will continue to provide services to the County in the Sheriff's Department, as assigned by the Sheriff and consistent with the duties previously performed by the Participant. Once commenced, the Participant's participation in the DROP is irrevocable and, as a result, the Participant may not return to regular employment status with the County and the Participant's retention as an independent contractor with the County will terminate no less than three (3) years from the Participation Date. During the Participation Period, the Participant will continue to be covered by the salary and benefit provisions of the collective bargaining agreement between the County and the Association, except that the Participant will no longer receive longevity, no pension contribution shall be made on behalf of the Participant, and the Participant shall not be entitled to receive any payment of sick or vacation days upon ending participation in the DROP. As long as the Participant continues to provide services to the Sheriff's Department, the Participant shall be deemed to be participating in the DROP (the "Participation Period"). The Participation Period shall be limited to three (3) years.

**(C) CONTRIBUTIONS TO RETIREMENT SYSTEM.** The County's contributions on behalf of the Participant and Participant's contributions to the Retirement System shall cease as of the Participant's Participation Date.

(D) **DROP BENEFIT.** Except as provided in this subsection, during the Participation Period, the Participant shall receive as a benefit under the DROP (the "DROP Benefit") the regular monthly retirement benefit to which the Participant would have been entitled as part of the Retirement System if the Participant had actually retired on the Participation Date. The DROP Benefit shall be credited monthly to the Participant's individual DROP Account as established pursuant to this Section. The Participant may only receive any part their DROP Account by cessation of services to the County. Provided, however, to continue to receive benefits under the DROP, the Participant must cease providing services to the County within three (3) years of the Participation Date. Failure to cease providing services at or before the expiration of this thirty-six (36) month period shall result in forfeiture of the Participant's regular monthly retirement benefit otherwise payable to his or her DROP Account until cessation of services; provided, however, interest or appreciation on the Participant's DROP Account shall continue to accrue. Upon cessation of services to the County, the Participant shall receive distribution of his or her DROP account, pursuant to the election made by the Participant pursuant to subsection (F), and shall receive his or her regular monthly retirement benefit from the Retirement System.

(E) **DROP ACCOUNTS.** An individual DROP Account shall be created for the Participant in which the Participant's DROP Benefit shall be accumulated. The individual DROP Account shall be maintained for the benefit of the Participant and will be managed by the Retirement Board in the same manner as the other funds held in the Retirement System.

(F) **DISTRIBUTION OF DROP ACCOUNT.** The Participant's drop account shall be distributed pursuant to the provisions of this subsection.

- (1) Before or during the Participation Period, the Participant may elect to receive his or her benefit in any form permitted under the DROP, which includes one (or a consistent combination of one or more) of the following distribution methods:
  - (a) A total lump sum distribution to the recipient.
  - (b) A partial lump sum distribution to the recipient.
  - (c) A lump sum direct rollover to another qualified plan to the extent allowed by federal law and in accordance with the Retirement Board's rollover procedures.
  - (d) An annuity payable for the life of the recipient.
  - (e) An option form of annuity as established by Public Act 345 of 1937, as amended.

- (f) No distribution, in which case the accumulated balance shall remain in the Plan to the extent allowed by federal law.
- (2) The Participant may change the distribution method as may be applicable no more than once per year. All payments under the Plan shall be made (or begin) as soon as practical, but in no event later than the April 1 following the later of:
    - (a) The calendar year in which the Participant attains age 70-½ ;or
    - (b) The calendar year in which the Participation Period terminated.
  - (3) If the Accumulated Balance in the Participant's DROP Account becomes less than \$5,000 or other amount as provided in Internal Revenue Code Section 411 (a)(11)(A), then the Retirement Board shall have at its discretion the option of distributing the entire account, in the form a lump sum, to the Participant.
  - (4) Any and all distributions from the Participant's DROP Account shall not be subject to offset by worker's compensation wage loss payments received by the Participant, including any redemption amounts.

**(G) DESIGNATION OF DROP BENEFICIARY.** Before or during the Participation Period, the Participant may nominate a named beneficiary. A Participant desiring to either change their form of benefit at cessation of services or have a new spouse recognized for purposes of the Plan's post-retirement surviving spouse benefit, must make such election prior to cessation of services and will receive the actuarially computed revised benefit commencing on the member's effective date of cessation of services. The term "spouse," for purposes of benefit qualification, shall mean the person to whom the Participant was legally married on the Participant's date of death if such death occurs during the Participation Period or the person to whom the Participant was legally married on both the effective date of cessation of services and the date of death, if such death occurs after cessation of services. The definition of "spouse" contained in this section may be amended pursuant to an Eligible Domestic Relations Order entered pursuant to MCLA 38.1701 *et. seq.*

**(H) DEATH DURING DROP PARTICIPATION.** Except as otherwise provided in subsection (J), if the Participant dies either during the Participation Period or after the Participation Period but before the DROP Account balance has been fully paid out, the Participant's designated beneficiary(ies) shall receive the remaining balance in the Participant's DROP Account in the manner in which they elect from subsection (F). If the Participant has failed to name a beneficiary, the DROP Account balance shall be payable to the Participant's beneficiary of benefits from the Retirement System. If there is no such beneficiary, the DROP Account balance shall be paid in a lump sum to the Participant's

estate. Benefits payable from the Retirement System shall be determined as though the Participant had separated from service on the day prior to the Participant's date of death.

**(I) DISABILITY DURING DROP PARTICIPATION.** Except as otherwise provided in subsection (J), if Participant becomes totally and permanently disabled such that it would preclude him from continuing to provide services to the County, the Participant's participation in the DROP shall cease and the Participant shall receive such benefits as if the Participant had ceased providing services to the County and the Participation Period had ended. Application and determination of disability shall be conducted in accordance with the Retirement System provisions; however, the Participant shall not be eligible for disability benefits from the Retirement System, except as specifically provided in subsection (J).

**(J) SPECIAL PROVISION FOR DUTY DISABILITY AND DUTY DEATH.** If the DROP Participant is found, in accordance with Retirement System provisions, to be totally and permanently incapacitated for duty by reason of personal injury or disease occurring as the natural and proximate result of causes arising out of and in the course of his or her providing services to the County, the Participant may retroactively revoke his or her DROP election, as long as the revocation occurs before the payment of a distribution to the member from the Participant's DROP Account or payment of retirement benefits to the Participant from the Retirement System. If a DROP Participant dies in the line of duty while engaged in providing services to the County, the DROP Participant's eligible survivors for his or her benefits under the Retirement System (qualified under Section 6(2) of Public Act 345 of 1937, as amended, and the Participant's applicable collective bargaining agreement) and the Participant's eligible DROP beneficiary(ies) may, by unanimous agreement, retroactively revoke the Participant's DROP election, as long as the revocation occurs before payment of a distribution from the Participant's DROP Account or payment of benefits to the Participant from the Retirement System. If the DROP revocation is made as prescribed by this subsection, the Participant's DROP Account is not distributed, and the Participant or the Participant's beneficiary(ies) is entitled to all benefits provided by the Retirement System as if a DROP election had not been made. In the event of revocation of DROP participation as provided herein, there shall be no requirement for retroactive payment of employee contributions which would otherwise have been paid by the member to the Retirement System and the member shall receive service credit for all service rendered during DROP participation or as otherwise provided in the applicable collective bargaining agreement.

**(K) REGULATORY COMPLIANCE.** The DROP is to operate in accordance with Section 415 and other applicable laws and regulations contained within the Internal Revenue Code of the United States. Any provision of the DROP, or portion thereof, that is found by the Retirement Board to be in conflict with an applicable provision of the Internal Revenue Code of the United States is hereby declared null and void.

2. Except as amended by this Ordinance, the Retirement System Ordinance shall remain in full force and effect.
3. This Ordinance shall become effective January 1, 2005.

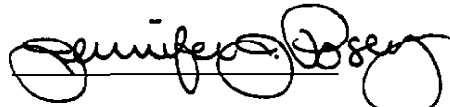
Date of Adoption: 11-17-04

Date of Publication: 12-01-04

Effective Date: 01-01-05

Authority - Resolution of the Board of Commissioners - #04- 35

STATE OF MICHIGAN )  
                                  )SS  
COUNTY OF ST. CLAIR )

Attest:   
\_\_\_\_\_

JENNIFER J. POSEY  
NOTARY PUBLIC ST. CLAIR CO., MI  
MY COMMISSION EXPIRES JAN 31, 2008



**RESOLUTION 04-34**

**RATIFYING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN  
ST. CLAIR COUNTY BOARD OF COMMISSIONERS  
AND  
ST. CLAIR COUNTY HUMAN RESOURCES T.P.O.A.M. UNION**

WHEREAS, the St. Clair County Human Resources T.P.O.A.M. Union is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of St. Clair County; and

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement as negotiated by the parties for the period July 1, 2004 through June 30, 2007 is hereby approved and ratified.

**DATED: November 17, 2004**

Reviewed and Approved by:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060



**St. Clair County Board of Commissioners  
Resolution 04-33**

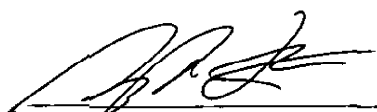
Upon the motion made by Commissioner Heidemann  
Seconded by Commissioner Kearns, the  
following Resolution was adopted:

Resolved, that the County of St. Clair, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the County of St. Clair does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide eight hundred and twelve thousand, five hundred dollars (\$812,500.00) to match the grant authorized by the DEPARTMENT. Funds will come from the County Parks and Receptions millage.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To regulate the use of the property acquired and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
4. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

**DATED:** October 27, 2004

Reviewed and Approves as to Form  
by:



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
Marilyn Dunn, County Clerk

ST. CLAIR COUNTY

BOARD OF COMMISSIONERS







RESOLUTION 04-32

ESTABLISHING COMPENSATION FOR THE  
ST. CLAIR COUNTY BOARD OF COMMISSIONERS

**WHEREAS**, it is the statutory duty of the Board of Commissioners to set the compensation to be paid to the successor Board; and

**WHEREAS**, the Board of Commissioners has given due consideration to this matter.

**NOW, THEREFORE BE IT RESOLVED:** That the following schedule is hereby adopted reflecting the compensation to be paid to the Commissioners, effective for the year 2005 and 2006:

1. EFFECTIVE JANUARY 1, 2005:

A.	Chairperson	\$18,850
	Vice Chairperson	\$16,223
	Committee Chairs (4)	\$15,173
	Member	\$14,647

B. Each member of the Board will be allowed a mileage allowance equal to the distance from their residence to the County Administrative Building times 50 weekly meetings times the applicable rate. This amount will be distributed on the Commissioners paycheck in an equal manner and will comply with all applicable compensation laws. This salary structure replaces the previous salary plus per diems structure.

C. Each member of the Board will be entitled to the same benefits as provided to employees in the Wage & Grade plan.

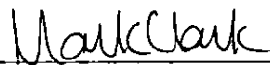
2. EFFECTIVE JANUARY 1, 2006:



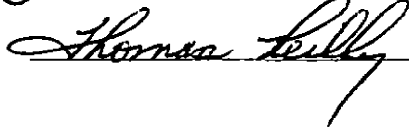
The compensation amounts outlined in A. and C. above shall be provided in a manner consistent with general across-the-board adjustments provided to employees in the Wage & Grade plan. Item B. above will remain the same.

All Resolutions and parts of Resolutions in conflict with this Resolution are to the extent of the conflict, hereby rescinded.

**DATED: December 15, 2004**

Reviewed and Approved as to Form by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan Street  
Port Huron MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**ST CLAIR COUNTY BOARD OF COMMISSIONERS'  
REDEMPTION RESOLUTION 04-31**

**County of St. Clair  
State of Michigan**

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, Michigan (the "County") held in said County, on the 27th day of October, 2004 at 6:00 o'clock p.m., Eastern Daylight Time.

PRESENT: Members Commissioners Anger, Heidemann,  
Kearns, Pavlov, Wall and Masters

ABSENT: Members Commissioner Reilly

WHEREAS, on behalf of the City of Yale, County of St. Clair, State of Michigan (the "City"), the County issued its St. Clair County Sewage Disposal System No. XI (City of Yale) Bonds (Limited Tax General Obligation) (the "Bonds") dated as of March 1, 1992 pursuant to Act 185, Public Acts of Michigan, 1957, as amended (the "Act"); and

WHEREAS, the City has informed the County that it has sufficient funds on hand to pay the Bonds in full and has requested that the County take the necessary actions to call the entire outstanding principal amount of the Bonds for redemption on November 1, 2004 as provided in the Bonds; and

WHEREAS, it is necessary to take certain actions in connection with such redemption.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the request of the City, the County hereby calls the entire outstanding principal amount of the Bonds for redemption on November 1, 2004.
2. The County Treasurer, the Board of Public Works and the Director of the Department of Public Works of the County are each directed to transfer or arrange for the

transfer to the paying agent of the Bonds from the moneys provided by the City, sufficient funds to pay principal of, interest and premium on the Bonds on redemption date and any costs relating to the redemption.

3. The County Treasurer, the Board of Public Works and the Director of the Department of Public Works are each directed to take or cause to be taken any and all steps necessary for the redemption of the Bonds, including, but not limited to instructing the paying agent for the Bonds to mail the notice of redemption to the registered bondholder not less than thirty (30) days prior to the date fixed for redemption, in substantially the form attached hereto on Exhibit A.

4. All resolutions and parts of resolutions in conflict with this resolution be and the same hereby are rescinded.

AYES: Commissioner Anger, Sidemann,  
Kearns, Pavlov, Wall and Masters

NAYS: None

Absent: Commissioner Reilly  
RESOLUTION DECLARED ADOPTED.

Marilyn Duff Clerk  
Marilyn Duff, County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County of St. Clair, State of Michigan, at a regular meeting held on October 27, 2004, 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.

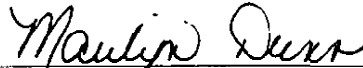
  
\_\_\_\_\_  
Marilyn Dunn, County Clerk

Exhibit A

NOTICE OF REDEMPTION

County of St. Clair  
State of Michigan

St. Clair County Sewage Disposal System No. XI (City of Yale)  
Bonds (Limited Tax General Obligation)

NOTICE IS HEREBY GIVEN that the County of St. Clair, Michigan, hereby calls for redemption on November 1, 2004, its St. Clair County Sewage Disposal System No. XI (City of Yale) Bonds (Limited Tax General Obligation), maturing in years 2005 through 2017 and aggregating the principal sum of One Hundred Ninety Thousand Dollars (\$190,000):

St. Clair County Sewage Disposal System No. XI (City of Yale) Bonds (Limited Tax General Obligation), maturing in years 2005 through 2017 and aggregating the principal sum of One Hundred Ninety Thousand Dollars (\$190,000):

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP</u>
November 1, 2005	\$ 25,000	6.50%	788635 B25
November 1, 2006	25,000	6.60%	B33
November 1, 2007	25,000	6.70%	B41
November 1, 2008	25,000	6.75%	B58

Said bonds are called for redemption at par and accrued interest. Interest on the bonds will be paid separately by check and mailed to the registered owner.

Interest, plus a premium of 1%, will be paid to the registered owner.

Holders of the bonds called for redemption should present the bonds to Standard Federal Bank - Corporate and Institutional Trust, a division of LaSalle Bank National Association, Troy, Michigan (formerly Michigan National Bank), as paying agent, for redemption on November 1, 2004. All interest will cease accruing November 1, 2004, whether the bonds are presented for redemption or not.

Standard Federal Bank - Corporate and Institutional Trust, a division of LaSalle Bank National Association, Troy, Michigan (formerly Michigan National Bank), as paying agent, for redemption on November 1, 2004. All interest will cease accruing November 1, 2004, whether the bonds are presented for redemption or not.

COUNTY OF ST. CLAIR  
State of Michigan

By: Lee M. Adams [Signature]  
Board of Commissioners

Dated: October 27, 2004

**RESOLUTION 04-30**

**ST. CLAIR COUNTY INTERNATIONAL AIRPORT**

Design Of The Rehabilitation Of Runway 10/28, Including The Lighting, Windcone, And Segmented Circle

EXTRACT FROM THE MINUTES OF A BOARD OF COMMISSIONERS MEETING OF THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS AT PORT HURON, MICHIGAN HELD ON OCTOBER 27, 2004.

The following Resolution was introduced, read in full, considered and adopted:

RESOLUTION 04-30

WHEREAS ON OCTOBER 27, 2004, RESOLUTION ADOPTING THE EXECUTION OF THE SPONSOR CONTRACT BY THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS, OF PORT HURON, MICHIGAN, AND THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF OBTAINING FEDERAL AID FOR THE DEVELOPMENT OF THE ST. CLAIR COUNTY INTERNATIONAL AIRPORT, UNDER CONTRACT NO. FM 77-03-C63.

BE IT RESOLVED by the members of the St. Clair County Board of Commissioners:

Section I. That the St. Clair County Board of Commissioners shall enter into a Sponsor Contract for development of the St. Clair County International Airport, and such Sponsor Contract shall be as set for herein below:

Section II. That the Chairperson of the St. Clair County Board of Commissioners is hereby authorized and directed to execute said Sponsor Contract in two (2) copies on behalf of the County of St. Clair, Michigan, and the County Clerk is hereby authorized and directed to impress the official seal and to attest said execution:

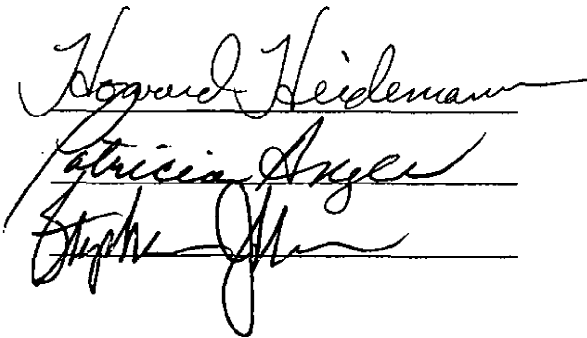
Section III. That the Sponsor Contract referred to herein below shall be as attached:

**Dated: October 27, 2004**

Reviewed and approved as to form by:



Gary A. Fletcher  
County Corporate Counsel  
522 Michigan Avenue  
Port Huron, Michigan 48060





## Resolution 04-29

### APPORTIONING TAXES FOR 2004

**WHEREAS**, it is the statutory duty of the St. Clair County Board of Commissioners, at its annual session in October of each year, to determine the amount of money to be raised for County purposes, and to apportion such amount; and

**WHEREAS**, it is further their duty to apportion the amount of state tax and indebtedness of the County to the State among the several townships and other taxing bodies of the County in proportion to the valuation of the taxable property therein, real and personal, as determined by it, which determination and apportionment shall be entered at large on its record; and

**WHEREAS**, the Board of Commissioners, by law, is required to direct that the several amounts of money proposed to be raised, as provided by statute, shall be spread upon the assessment rolls of the townships and cities.

**NOW THEREFORE BE IT RESOLVED:**

1. That the St. Clair County Board of Commissioners does hereby adopt the St. Clair County Tax Report for the year 2004.
2. That the apportionment and millage of taxes are to be spread in accordance with the statute in such case made and provided, as evidenced by the St. Clair County Tax Report for the year 2004.
3. That the St. Clair County Tax Report is marked Exhibit "A", attached hereto, and made a part of hereof by reference.
4. All resolutions and parts of resolutions in conflict with this resolution are to the extent of the conflict, hereby rescinded.


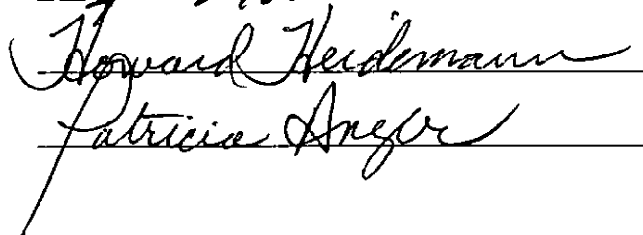
**DATED:** November 17, 2004

Reviewed and Approves as to Form by:

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS



Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

**RESOLUTION 04-28**

**Annual Reversion of Available Fund Balance from other Funds to the General fund and Subsequent Distributions**

**WHEREAS:** as noted in the annual financial audit of the County for 2003, in various Funds there has built up available Fund Balances due to over appropriation in the last year(s); and

**WHEREAS:** the St. Clair County Board of Commissioners has determined by policy (#200-222, dated February 27, 2002) that excess Fund Balances shall revert back to the General fund to be available for distribution.

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

- 1) That the Administrator/Controller is directed to transfer from the following Funds to the General Fund in the following amounts:


Health Department Fund	\$ 478,925
Family Independence Agency Fund	\$ 53,248
Planning Department Fund	\$ 11,345

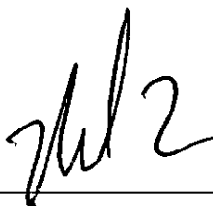
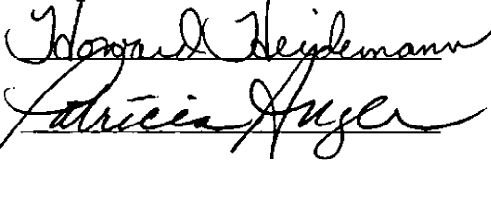
- 2) That the Administrator/Controller is also directed to allocate these funds as follows:

General Fund – Fund Balance undesignated	\$ 543,518
--	------------

DATED: October 13, 2004

Reviewed and approved as to form by:

  
 \_\_\_\_\_  
 GARY A. FLETCHER  
 Corporation Counsel  
 522 Michigan Street  
 Port Huron, Michigan

  
 \_\_\_\_\_  
 Donald Heipleman  
  
 \_\_\_\_\_  
 Patricia Ayler

**RESOLUTION 04-27**

**Resolution Adopting a Tentative Amended 911 Service Plan and Scheduling a Public Hearing on Adoption of a Final 911 Service Plan**

**Whereas**, St. Clair County has established a 911 Service Plan for St. Clair County ("Service Plan") under the authority of Public Act 32 of 1986, as amended, MCLA §484.1101 *et. seq.*, the Emergency Telephone Service Enabling Act ("Act"); and,

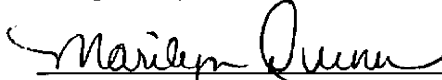
**Whereas**, St. Clair County proposes to amend its Service Plan to provide for the creation of the St. Clair County Central Dispatch Authority to administer the Service Plan and to provide for the operation of the new County Dispatch Center; and,

**Whereas**, the Act provides that an amendment of the Service Plan requires adoption of a Tentative 911 Amended Service Plan by the County, the transmittal of the Tentative Amended 911 Service Plan by the County Clerk by certified mail to each public agency located within the 911 district of the Tentative 911 Service Plan, and the scheduling of a public hearing on the implementation of a final Amended 911 Service Plan;

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


1. The attached Tentative Amended 911 Service Plan is hereby adopted by the St. Clair County Board of Commissioners and shall be transmitted to each public agency located within the proposed 911 District pursuant to the requirements of the Act.
2. A public hearing to hear comments on the proposed adoption of a Final Amended 911 Service Plan is scheduled for December 1, 2004 at 6 p.m. at the St. Clair County Board of Commissioners Regular Board Meeting located at 200 Grand River Avenue, Port Huron, MI 48060.

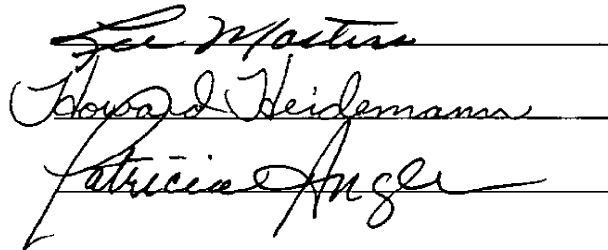
**Adopted by the St. Clair County Board of Commissioners on August 25, 2004.**

  
 \_\_\_\_\_  
 MARILYN DUNN  
 St. Clair County Clerk

Reviewed and Approved by:

Board of Commissioners:

  
 \_\_\_\_\_  
 Gary A. Fletcher  
 County Corporation Counsel  
 522 Michigan Street  
 Port Huron, Michigan 48060

  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**RESOLUTION 04-25**

**APPROVE AAA 1-B FY2005 ANNUAL IMPLEMENTATION PLAN**

**WHEREAS**, the Area Agency on Aging 1-B has been supporting services to St. Clair County residents since 1974; and

**WHEREAS**, the Area Agency on Aging 1-B has assessed the needs of older county residents and developed a plan to provide assistance that addresses identified needs; and

**WHEREAS**, the proposed plan has been submitted for review by the public and has been subjected to a public hearing; and

**WHEREAS**, the comments at the public hearings on the proposed plan were mostly favorable, and constructive changes in the Plan were made as a result of some comments; and

**WHEREAS**, the St. Clair County Board of Commissioners appoints two representatives to the AAA 1-B Board of Directors, a County Commissioner and a county resident who is at least 60 years of age; and

**WHEREAS**, the Michigan Office of Services requires that county Boards of Commissioners be given the opportunity to review and approve an Area Agency on Aging multi-year area plans and annual implementation plans, and

**WHEREAS**, the St. Clair County Board of Commissioners has already taken action to approve the Area Agency on Aging 1-B's Multi-Year Area Plan for FY 2004-2006, and the FY 2005 Annual Implementation Plan represents an annual update to the approved three year area Plan.

**THEREFORE BE IT RESOLVED**, that the St. Clair County Board of Commissioners hereby approves the FY 2005 Annual Implementation Plan of the Area Agency on Aging 1-B, for the purpose of conveying such support to the Area Agency on Aging 1-B and the Michigan Office of Services to the Aging.

**DATED: July 28, 2004**

Reviewed and Approved as to Form by:

Gary Fletcher (WLF)  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS:  
Howard Heidemann  
[Signature]  
Thomas M. Kelly

**RESOLUTION 04-24**

**RATIFYING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN**

**ST. CLAIR COUNTY SHERIFF ST. CLAIR COUNTY  
AND**

**ST. CLAIR COUNTY SHERIFF DEPARTMENT C.O.A.M. SUPERVISOR'S UNION**

WHEREAS, the St. Clair County Sheriff Department C.O.A.M. Supervisor's Union is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of St. Clair County and the St. Clair County Sheriff as Co-Employers,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement as negotiated by the parties for the period July 1, 2003 through June 30, 2006 is hereby approved and ratified.

**DATED: July 28, 2004**

Reviewed and Approved by:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RESOLUTION 04-24**

**RATIFYING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN  
ST. CLAIR COUNTY SHERIFF ST. CLAIR COUNTY  
AND  
ST. CLAIR COUNTY SHERIFF DEPARTMENT P.O.A.M. SUPERVISOR'S UNION**

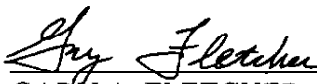
WHEREAS, the St. Clair County Sheriff Department P.O.A.M. Supervisor's Union is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of St. Clair County and the St. Clair County Sheriff as Co-Employers,

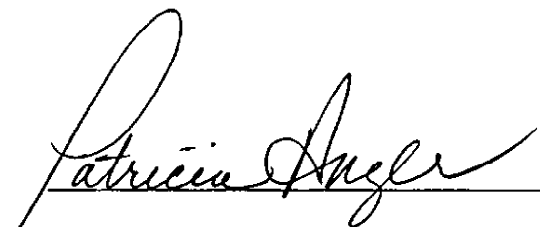
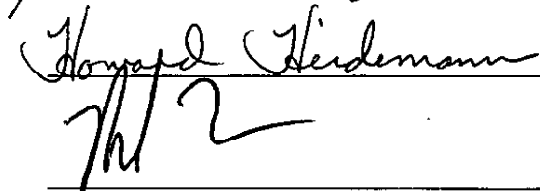
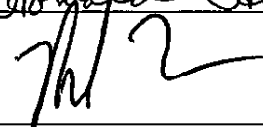
WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement as negotiated by the parties for the period July 1, 2003 through June 30, 2006 is hereby approved and ratified.

**DATED: July 28, 2004**

Reviewed and Approved by:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  


**RESOLUTION 04-23**

**RATIFYING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN  
ST. CLAIR COUNTY SHERIFF AND ST. CLAIR COUNTY  
AND  
ST. CLAIR COUNTY SHERIFF DEPARTMENT CORRECTIONS OFFICERS  
AND PROFESSIONAL EMPLOYEES CHAPTER C.O.A.M.**


WHEREAS, the St. Clair County Sheriff Department Corrections Officers and Professional Employees Chapter C.O.A.M. is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of St. Clair County and the St. Clair County Sheriff as Co-Employers,



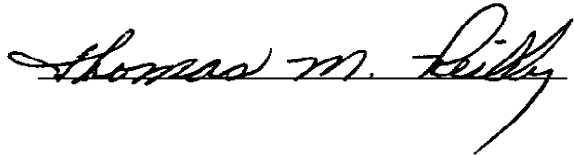
WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement (Attached Exhibit "A"), for the period July 1, 2003 through June 30, 2006 is hereby approved and ratified.

DATED: July 28, 2004

Reviewed and Approved by:

  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

**RESOLUTION 04-23**

**RATIFYING COLLECTIVE BARGAINING AGREEMENT  
BETWEEN  
ST. CLAIR COUNTY SHERIFF AND ST. CLAIR COUNTY  
AND  
ST. CLAIR COUNTY SHERIFF DEPARTMENT CORRECTIONS OFFICERS  
AND PROFESSIONAL EMPLOYEES CHAPTER P.O.A.M.**


WHEREAS, the St. Clair County Sheriff Department Corrections Officers and Professional Employees Chapter P.O.A.M. is recognized by the Michigan Employment Relations Commission and the County of St. Clair as the exclusive representative of certain employees of St. Clair County and the St. Clair County Sheriff as Co-Employers,

WHEREAS, the parties have collectively bargained mutually acceptable terms and conditions;

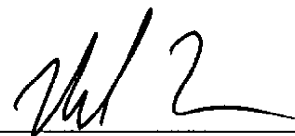
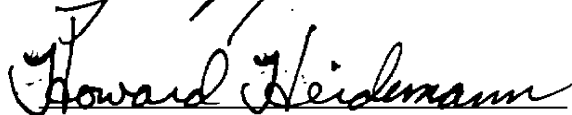
NOW THEREFORE, BE IT RESOLVED, that the Collective Bargaining Agreement (Attached Exhibit "A"), for the period July 1, 2003 through June 30, 2006 is hereby approved and ratified.

DATED: July 28, 2004

Reviewed and Approved by:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

  
\_\_\_\_\_  
\_\_\_\_\_



**RESOLUTION 04-22**

**Confirming Road Commission and Department of Public Works  
Contracts with Certified Public Accountants**


**WHEREAS**, under date of July 6, 2004, as a requirement of the State of Michigan Public Act 199, 1975, the St. Clair County Road Commission and Board of Public Works resolved to contract with the certified public accounting firm of Stewart, Beauvais & Whipple, for the purpose of auditing the books of the St. Clair County Road Commission, and the St. Clair County Department of Public Works, for the fiscal years ending December 31, 2004, 2005 and 2006, copies of said resolution and contract be attached hereto and made a part hereof by reference – EXHBIIT “A”; and

**WHEREAS**, by Resolution No. 04-12 dated July 6, 2004, the Board of County Road Commissioners recommended this Contract to the St. Clair County Board of Commissioners for their confirmation. By Resolution No. 04-10 dated July 6, 2004, the Board of Public Works recommended this Contract to the St. Clair County Board of Commissioners for their confirmation.

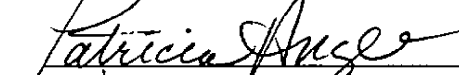


**NOW, THEREFORE, BE IT RESOLVED**, that the Resolution of the St. Clair County Road Commission adopted July 6, 2004, authorizing the contract for the Audit of the Road Commission by the firm of Stewart, Beauvais and Whipple, may be and the same is hereby affirmed, and the Road Commission and Department of Public Works is requested to have the firm of Stewart, Beauvais and Whipple transmit a copy of the said audit to this Board, to the County Treasurer and to the State Treasurer as required by law, with the cost of such audit being paid by the funds of the Road Commission and D.P.W.

**DATED: July, 28, 2004**

**Reviewed and Approved As To Form By:**

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

**St. Clair County Board of Commissioners:**

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

**RESOLUTION 04-21**

**OPPOSITION TO CHANGES IN PERSONAL PROPERTY TAXES  
AND HOUSE BILL 4234**

WHEREAS, members of the Michigan House Tax Policy Committee passed House Bill 4234 which mandates that local units of government provide personal property tax exemptions to all businesses in their respective communities; and

WHEREAS, by amendment, the bill provides an exemption for the first \$3,000 of personal property taxable value in 2005, increases it to \$6,000 in 2006, increases it to \$10,000 in 2007 and then the exemption would be set permanently at \$10,000; and

WHEREAS, the average tax break to a business would be small, but the tax shift to Michigan's communities would create a significant tax burden for their residents; and

WHEREAS, implementation of House Bill 4234 would result in an annual reduction of considerable funding to St. Clair County when fully implemented.

THEREFORE, BE IT RESOLVED, that the St. Clair County Board of Commissioners adamantly opposes changes in personal property taxes and House Bill 4234, and urges the Governor and State Legislature to expand options for generating revenues locally to provide for stable funding of county services at a level appropriate to the needs of the County.

**DATED: JULY 28, 2004**

Reviewed and Approved As To Form By:

*Gary Fletcher (ULF)*  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

*Patricia Anzole*  
*Howard Heidemann*  
*Er Masto*

**RESOLUTION 04-20**

**OPPOSITION TO THE JULY PROPERTY TAX COLLECTION PROPOSAL  
FOR COUNTY REVENUE SHARING FUNDS**

WHEREAS, the Governor has submitted her 2005 budget proposal to the Legislature,  
and

WHEREAS, the budget as proposed, would suspend statutory revenue sharing payments  
to county governments by substituting funds made available by requiring summer tax collection  
of county taxes, and

WHEREAS, moving the county property tax collection to July 1, 2004, would create a  
hardship on many citizens by requiring property tax payments a mere six months after having  
paid their property taxes, and

WHEREAS, the tax revenue collected in July 2004 will not be available for county  
operations as it will be placed into a revenue sharing restricted account to be drawn on over a  
period of years in lieu of revenue sharing, and

WHEREAS, property taxes will not be levied again until June 2005, leaving the counties  
without operating funds for six months (January 2005-July 2005) and leaving St. Clair County at  
the end of the 11 month period of time with a shortfall in its budget, and

WHEREAS, the effect of this proposal is to shift and shuffle the burden of the State's  
budget shortfall onto county government, placing a new tax on the counties by requiring counties  
to find their own "revenue sharing", and


WHEREAS, many counties will be forced to borrow operating funds during the time  
property tax revenues are unavailable adding debt services to already stressed general fund  
budgets.



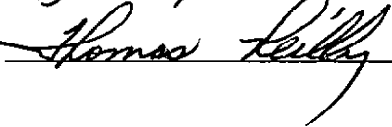
NOW, THEREFORE, BE IT RESOLVED, that the St. Clair County Board of  
Commissioners is adamantly opposed to the proposed three card monte with the revenue sharing  
funds; and

BE IT FURTHER RESOLVED that copies of this resolution be sent to State  
Representatives Daniel Acciavatti, Lauren M. Hager, Stephen Ehardt, State Senator Jud Gilbert,  
Governor Jennifer Granholm, and the Michigan Association of Counties (MAC).

**DATED: JULY 28, 2004**

Reviewed and Approved As To Form By:

  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

**RESOLUTION 04-19**

**OPPOSITION TO CHANGING AND/OR REOPENING SENTENCING GUIDELINES FOR PRISONERS**

WHEREAS, the state of Michigan, Department of Corrections (DOC) is proposing "reopening" the sentencing guidelines for individuals that are convicted of felonies in the State of Michigan based on the need for the State to reduce expenditures in the DOC because of the budgetary crisis at the State level; and

WHEREAS, once the sentencing guidelines are revised, they will identify more offenders as Lock-Outs (not eligible for prison) and fewer Straddle Cells (those that could either be sentenced to jail or prison); and


WHEREAS, the proposal is developed over a three-year time frame, with the State only guaranteeing the reimbursement for one year, and requiring each County to submit a grant application for reimbursement each year, which the State can approve or disapprove; and

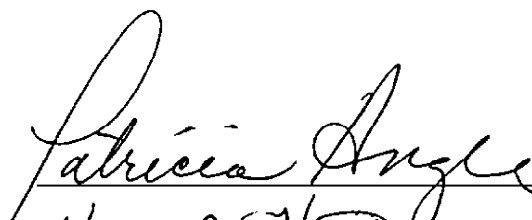


WHEREAS, the proposal is based on assumptions – that the County has open bed space in which to divert felons and that we will be able to grow our organization to enhance community corrections by new and enhanced residential and non-residential inmate services even though the county itself is facing a budgeting crisis and jail overcrowding is a challenge faced on a daily basis.

THEREFORE, BE IT RESOLVED, that the St. Clair County Board of Commissioners hereby opposes changing and/or reopening sentencing guidelines for prisoners.

**DATED: JULY 28, 2004**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

## RESOLUTION 04-18

## ST. CLAIR COUNTY BOARD OF COMMISSIONERS

SOIL EROSION AND SEDIMENTATION CONTROL  
PERMIT FEE CHANGES

WHEREAS, the Michigan Department of Environmental Quality has established regulations governing earth changes within the State of Michigan; and

WHEREAS, the St. Clair County Department of Public Works has established the Soil Erosion and Sedimentation (SESC) department to ensure compliance with said regulations through the issuing of permits and the inspection of sites; and

WHEREAS, to better serve the citizenry of St. Clair County, the SESC department has formulated the following changes to the permit fee structure:

- 1) Residential:
  - a) **Permit waiver:** granted prior to earth change if area is within 500' of a lake or stream and less than 225 square in size and there is no threat of sediment leaving the site. **Fee waived** per signed agreement.
  - b) **Low impact landscape permit:** granted if area is within 500' of a lake or stream and less than 1000 square feet in size, and there is no threat of sediment leaving the site. **Fee waived** per signed agreement.
  - c) **Seawall repair and maintenance permit: \$100.00.**
  - d) **Road ditch enclosure: \$100**
  - e) **Driveway culvert: \$100**
  
- 2) Commercial
  - a) **SESC Permit:** Where area is within 500' of a lake or stream **OR** where earth change is 1 to 1.4 acres in size.) - **\$351.00**
  - b) **SESC Permit:** Where area is 1.5 acres or larger in size, round up or down to the nearest whole number. **Add \$20.00 for acres 2-5 and \$10.00 for 6 and above.** Examples:
 

1.5 to 2.4 acres = 2 acres	<b>\$371.00</b>
2.5 to 3.4 acres = 3 acres	<b>\$391.00</b>
3.5 to 4.4 acres = 4 acres	<b>\$411.00</b>
4.5 to 5.4 acres = 5 acres	<b>\$431.00</b>
per acre thereafter	<b>\$10.00</b>

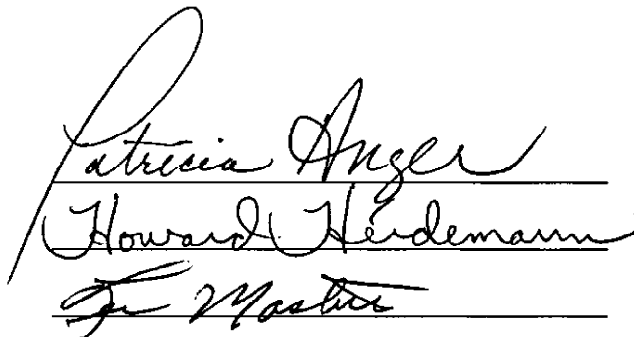
NOW, THEREFORE, BE IT RESOLVED, That the St. Clair County Board of Commissioners approves the above changes to the permit fee structure as recommended by the SESC department and the St. Clair County Department of Public Works .

**DATED: JULY 28, 2004**

Reviewed and Approved As To Form By:



GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060



**RESOLUTION 04-17**

**A RESOLUTION RATIFYING THE ADOPTION OF THE ST. CLAIR COUNTY EMPLOYEES AND RETIREES HEALTH CARE PLAN POLICY AND PROCEDURE**

**Recitals**

- A. St. Clair County provides retirement benefits, including medical insurance, to its retirees pursuant to the terms of the St. Clair County Employees' Retirement System Ordinance.
- B. On November 12, 2003, the St. Clair County Board of Commissioners adopted a Health Care Plan Proposal which included the St. Clair County Employees and Retirees Health Care Plan Policy and Procedure dated November 12, 2003. Although the St. Clair County Employees and Retirees Health Care Plan Policy and Procedure was submitted for approval in written form and was lawfully adopted by the St. Clair County Board of Commissioners as indicated in the minutes of the meeting, a formal written resolution was not available at the time such was adopted.

THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS RESOLVED:

- 1. The St. Clair County Board of Commissioners' adoption of the St. Clair County Health Care Plan Policy and Procedure which is attached hereto, as set forth in the minutes of the November 12, 2003 Board Meeting, is hereby ratified.
- 2. This Resolution does not impact the January 1, 2004 effective date of the St. Clair County Health Care Plan Policy and Procedure.

**DATED: July 28, 2004**

Reviewed and Approved As To Form By:

*Gary Fletcher (WLF)*  
 \_\_\_\_\_  
 GARY A. FLETCHER  
 County Corporation Counsel  
 522 Michigan  
 Port Huron, MI 48060

*Paul J. [Signature]*  
 \_\_\_\_\_  
*[Signature]*  
 \_\_\_\_\_  
*Thomas Kelly*  
 \_\_\_\_\_

November 12, 2003

Proposed Policy and Procedure  
St. Clair County Employees and Retirees  
Health Care Plan

---

1. Effective January 1, 2004, St. Clair County employees not subject to collective bargaining obligations and retirees shall be subject to the health care plan described and defined herein, as well as demonstrated on the attached tables.

a. The Community Blue Plan 2 shall be the Core Plan for employees employed in regular fulltime positions.

b. Retirees ineligible for Medicare, entitled to health care as a pension benefit, shall be exclusively entitled to Community Blue Plan 2 without opportunity to select Nonparticipation Compensation or to exercise a Plan Selection Buy Up.

c. Retirees eligible for Medicare, entitled to health care as a pension benefit, shall be exclusively entitled to traditional Blue Cross Blue Shield coverage as Medicare complementary coverage.

d. Retirees entitled to health care as a pension benefit shall be entitled to the dental plan commonly referred to as the 50/50/50 plan.

2. An employee shall be entitled to select his or her Community Blue Plan option annually in November during the open enrollment period.

3. An employee who elects not to participate in the Health Care Plan is entitled to annual Nonparticipation Compensation, in accordance with the following.

a. In order to qualify for annual Nonparticipation Compensation the employee must demonstrate that he or she participates in an alternative health care plan.

b. Nonparticipation Compensation will be paid to the employee over twenty-six (26) annual pay periods in equal or near equal bi-weekly installments.

c. In the event the employee becomes ineligible for participation in the alternative health care plan, that employee shall be eligible to enroll for the County health care plan provided timely application is made with the Human Resources Department. In this event the employee will be ineligible for any further Nonparticipation Compensation payments upon the effective date of the health care coverage with St. Clair County.

4. An employee eligible to participate in the health care plan shall be entitled to select a plan option other than the Core Plan. The employee who elects the Community Blue Plan 1 rather than the Core Plan shall be required to pay an additional annual cost for the plan improvement as a Buy Up.

a. The Buy Up cost shall be approximately fifteen percent (15%) of the Community Blue Plan 1 illustrated rate, which in 2004 is an annual cost as follows.

i. One Person Plan cost of seven hundred and fifty dollars (\$750.00).

ii. Two Person Plan cost of one thousand two hundred and fifty dollar (\$1,250.00).

iii. Family Plan cost of fifteen hundred dollars (\$1,500.00)

b. The annual Buy Up cost for subsequent years shall be determined by the St. Clair County Board of Commissioners prior to the annual renewal of benefits in November of each year.

c. The Buy Up shall be paid by authorized payroll deduction on a pretax basis from the employee's bi-weekly paycheck over twenty-six (26) annual pay periods in equal or near equal installments.

d. In the event the employee fails to earn sufficient gross bi-weekly pay to fund the cost of the improved plan, the health care plan will revert to the Core Plan for the remainder of the calendar year, unless prior arrangements are made with the Human Resources Department.

5. As a matter of practice and policy, the health care plan provided retirees, as a pension benefit shall not exceed that of the core health care plan available to County employees. Exceed shall mean as an overall plan and not by individual plan provisions such as riders, deductibles and co-pays. The County shall have exclusive authority to determine whether the overall plan comparison meets this definition.

6. The County shall pay the plan implementation cost (cost of coverage) and the employee and retiree shall pay the participation cost (such as co-pays, deductibles and out-of-pocket costs) except in the following instances.

a. Employees hired on or after January 1, 1986, shall pay the entire implementation cost of the Family Continuation and/or Sponsored Dependent Rider(s).

b. Employees hired prior to January 1, 1986, shall pay fifty percent (50%) of the implementation cost of the Family Continuation and/or Sponsored Dependent Rider(s).

c. A retiree who retired prior to January 1, 2004, shall not be required to pay any part of the implementation cost of the Family Continuation and/or Sponsored Dependent Rider(s), provided the dependent is enrolled for coverage prior to January 1, 2004.

d. A retiree who retired prior to January 1, 2004 shall pay fifty percent (50%) of the implementation cost of the Family Continuation and/or Sponsored Dependent Rider(s) when the dependent is enrolled on or after January 1, 2004.

e. A retiree who retired on or after January 1, 2004 shall pay the entire implementation cost of Family Continuation and/or Sponsored Dependent Rider(s).

f. An employee who is responsible to pay for the entire implementation cost or any part of the implementation cost of Family Continuation and/or Sponsored Dependent Rider(s) shall do so by way of authorized payroll deduction in the same manner and under the same conditions as payroll deductions for a plan option Buy Up.

g. A retiree who is responsible for the entire implementation cost or any part of the implementation cost of Family Continuation and/or Sponsored Dependent Rider(s) shall pay the amount as an authorized deduction from his or her monthly pension.

7. The dental care coverage shall be available to employees and retirees as a "free standing" option. Free standing shall mean the dental care coverage can be made available as a benefit without participating in the entire health care plan.



a. The dental care coverage implementation cost shall be borne by the County.

b. The County shall offer free standing dental care coverage to an employee at the time of enrollment for benefits or during the annual renewal of benefits in November of each year.

b. The County shall offer free standing dental care coverage to an employee at the time the employee enrolls for pension and retirement benefits.

c. An employee who elects not to participate in the dental care coverage, shall be entitled to one-hundred and fifty dollars (\$150.00) Nonparticipation Compensation pay over twenty-six (26) annual pay periods in equal or near equal amounts.

8. The descriptions and definitions represented in this proposal are not an inclusive policy and procedure for the administration of the health care plan for County employees or retirees of the County. The County reserves the unilateral right to change, modify, alter, add to or eliminate any and all components of the health care plan, including the method for funding or providing benefits among exempt employees and in consideration of its lawful responsibility to collectively bargain the same with bargaining representatives of employees affiliated with a labor organization.



STATE OF MICHIGAN  
TERRI LYNN LAND, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

May 19, 2005

County of St. Clair  
Marilyn Dunn, County Clerk  
201 McMorran Blvd.  
Port Huron, MI 48060

Dear Ms. Dunn:

This letter acknowledges receipt and filing by the St. Clair County Board of Commissioners on May 19, 2005, with the Secretary of State, a resolution creating a Brownfield Redevelopment Authority in accordance with Act 381 of the Public Acts of 1996.

Sincerely,

A handwritten signature in black ink that reads "Joanie Kollek".

Joanie Kollek  
Office of the Great Seal  
(517) 335-0718



**COUNTY CLERK/REGISTER OF DEEDS**

*County of St. Clair, Michigan*

**COUNTY BUILDING  
201 McMORRAN BLVD.  
PORT HURON, MI 48060**

**MARILYN DUNN  
County Clerk/ Registrar  
VALERIE MARTINEK  
Chief Deputy Clerk**

May 17, 2005

Michigan Department of State  
Office of the Great Seal  
7064 Crouner Blvd.  
Lansing MI 48918-1750

Re: St. Clair County Resolution

To Whom It May Concern:

The St. Clair County Board of Commissioners approved the following Resolution 04-16 - Establishing a Brownfield Redevelopment Authority on July 28, 2004. A certified copy was sent at that time. However, it appears that the correct office at the state level never received it.

Please advise me if this needs to be sent to a different department and//or address. Thank you for your time.

Sincerely,

Marilyn Dunn  
County Clerk/Register of Deeds

PHONE: County Clerk (810) 985-2200 – FAX (810) 985-4796

*A Government of Service*



**ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS'  
RESOLUTION 04-16**

WHEREAS, the Board of Commissioners, at its Regular Meeting of June 9, 2004, adopted a resolution declaring its intent to create a Brownfield Redevelopment Authority, pursuant to Michigan's Brownfield Redevelopment Financing Act (the "Act"), codified at MCLA 125.2651 *et. seq.*; and

WHEREAS, a public hearing having been held, after publication of notice in accordance with the requirements of the Act, at which citizens, taxpayers, officials from taxing jurisdictions whose millage may be subject to capture by the proposed Brownfield Redevelopment Authority, and owners of property within the County were given a right to be heard at the hearing with regard to the establishment of the Authority; and

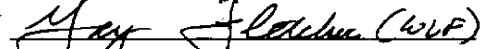
WHEREAS, it appearing to the Board of Commissioners the County will benefit from the creation of a Brownfield Redevelopment Authority, as reimbursement for eligible activities conducted at eligible properties pursuant to Brownfield Redevelopment Plans approved by the Brownfield Redevelopment Authority and its creating municipality will encourage eligible activities and the redevelopment of environmentally and economically distressed properties for beneficial uses.

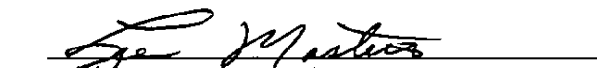
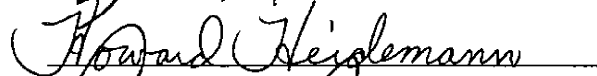

NOW, THEREFORE, BE IT RESOLVED:

1. A Brownfield Redevelopment Authority is hereby established, to exercise all powers available to it pursuant to the Act.
2. The Board of Directors of the Brownfield Redevelopment Authority shall be appointed by the Chairperson of the Board of Commissioners, subject to the approval of this Board. Not less than 5 nor more than 9 persons shall be appointed to the Board of Directors. Of the initial members appointed, an equal number shall be appointed for one, two, or three-year terms, to hold office until their respective successors are appointed and qualified. Thereafter, each member shall serve a three-year term.
3. The County Clerk shall file a copy of this resolution with the Michigan Secretary of State.

**DATED: July 28, 2004**

Reviewed and Approved As To Form By:

  
 GARY A. FLETCHER  
 County Corporation Counsel  
 522 Michigan  
 Port Huron, MI 48060

## NOTICE OF PUBLIC HEARING

### ST. CLAIR COUNTY BOARD OF COMMISSIONERS RESOLUTION 04-15

**WHEREAS**, pursuant to Michigan's Brownfield Redevelopment Financing Act (the Act), codified at MCLA 125.2651 *et. seq.*, the County is given authority to create a Brownfield Redevelopment Authority, to promote the revitalization of environmentally and economically distressed properties within its boundaries; and

**WHEREAS**, pursuant to the Act, Brownfield Redevelopment Authorities are granted authority to recapture certain tax revenues, thereby reimbursing the Authority, its creating municipality, and private parties for the costs incurred in eligible activities conducted at eligible properties pursuant to Brownfield Redevelopment Plans approved by the Brownfield Redevelopment Authority and its creating municipality, as well as funding a local site remediation revolving fund; and

**WHEREAS**, it appearing to the Board of Commissioners the County will benefit from the creation of such a Brownfield Redevelopment Authority, as reimbursement will encourage eligible activities and the redevelopment of environmentally and economically distressed properties for beneficial uses.

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

1. It is the intention of the Board of Commissioners, as the governing body of St. Clair County, to create and provide for the operation of a Brownfield Redevelopment Authority, pursuant to the Act.

2. A public hearing on the adoption of a proposed resolution creating a Brownfield Redevelopment Authority shall be held at the Regular Meeting of the Board of Commissioners on **Wednesday, July 28, 2004, beginning at 6:00 p.m., at Kenossee Township Hall, 4420 Kilgore Road, Avoca, MI 48006.** Citizens, taxpayers, officials from taxing jurisdictions whose millage may be subject to capture by the proposed Brownfield Redevelopment Authority, and owners of property within the County have a right to be heard at the hearing in regard to the establishment of the Authority.

3. The County Clerk is hereby directed to publish a notice of the public hearing, including the date, time, and place of the hearing, twice in the Times Herald, not less than 20 days nor more than 40 days before the date of the hearing.

**DATE ADOPTED: June 9, 2004**

Date Published: June 27, 2004  
July 4, 2004

**Resolution 04-14**

***Intergovernmental Transfer of Function and Responsibilities***

between

***The Macomb County Board of Commissioners for the  
County of Macomb***

and

***The St. Clair County Board of Commissioners for the  
County of St. Clair***

for

***The Administration of Michigan Works! Systems and Activities  
of the Macomb/St. Clair Workforce Development Board  
for the Macomb/St. Clair Michigan Works! Area***

**WHEREAS**, the State of Michigan set forth guidelines establishing Michigan Works! Areas (MWAs) which are consistent with labor market areas and areas in which related services are provided under State or Federal programs, and

**WHEREAS**, the State of Michigan has established a system of Workforce Development Boards to carry out workforce development programs and other workforce development initiatives at the local level for the purpose of providing policy direction, and

**WHEREAS**, the Governor of the State of Michigan has designated the County of Macomb and the County of St. Clair, contiguous to one another, to be the Macomb/St. Clair Michigan Works! Area, and

**WHEREAS**, the State of Michigan policy is for each Michigan Works! Area to identify a Grant Recipient and an Administrative Entity to administer the workforce development activities, and

**WHEREAS**, the specific functions and responsibilities of these entities is spelled out in accordance with the agreement between the Workforce Development Board (WDB) and the Chief Elected Officials, and

**WHEREAS**, Public Act No. 8 of 1967, Ex. Sess., permits two "political subdivisions" to enter in a contract providing for the transfer of certain functions and responsibilities to one another as a means of implementing state and federal workforce development programs, and

**WHEREAS**, the State of Michigan Department of Labor and Economic Growth, Office of Workforce Development, Policy Issuance No. 99-42 requires that, at a minimum, inter-local agreements **address the appointment of members of the Workforce Development Board, the designation of the grant recipient**, and the liability for disallowed costs relating to all state and federal workforce development funds received from the State of Michigan Office of Workforce Development,

**NOW, THEREFORE LET IT BE RESOLVED** that the County Board of Commissioners of Macomb County and the County Board of Commissioners of St. Clair County by concurrent resolution enter into this agreement for the purpose of establishing the Grant Recipient and Administrative Entity for the Macomb/St. Clair Michigan Works! Area and for the transfer of functions and responsibilities delineated as follows:

**1. Function/Responsibilities Transferred**

The Board of Commissioners for the County of St. Clair transfers to the Board of Commissioners for the County of Macomb the functions and responsibilities assigned to the entity termed "Grant Recipient" as defined in Section 117(c)(1)(B) of the Workforce Investment Act of 1998 and further clarified in Michigan Department of Labor and Economic Growth Policy Issuance 99-42.

For purposes set forth herein, the Macomb County Board of Commissioners shall be designated as the Grant Recipient for the Macomb/St. Clair Michigan Works! Area. As Grant Recipient, the County of Macomb

- a. is responsible for the administration of workforce development plans and grants assigned to the Macomb/St. Clair Michigan Works! Area in such a manner as determined to be most advantageous to the Macomb/St. Clair Michigan Works! Area as determined by the Grant Recipient and the Macomb/St. Clair Workforce Development Board.
- b. is the legal entity which will receive identified funds directly from the State of Michigan for purposes of carrying out functions described in the approved workforce development grants/plans and/or contracts.
- c. is held ultimately liable for federal and state funds expended and, as a general purpose political subdivision of the State, has sufficient assets to offset any future liabilities/debts which may arise from operations within the Macomb/St. Clair Michigan Works! Area.

**2. Duration of Operation**

This agreement is entered into from the period **July 1, 2004 through June 30, 2006**, between the County of Macomb and the County of St. Clair. This agreement shall be reviewed at least every two years, concurrent with the workforce development biennial planning cycle.

**3. Amendments to this Agreement**

Revisions, amendments or alterations to this agreement may be executed at any time by written notice of one party to the other specifying: the basis of the revision, amendment or alteration; substitute language to be added, changed, or deleted; and the date for such revision, amendment or alteration to become effective. Under normal procedures it is agreed, however, that revisions, amend-ments or alterations be initiated and acted upon during the biennial planning process and that such changes would be effective with the beginning date of the next biennial agreement.

**4. Employee Transfer, Reassignment or Benefit Adjustments**

This agreement is executed solely for the purpose of establishing the entity who will be responsible as the "Grant Recipient" and the "Administrative Agent" and will not result in the transfer, reassignment or other treatment of individuals employed with the County of Macomb or the County of St. Clair for the purpose of fulfilling obligations set forth in this agreement.

**5. Property**

Properties, real or personal, acquired through the operations of the Macomb/St. Clair Michigan Works! System shall be vested with the Grant Recipient except where title is vested with the State of Michigan or U.S. Department of Labor. All procurement and/or disposition of property used in the administration of responsibilities shall proceed in accordance with the Michigan Works! Area Procurement Procedures as required by the State of Michigan's Department of Labor and Economic Growth.

**6. Financing**

Unless otherwise noted, responsibilities and functions transferred or reassigned as a result of this agreement are done so without any financial contribution or other remuneration or one party to the other.

**7. Other Legal, Financial and Administrative Arrangements**

Except as explicitly defined below, there are no other legal, financial or administrative arrangements required to effectuate the terms and conditions of this agreement.

- a. **Administrative Agent** (also known as the Michigan Works! Agency) - the organization designated by this agreement to be responsible for staffing the Macomb/St. Clair Workforce Development Board and the conduct of the day-to-day administrative operations of local programs shall be Macomb/St. Clair Workforce Development Board.

The Director, or his/her designee, for the Administrative Agent/Michigan Works! Agency is authorized to sign legal



documents not otherwise required to be signed by the Chief Elected Official or Grant Recipient.

- b. **Chief Elected Official** - The Chief Elected Official is the individual authorized to sign legal documents on behalf of the Macomb/St. Clair Michigan Works! Area. The Chairman of the Macomb County Board of Commissioners is the Chief Elected Official for the Macomb/St. Clair Michigan Works! Area.
- c. **Reporting** - Copies of all program plans, grants, and official documents relating to workforce development programs and activities conducted for the MWA system will be provided to both the Macomb and St. Clair Chairmen of the County Boards of Commissioners.
- d. **Conflicting Statutory Provision** - If any provision of this agreement conflicts with any statute of the State of Michigan providing for the authorization or performance of joint undertakings between public agencies of the State, the provision of such statutes shall control.
- e. **Severability** - Each provision of this agreement shall be deemed to be severable from all other provisions and, if one or more of the provisions are declared invalid, the remaining provisions shall remain in full force and effect.
- f. **WDB Nominations** - The Workforce Development Board will consist of no more than 37 members of which the St. Clair County Board of Commissioners will select 6. Nominations to fill vacancies on the Macomb/St. Clair Workforce Development Board will be solicited from representative organizations by the WDB. The WDB will review and recommend appointments to the respective County Board of Commissioners. Final approval rests with the Chief Elected Official. Composition of the Macomb/St. Clair WDB is as follows:
  - 1. A majority of seats will be filled by private sector representatives.
  - 2. Non-private sector seats will be filled to comply with legislation or to ensure representation of significant segments within the Michigan Works! Area.
- g. **Joint Board of Commission** - This agreement does not establish any joint board or commission to establish duties or memberships for the purpose of executing the terms and conditions of this

agreement beyond those specified in this agreement. However, notwithstanding oversight responsibilities for workforce development programs and activities for the Macomb/St. Clair Michigan Works! Area, the member body established for this purpose shall be the **Macomb/St. Clair Workforce Development Board.**


**8. Signatures**

The effective date of this agreement shall be the date of the final signatory as indicated below.

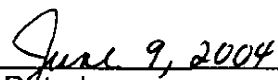
**County of Macomb**

**County of St. Clair**

\_\_\_\_\_  
Nancy M. White, Chairperson  
Board of Commissioners

  
\_\_\_\_\_  
Lee Masters, Chairman  
Board of Commissioners

\_\_\_\_\_  
Dated

  
\_\_\_\_\_  
Dated

**Macomb/St. Clair Workforce Development Board**

\_\_\_\_\_  
Charles H. Michel, Chairman

\_\_\_\_\_  
Dated

intergovernmental transfer

**RESOLUTION 04-13**

**RESOLUTION RELATIVE TO SALE BY SHERIFF OF UNCLAIMED STOLEN  
PROPERTY**

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**WHEREAS**, the Sheriff of St. Clair County has in his possession the recovered stolen property described in Exhibit "A" attached hereto, and said property has remained unclaimed for more than six (6) months since its recovery; and

**WHEREAS**, Act. No 54 of the Public Acts of 1959 requires the Sheriff to request authority from the Board of Commissioners to dispose of the unclaimed recovered stolen property at a public sale to be held by the Sheriff upon five (5) days notice thereof, having been published in a newspaper of general circulation in the County and to deposit the proceeds of the sale, less expenses with the County Treasurer to the credit of the general fund.

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

1. That Dan Lane, Sheriff of St. Clair County, Michigan, may be and he is hereby authorized and directed to conduct a public sale for the purpose of selling the unclaimed stolen property described in Exhibit "A", attached hereto and made part hereof by reference;
2. That the said Sheriff is hereby directed to published a notice of said sale in a newspaper of general circulation in the County of St. Clair at least five (5) days before said sale, and that said notice shall describe the property described in Exhibit "A" and shall state the time and place of such public sale at which the property may be purchased by the highest bidder; and
3. That the said Sheriff shall conduct such public sale and shall deposit the proceeds of the sale, after deducting the cost of the sale, together with any other money included in the notice, with the County Treasurer to the credit of the County General Fund.

**Dated: June 9, 2004**

Reviewed and Approved As To Form By:

Gary A. Fletcher (WLF)  
 GARY A. FLETCHER  
 County Corporation Counsel  
 522 Michigan  
 Port Huron, MI 48060

Howard Heidemann  
WLF  
Lawrence J. Dill

**RESOLUTION 04-12**

**AUTHORIZING FUNDING FOR EXISTING AND TO EXPAND TRANSPORTAION POSITIONS FOR SERVICES**

WHEREAS, Public Transportation exists in some form in all 83 Michigan counties and in the majority of Michigan's municipalities; and

WHEREAS, Public Transportation is funded by a combination of sources including federal, state and local financing and the historic level of state support has been declining as a percentage of overall support for the past seven years; and

WHEREAS, The Granholm Administration has proposed a budget for 2005 that holds Public Transportation essentially harmless from further cuts; and

WHEREAS, The state's Comprehensive Transportation Fund is recognized as a primary source of funding for Public Transportation and these funds are "restricted state funds" intended to be used solely for provision of public transportation services and state administrative support; and

WHEREAS, Public Transportation is a key economic development tool in local communities, providing essential transportation to work sites, training centers and education facilities; and

WHEREAS, Public Transportation is recognized and depended upon by countless residents as a vital source of transportation for medical purposes, grocery shopping, employment and consumer activities; and

WHEREAS, Public Transportation is an integral part of local and statewide economic activity through the wages and salaries of employees, contracting of services and equipment from local vendors, purchasing capital equipment including buses and vans from Michigan-based automotive manufacturers that promote the retention of manufacturing jobs in Michigan; and

WHEREAS, State funds in the Comprehensive Transportation Fund, in addition to funding Public Transportation, provide essential rail passenger and freight, intercity bus service, transportation planning and critical state match funds for significant federal grant funding; and

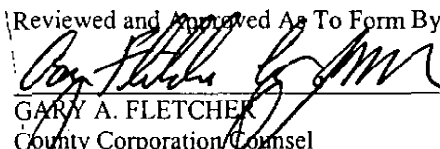
WHEREAS, Public Transportation is recognized for its positive contributions to the economic development of Michigan and the local economy, quality of life for employers and employees, senior citizens, students, lower income citizens and the disabled; and


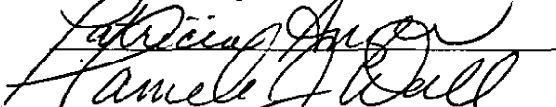
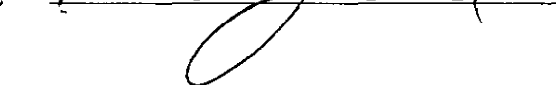
WHEREAS, Public Transportation contributes significantly to the overall economic vitality of Michigan's counties and demand for public transit services surpass current resources.

NOW, THEREFORE, BE IT RESOLVED, that the St. Clair County Board of Commissioners hereby calls upon the members of the State Legislature to fully fund existing positions in the Department of Transportation's Multi-Modal Bureau and the state's transportation services, and to expand state funding of these services inasmuch as resources allow.

**DATED: May 26, 2004**

Reviewed and Approved As To Form By:

  
GARY A. FLETCHER  
County Corporation Counsel  
322 Michigan  
Port Huron, MI 48060

**RESOLUTION 04-11**

**St. Clair County Board of Commissioners'  
Opposition to SB 1147 and HB 5762**

**WHEREAS**, the St. Clair County Board of Commissioners is the appointing body for members of the St. Clair County Metropolitan Planning Commission;

**WHEREAS**, SCCMPC, the St. Clair County Metropolitan Planning Commission, is the designated Transportation Study Agency for Port Huron-Marysville urbanized area;

**WHEREAS**, SCCMPC is responsible for the development of a Long Range Transportation Plan (LRTP) and a Transportation Improvement Program (TIP), which is required by both the Federal Transit Administration and the Federal Highway Administration;

**WHEREAS**, deciding which transportation projects in St. Clair County receive funding is based on public involvement and sound planning, ensuring that limited resources are used on the most cost-effective projects that meet the most critical transportation needs of St. Clair County residents;

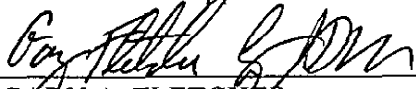
**WHEREAS**, for transportation projects to proceed in St Clair County, the Transportation Equity Act for the 21<sup>st</sup> Century requires, joint decision making by local elected officials through SEMCOG, the designated Metropolitan Planning Organization for St. Clair County, and the Governor;


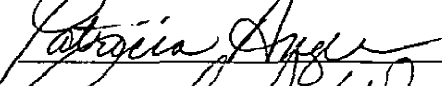

**NOW THEREFORE BE IT RESOLVED**, this 26<sup>th</sup> day of May, 2004 that the St. Clair County Board of Commissioners, opposes SB 1147 and HB 5762.

**BE IT FURTHER RESOLVED THAT** the St. Clair County Board of Commissioners asks the Michigan House and Senate to acknowledge the role of local elected officials in the project approval process by working with St. Clair County in finding an appropriate venue for members of the legislature to identify their concerns to the St. Clair County Board of Commissioners and SEMCOG prior to approval of the Long Range Transportation Plan, the Regional Transportation Plan or the Transportation Improvement Program.

**DATED: May 26, 2004**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
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\_\_\_\_\_

**ST. CLAIR COUNTY BOARD OF COMMISSIONERS'  
REDEMPTION RESOLUTION 04-26**

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**County of St. Clair  
State of Michigan**

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, Michigan (the "County") held in said County, on the 25<sup>th</sup> day of August, 2004 at 6 o'clock p.m., Eastern Daylight Time.

PRESENT: Members Commissioners Heidemann, Pavlov, Reilly, Wall,  
Anger and Masters

ABSENT: Members Commissioner Kearns

WHEREAS, on behalf of the Township of Clay, County of St. Clair, State of Michigan (the "Township"), the County issued its St. Clair County Water Supply System No. II-A Bonds, Series 1992 (General Obligation Limited Tax) (the "Bonds") dated as of September 11, 1992 pursuant to Act 185, Public Acts of Michigan, 1957, as amended (the "Act"); and

WHEREAS, the Township has informed the County that it has sufficient funds on hand to pay the Bonds in full and has requested that the County take the necessary actions to call the entire outstanding principal amount of the Bonds for redemption on October 1, 2004 as provided in the Bonds; and

WHEREAS, it is necessary to take certain actions in connection with such redemption.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the request of the Township, the County hereby calls the entire outstanding principal amount of the Bonds for redemption on October 1, 2004.
2. The County Treasurer, the Board of Public Works and the Director of the Department of Public Works of the County are each directed to transfer or arrange for the

transfer to the paying agent of the Bonds from the moneys provided by the Township, sufficient funds to pay principal of, interest and premium on the Bonds on the redemption date and any costs relating to the redemption.

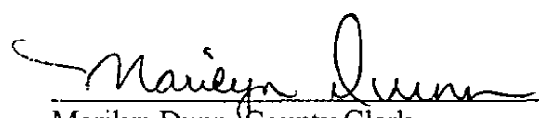
3. The County Treasurer, the Board of Public Works and the Director of the Department of Public Works are each directed to take or cause to be taken any and all steps necessary for the redemption of the Bonds, including, but not limited to instructing the paying agent for the Bonds to mail the notice of redemption to the registered bondholder not less than thirty (30) days prior to the date fixed for redemption, in substantially the form attached hereto on Exhibit A.

4. All resolutions and parts of resolutions in conflict with this resolution be and the same hereby are rescinded.

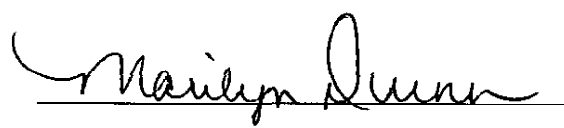
AYES: Commissioners Heidemann, Pavlov, Reilly, Wall  
Anger and Masters

NAYS: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

  
\_\_\_\_\_  
Marilyn Dunn, County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County of St. Clair, County of St. Clair, State of Michigan, at a regular meeting held on August 25, 2004, 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.

A handwritten signature in cursive script, reading "Marilyn Dunn", written over a horizontal line.

Marilyn Dunn, County Clerk



## Exhibit A

NOTICE OF REDEMPTION

County of St. Clair

State of Michigan

St. Clair County Water Supply System No. II-A Bonds, Series 1992  
(General Obligation Limited Tax)

NOTICE IS HEREBY GIVEN that the County of St. Clair, Michigan, hereby calls for redemption on October 1, 2004, its St. Clair County Water Supply System No. II-A Bonds, Series 1992 (General Obligation Limited Tax), maturing in the years 2005 through 2017 and aggregating the principal sum of One Hundred Ninety Thousand Dollars (\$190,000):

<u>Maturity</u> <u>Date</u>	<u>Principal</u> <u>Amount</u>	<u>Interest</u> <u>Rate</u>	<u>CUSIP</u> <u>788635</u>
October 1, 2005	\$ 10,000	6.20%	C81
October 1, 2006	10,000	6.20%	C99
October 1, 2007	10,000	6.30%	D23
October 1, 2008	10,000	6.30%	D31
October 1, 2009	10,000	6.40%	D49
October 1, 2010	15,000	6.40%	D56
October 1, 2011	15,000	6.50%	D64
October 1, 2012	15,000	6.50%	D72
October 1, 2013	15,000	6.60%	D80
October 1, 2014	20,000	6.60%	D98
October 1, 2015	20,000	6.70%	E22
October 1, 2016	20,000	6.70%	E30
October 1, 2017	20,000	6.70%	E48

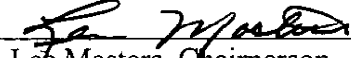
Said bonds are called for redemption at par and accrued interest, plus a premium of 0.5%. Interest on the bonds will be paid separately by check and mailed to the registered owner.

Holders of the bonds called for redemption should present the bonds to Standard Federal - Corporate and Institutional Trust, a division of LaSalle Bank National Association, Troy, Michigan (formerly Michigan National Bank), as paying agent, for redemption on October 1, 2004. All interest will cease accruing October 1, 2004, whether the bonds are presented for redemption or not.

COUNTY OF ST. CLAIR

State of Michigan

By: \_\_\_\_\_

  
 Lee Masters, Chairperson

Dated: August 25, 2004

DELIB:2534625.1\078011-00012

ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS

RESOLUTION 04-15

**WHEREAS**, pursuant to Michigan's Brownfield Redevelopment Financing Act (the "Act"), codified at MCLA 125.2651 *et. seq.*, the County is given authority to create a Brownfield Redevelopment Authority, to promote the revitalization of environmentally and economically distressed properties within its boundaries; and

**WHEREAS**, pursuant to the Act, Brownfield Redevelopment Authorities are granted authority to recapture certain tax revenues, thereby reimbursing the Authority, its creating municipality, and private parties for the costs incurred in eligible activities conducted at eligible properties pursuant to Brownfield Redevelopment Plans approved by the Brownfield Redevelopment Authority and its creating municipality, as well as funding a local site remediation revolving fund; and

**WHEREAS**, it appearing to the Board of Commissioners the County will benefit from the creation of such a Brownfield Redevelopment Authority, as reimbursement will encourage eligible activities and the redevelopment of environmentally and economically distressed properties for beneficial uses.

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

1. It is the intention of the Board of Commissioners, as the governing body of St. Clair County, to create and provide for the operation of a Brownfield Redevelopment Authority, pursuant to the Act.
2. A public hearing on the adoption of a proposed resolution creating a Brownfield Redevelopment Authority shall be held at the Regular Meeting of the Board of Commissioners on July 28, 2004, beginning at 6:00 p.m., at 4420 Kilgore Road, P.O. Box 400, Kenockee Township Hall, Avoca, Michigan 48006. Citizens, taxpayers, officials from taxing jurisdictions whose millage may be subject to capture by the proposed Brownfield Redevelopment Authority, and owners of property within the County have a right to be heard at the hearing in regard to the establishment of the Authority.
3. The County Clerk is hereby directed to publish a notice of the public hearing, including the date, time, and place of the hearing, twice in the Times Herald, not less than 20 days nor more than 40 days before the date of the hearing.

**DATED: June 9, 2004**

Reviewed and Approved As To Form By:  
Gary A. Fletcher (WLF)  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

Howard Heidemann  
Janet J. Wall

**ST. CLAIR COUNTY  
BOARD OF COMMISSIONERS**

**RESOLUTION 04-15**

**WHEREAS**, pursuant to Michigan's Brownfield Redevelopment Financing Act (the "Act"), codified at MCLA 125.2651 *et. seq.*, the County is given authority to create a Brownfield Redevelopment Authority, to promote the revitalization of environmentally and economically distressed properties within its boundaries; and

**WHEREAS**, pursuant to the Act, Brownfield Redevelopment Authorities are granted authority to recapture certain tax revenues, thereby reimbursing the Authority, its creating municipality, and private parties for the costs incurred in eligible activities conducted at eligible properties pursuant to Brownfield Redevelopment Plans approved by the Brownfield Redevelopment Authority and its creating municipality, as well as funding a local site remediation revolving fund; and

**WHEREAS**, it appearing to the Board of Commissioners the County will benefit from the creation of such a Brownfield Redevelopment Authority, as reimbursement will encourage eligible activities and the redevelopment of environmentally and economically distressed properties for beneficial uses.

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

1. It is the intention of the Board of Commissioners, as the governing body of St. Clair County, to create and provide for the operation of a Brownfield Redevelopment Authority, pursuant to the Act.

2. A public hearing on the adoption of a proposed resolution creating a Brownfield Redevelopment Authority shall be held at the Regular Meeting of the Board of Commissioners on \_\_\_\_\_, 2004, beginning at \_\_\_\_ p.m., at \_\_\_\_\_, \_\_\_\_\_, Michigan \_\_\_\_\_. Citizens, taxpayers, officials from taxing jurisdictions whose millage may be subject to capture by the proposed Brownfield Redevelopment Authority, and owners of property within the County have a right to be heard at the hearing in regard to the establishment of the Authority.

3. The County Clerk is hereby directed to publish a notice of the public hearing, including the date, time, and place of the hearing, twice in the Times Herald, not less than 20 days nor more than 40 days before the date of the hearing.

**DATED: June 9, 2004**

Reviewed and Approved As To Form By:

Gary A. Fletcher (WLF)  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

Howard Heidemann  
Camela J. Wall

County Board of Commissioners  
County of St. Clair  
State of Michigan

**RESOLUTION 04-10**

**AUTHORIZING ST. CLAIR COUNTY SEWAGE DISPOSAL SYSTEM NO. X  
(VILLAGE OF CAPAC) REFUNDING BONDS, SERIES 2004  
(GENERAL OBLIGATION LIMITED TAX)**

WHEREAS, the County of St. Clair (the "County") has previously established the St. Clair County Sewage Disposal System No. X (Village of Capac) (the "System") within the Village of Capac (the "Village") as authorized by Act 185, Public Act of Michigan, 1957, as amended ("Act 185"); and

WHEREAS, the duly established Board of Public Works of the County (the "DPW") was designated to administer the System under the provisions of Act 185 for and on behalf of the County, with all the rights, powers and duties as specified in Act 185; and

WHEREAS, pursuant to the provisions of Act 185 the County through the DPW and the Village did enter into a certain contract (the "Contract"), for the acquisition, construction and financing of the System and various extensions and additions to the System, together with all necessary and related appurtenances, attachments, works, instrumentalities, land, rights in land and properties used or useful in connection with the operation of the System; and

WHEREAS, pursuant to the Contract, the County issued its St. Clair County Sewage Disposal System No. X (Village of Capac) Bonds, Series 1991-B (Limited Tax General Obligation), dated October 1, 1991 (the "Prior Bonds"), in the original aggregate authorized amount of \$680,000; and

WHEREAS, the Village and the DPW have been advised that conditions in the bond market have now improved to the point that all or a part of the Prior Bonds could be refunded at a considerable savings; and

WHEREAS, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), permits the County to refund all or part of the funded indebtedness of the County; and

WHEREAS, the Village and the DPW have determined that it is in the best interest of the Village and the County to refund all or a part of the Prior Bonds, and the DPW has recommended to this Board of Commissioners that such refunding be undertaken; and

WHEREAS, a Refunding Contract dated as of May 1, 2004 (the "Refunding Contract") has been prepared pursuant to authority of Act 34 and Act 185 providing for the implementation of such refunding program and for other details in connection therewith, the Refunding Contract being attached hereto in full and made a part of this resolution pursuant to law; and

WHEREAS, all things necessary for the authorization of such refunding bonds pursuant to the provisions of law have been done, and the County is now empowered and desires to authorize the issuance of such refunding bonds; and

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

WHEREAS, the County and the DPW have received a proposal from Oppenheimer & Co. Inc. (the "Underwriter") to purchase the refunding bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ST. CLAIR AS FOLLOWS:

1. Execution and delivery of the Refunding Contract by the DPW on behalf of the County is hereby approved, ratified and confirmed.

2. For the purpose of raising all or a portion of the money to refund all or a portion of the Prior Bonds, and pursuant to authority of Act 185 and Act 34, there shall be issued refunding bonds of the County (the "Refunding Bonds") as hereinafter set forth. The Refunding Bonds shall be designated **St. Clair County Sewage Disposal System No. X (Village of Capac) Refunding Bonds, Series 2004 (General Obligation Limited Tax)** and shall be in the aggregate principal amount of not to exceed Five Hundred Thousand Dollars (\$500,000) as finally determined upon sale thereof, consisting of bonds registered as to principal and interest of the denomination of \$5,000 or integral multiples of \$5,000, dated as of the date of delivery thereof, numbered as determined by the Transfer Agent (as herein defined) and maturing serially in such principal amounts and such years as shall be determined by the DPW at the time of sale thereof. The Refunding Bonds shall bear interest at a rate or rates to be determined upon sale, but in any event not exceeding 6% per annum, payable on dates determined at the time of sale. The Refunding Bonds shall be sold at a price not less than 97% of the par value of the Refunding Bonds.

Interest shall be paid by check drawn on the Transfer Agent (hereinafter defined) mailed to the registered owner of the Refunding Bonds 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 fifteenth day of the month prior to the payment date for each interest payment or the first day of the month, if the payment date is the fifteenth day of the month. The date of determination of registered owner for purposes of payment for interest as provided in this paragraph may be changed by the County to conform to market practice in the future. The principal of the Refunding Bonds shall be payable at a bank or trust company to be approved by the DPW at the time of sale as a registrar and transfer agent (the "Transfer Agent"). The County may select another bank or trust company located in the State of Michigan to serve as Transfer Agent upon notice to the registered owner of the Refunding Bonds not less than sixty (60) days prior to an interest payment date.

The Refunding Bonds shall be issued in book-entry-only form through The Depository Trust Company in New York, New York ("DTC"), and the County Treasurer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Refunding Bonds in book-entry-only form and to make such changes in the bond form within the parameters of this Resolution as may be required to accomplish the foregoing.

The Refunding Bonds or portions thereof shall be subject to redemption prior to maturity at the times, in the manner and at the prices determined upon sale. 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 redemption, the called amounts of each certificate; the redemption date; the redemption price or

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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.

3. The Chairperson of the Board of Commissioners and the County Clerk are hereby authorized and directed to execute said Refunding 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 imprinted or impressed thereon the seal of the County. No Refunding Bond shall be valid until authenticated by an authorized officer of the Transfer Agent. The Refunding Bonds shall be delivered to the Transfer Agent for authentication and shall then be delivered to the purchaser upon payment of the purchase price for the Refunding Bonds in accordance with the bond purchase agreement. 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.

4. The Refunding Bonds and the interest thereon shall be payable primarily from the contractual payments of the Village received by the DPW on behalf of the County, for the payment of which the Village has in the Refunding Contract pledged its full faith and credit pursuant to the provisions of Act 185. The Village 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 Refunding Bonds are issued, which taxes are authorized to be levied without limitation as to rate or amount for the payment of the Village's obligations pledged for bond payments pursuant to a Village election held on May 7, 1991. All of such contractual payments are hereby pledged solely and only for the payment of principal of and interest on the Refunding Bonds. 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 Refunding 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 Refunding Bonds when due, upon written notification by the DPW to the County Treasurer of the amount of such deficiency, the County Treasurer shall promptly deposit into the debt retirement fund for said 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 which said principal and interest are primarily liable, 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 constitutional and statutory tax rate limitations.

The security provided by this resolution shall continue until payment in full of the principal of and the interest on all the Refunding Bonds, or, until sufficient cash or non-callable direct obligations of the United States of America or non-callable direct obligations of the principal of and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the County, the principal and interest payments on which, without reinvestment of interest, come due at such times and in such amounts as to be fully sufficient to pay, when due, the principal of, redemption premium, if any, and interest on the Refunding Bonds on the stated maturity date or earlier redemption, shall have been deposited in trust for payment in full for all Refunding Bonds with respect to which this resolution is to be defeased to their

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maturity, or, if called for redemption to the date fixed for redemption. Upon such deposit the security herein created shall be terminated with respect to the Refunding Bonds, the holders of the Refunding Bonds shall have no further rights under this resolution except for payment from the deposited funds, and the Refunding Bonds shall no longer be considered to be outstanding under this resolution.

5. There shall be established a separate account to be designated Debt Retirement Fund - St. Clair County 2004 Refunding Bonds (Village of Capac), (the "Debt Retirement Fund"), into which account the DPW shall deposit all contractual payments as received and into which account any advances made by the County pursuant to Section 4 of this resolution shall be deposited. The moneys from time to time on hand in the Debt Retirement Fund shall be used solely and only for the payment of the principal of and interest and redemption premiums, if any, on the Refunding Bonds, or, to the extent of any surplus, to reimburse the County for any advances made pursuant to Section 4 hereof. The accrued interest, if any, received upon delivery of the Refunding Bonds shall also be deposited in the Debt Retirement Fund. The Village and the DPW may agree that the Village may make contractual payments constituting payments of principal of and interest on the Refunding Bonds directly to the Transfer Agent, and such contractual payments shall be deemed to have been paid to the DPW, and the Village shall be credited with such payment.

6. The proceeds of the Refunding Bonds, along with certain cash to be made available pursuant to the Refunding Contract, shall be used to pay the costs of issuance thereof and to secure payment of all or a portion of the Prior Bonds as provided in this section 6. Upon receipt of such proceeds the accrued interest, if any, shall be deposited in the Debt Retirement Fund. From such proceeds there shall next be set aside with the Escrow Agent (hereafter defined) a sum sufficient to pay the costs of issuance of the Refunding Bonds.

The balance of the proceeds of the Refunding Bonds shall be deposited in an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing and used to pay principal, interest and redemption premiums on the Prior Bonds as determined upon the sale of the Refunding Bonds. The Escrow Fund shall be held by a bank or trust company qualified to do business in Michigan (the "Escrow Agent") pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the Prior Bonds transfer agent to take all necessary steps to pay the principal of and interest and redemption premium on the Prior Bonds being refunded when due, and to call the Prior Bonds being refunded for redemption on the first date such Prior Bonds may be called for redemption. The DPW be and is hereby directed to select an Escrow Agent to serve pursuant to the Escrow Agreement. The Chairperson, the Secretary and the Director of the DPW, and the County Treasurer, each is hereby authorized to execute the Escrow Agreement in behalf of the County. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal, interest and redemption premiums on the Prior Bonds when due at maturity or call for redemption as required by this Section. Following establishment of the Escrow Fund, debt retirement funds in the amount determined by bond counsel held by the DPW or the Village for the Prior Bonds shall be transferred to the Escrow Fund or to the Debt Retirement Fund for the Refunding Bonds.

7. The Refunding Bonds shall be substantially in the following form:

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R-\_\_\_

Registered

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF ST. CLAIR

ST. CLAIR COUNTY SEWAGE DISPOSAL SYSTEM NO. X (VILLAGE OF CAPAC)  
REFUNDING BOND, SERIES 2004  
(GENERAL OBLIGATION LIMITED TAX)

<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
___%	___ 1, ___	_____, 2004	

Registered Owner:

Principal Amount: \_\_\_\_\_ (\$ \_\_\_\_\_) Dollars

The County of St. Clair, State of Michigan (the "County"), 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 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 \_\_\_\_\_ 1, 200\_\_ and semiannually thereafter. Principal of this bond is payable at the principal corporate trust office of \_\_\_\_\_, \_\_\_\_\_, 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 an 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 interest payment date as shown on the registration books of the County kept by the Transfer Agent by check or draft mailed to the Registered Owner at the registered address.

This bond is payable primarily from the proceeds of contractual payments to be paid by the Village of Capac (the "Village"), located in the County of St. Clair, Michigan, to the Board of Public Works, acting for and on behalf of the County, pursuant to a certain contract, dated July 16, 1991, between the County and the Village whereby said Board of Public Works, on behalf of the County, was authorized to construct sewage disposal system improvements to service the Village, said system designated as the "St. Clair County Sewage Disposal System No. X (Village of Capac)" (the "System"), as supplemented by a Refunding Contract dated as of May 1, 2004. By the provisions of said contracts and pursuant to the authorization provided by law, the Village has pledged its full faith and credit for the payment of its contractual payments. The County has irrevocably pledged to the payment of this bond the total contractual payments, which said total payments are established in the amount required to pay the principal of and interest on this bond when due. As additional security for the payment of this bond, the County, pursuant to

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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 pledge of the Village is an unlimited tax general obligation of the Village, and the Village is required to pay its debt service commitment on this bond as a first budget obligation from its general funds, including the collection of any ad valorem taxes which the Village is authorized to levy without limitation as to rate or amount pursuant to a Village election held on May 7, 1991. The full faith and credit pledge of the County is a limited tax general obligation of the County, and the County is required to pay its debt service commitment on this bond as a first budget obligation from its general funds, including the collection of any ad valorem taxes which the County is authorized to levy. However, the ability of the County to levy such taxes is subject to applicable constitutional and statutory 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 \$ \_\_\_\_\_, issued pursuant to a resolution duly adopted by the Board of Commissioners of the County on April 28, 2004 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 purpose of refunding bonds previously issued by the County. The bonds being refunded were issued for the purpose of constructing improvements to the System to service the Village. 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 on or before \_\_\_\_\_ 1, \_\_\_\_\_ are not subject to redemption prior to maturity.

[Bonds of this issue or portions thereof in multiples of \$5,000 maturing on or after \_\_\_\_\_ 1, \_\_\_\_\_ shall be subject to redemption prior to maturity at the option of the County in such order as the County shall determine and within any maturity by lot, on any interest payment date on or after \_\_\_\_\_ 1, \_\_\_\_\_ at a redemption price equal to the principal amount thereof, without premium, together with interest thereon to the redemption date.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent upon presentation of the bond called in part for redemption shall register, authenticate and deliver to the Registered Owner a new bond 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 to be redeemed 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. 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 the County has money available for such redemption.]

This bond is transferable only by the Registered Owner of record in person, or by the Registered Owner's attorney duly authorized in writing, upon the registration books of the County kept by the Transfer Agent. Upon the surrender of this bond together with a written instrument of transfer satisfactory to the

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Transfer Agent duly executed by the Registered Owner or the Registered Owner's attorney duly authorized in writing, a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

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 which this is one, have been done and performed in regular and due time and form as required by law.

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 St. Clair, State of Michigan, by its Board of Commissioners, has caused this bond to be signed in the name of the County of St. Clair by the facsimile signatures of the Chairperson of the Board of Commissioners and the County Clerk, and a facsimile of its corporate seal shall be printed hereon, all as of the Date of Original Issue.

COUNTY OF ST. CLAIR, MICHIGAN

By: *Lee Masters*  
Lee Masters  
Chairperson, Board of Commissioners

By: *Marilyn Dunn*  
Marilyn Dunn, County Clerk

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

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

\_\_\_\_\_  
Transfer Agent

By \_\_\_\_\_  
Authorized Signatory

Date of Authentication: \_\_\_\_\_

[Standard form of Assignment to be inserted]

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8. Nothing contained in this resolution or the Refunding Contract 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 Refunding Bonds.

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

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

(a) The County and the DPW, as agent of the County, will punctually perform all of their obligations and duties under this resolution and the Refunding Contract, 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 DPW, as the agent of the County, will apply and use the proceeds of the sale of the Refunding Bonds for the purposes and in the manner required by the Refunding Contract and this resolution. The County will maintain and keep proper books of record and account relative to the application of such proceeds and the contractual payments received pursuant to the Refunding Contract or advanced by the County. Not later than six (6) months after the end of each year, the DPW 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 Refunding Bonds, the cash receipts from the contractual payments or advances 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 Refunding Bonds, or anyone acting in their behalf, to be fully informed as to all matters pertaining to the application of funds therefor or for the payment of Refunding Bonds during such year. A certified copy of said statement shall be filed with the County Clerk and the Clerk of the Village and a copy shall also be sent to the Underwriter.

11. The DPW is hereby designated, for and on behalf of the County, to (a) determine whether to refund all or a portion of the Prior Bonds upon the sale of the Refunding Bonds, (b) approve and execute a bond purchase agreement with the Underwriter finalizing the details of the Refunding Bonds within the authorized parameters of this resolution; (c) approve the circulation of a preliminary and a final official statement or other disclosure documents describing the Refunding Bonds; and (d) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Refunding Bonds including without limitation the qualification for or purchase of municipal bond insurance for the Refunding Bonds.

12. The Chairperson of this Board, County Clerk, County Treasurer, members, staff, counsel, DPW and its Director and staff, counsel, and bond counsel for the County, or any of them, are authorized on behalf of the County to apply for such rulings, order and approvals and file or submit such elections or other documents to any governmental agency in order that the Refunding Bonds may be validly issued and the interest thereon be exempt from federal income taxation and are further hereby

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authorized to execute, date and deliver such other certificates, documents, instruments, and opinions and other papers as may be necessary or convenient to effectuate the sale and delivery of the Refunding Bonds.

13. The County has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, determines that a negotiated sale of the Bonds to the Underwriter provides the County with greater flexibility in structuring bond maturities and the timing of the sale of the Bonds and will result in the lowest interest cost to the County and to the Village.

14. Miller, Canfield, Paddock and Stone, P.L.C. is retained as bond counsel in connection with the issuance of the Refunding Bonds. This Board has been advised that Miller, Canfield, Paddock and Stone, P.L.C. has represented the Village and the Underwriter in unrelated matters and is not representing those parties in connection with the Refunding Bonds. This Board consents to the representation of Miller, Canfield, Paddock and Stone, P.L.C. of the Village and the Underwriter in unrelated matters.

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

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

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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 St. Clair, at a regular meeting held on **April 28, 2004**, at 6:00 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 the above meeting was a special meeting, I further certify that notice of said special meeting was given to each member of the County Board of Commissioners in accordance with the rules of procedure of the County Board of Commissioners.

I further certify that the following Commissioners were present at said meeting: Commissioner Anger, Heidemann, Masters, Pavlov, Reilly and Wall and that the following Commissioners were absent: Commissioner Kearns.

I further certify that Commissioner Anger moved for adoption of said resolution and that Commissioner Heidemann supported said motion.

I further certify that the following Commissioners voted for adoption of said resolution: Commissioner Anger, Heidemann, Pavlov, Reilly, Wall and MAsters, which Commissioners constitute at least three-fifths (3/5) of the members-elect of the Board of Commissioners, and that the following Commissioners voted against adoption of said resolution: None.

\_\_\_\_\_  
Marilyn Dunn, County Clerk

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

DELIB:2488037.3\078011-00010

**RESOLUTION 04-09**

**AUTHORIZING THE INFORMATION TECHNOLOGY DEPARTMENT TO APPLY  
FOR A COASTAL MANAGEMENT GRANT**

WHEREAS, the State of Michigan, Department of Environmental Quality, Environmental Science and Services Division has a Coastal Management Program; and

WHEREAS, funding is available from the U.S. Department of Commerce through the Coastal Management Program; and

WHEREAS, the Coastal Management Program provides financial assistance to eligible applicants to protect, manage and restore coastal communities and habitats; restore historic structures; revitalize urban waterfronts; and increase recreational opportunities along Michigan's Great Lakes coast; and

WHEREAS, Lake St. Clair is a critical economic and environmental resource to the citizens of St. Clair County, Southeast Michigan, and ultimately to the United States and Canada; and

WHEREAS, the largest remaining marshland in the Great Lakes Basin is located in the St. Clair River delta on Lakes St. Clair; and

WHEREAS, the lake delta provides important habitat for fish and wildlife, including an array of mammals, reptiles, rare plants and insects; and

WHEREAS, the St. Clair County Board of Commissioners would like to benefit from funding that could help it battle the adverse effects of urban and agricultural runoff, loss of wetlands and coastal habitat, toxic contamination from industry, beach closings due to high levels of E. coli bacteria, invasive species, and pollution from faulty sewage and septic systems; and

WHEREAS, the County of St. Clair's base Geographic Information System (GIS) data, parcels of land, have a direct connection to coastal planning and resource protection of the Lake St. Clair coast; and

WHEREAS, the County of St. Clair has trouble using their base GIS data for coastal planning and resource protection because the parcel data are inaccurate and are missing properties along the Lake St. Clair coast; and

WHEREAS, the County of St. Clair, Michigan is qualified to apply for financial assistance through the Michigan Coastal Management Program; and


WHEREAS, the County of St. Clair proposes a GIS project involving parcels in part of the Lake St. Clair area in an effort to provide better coastal planning and resource protection; and

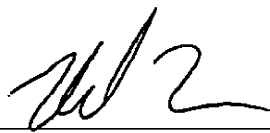
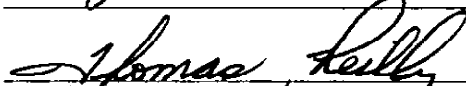

WHEREAS, the total cost of the proposed parcel project in the is \$100,000, the financial assistance provided under the Michigan Coastal Management Program requires a 50% local match; and

NOW, THEREFORE, BE IT RESOLVED, that the St. Clair County Board of Commissioners herby authorizes the St. Clair County Information Technology Department to file a grant application in the amount of \$50,000 for the development of St. Clair County's parcel layer.

**DATED: APRIL 28, 2004**

Reviewed and Approved As To Form By:

  
\_\_\_\_\_  
GARY A. FLETCHER  
County Corporation Counsel  
522 Michigan  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  






JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



STEVEN E. CHESTER  
DIRECTOR

February 2004

Dear Grant Applicant:

The Coastal Management Program (CMP) of the Department of Environmental Quality is pleased to announce the availability of grant funds for coastal projects that further the objectives of the program. Since 1978, the CMP has provided financial assistance to eligible applicants to protect, manage and restore coastal communities and habitats; restore historic structures; revitalize urban waterfronts; and increase recreational opportunities along Michigan's Great Lakes coast.

Please note that there are minor changes to the grant application this year. The format has been revised to provide more detailed information about Coastal Zone Management grants and to make the application easier to complete. More significantly, the grant period has been modified to begin on January 1, 2005, rather than October 1, 2004. To ensure adequate time for project completion, the grant ending date has been extended to March 31, 2006.

If you are interested in participating in this grant program, please submit one copy of the completed application, **postmarked no later than May 1, 2004**. Enclosed is a project application form, completion checklist; and additional information about the grant program. An example is included as a guide for completing the application. The application can be downloaded from our website at [www.michigan.gov/deg](http://www.michigan.gov/deg) under Water; Great Lakes; Coastal Management.

All requested information must be submitted by the deadline date. Please note that applications that are incomplete may not be evaluated for funding consideration. Project proposal reviews, which may include a site visit, will be conducted by staff during May and June. Please be advised that you may be encouraged to revise the scope of work or budget for your project to better meet the objectives and resources of the CMP.

Requests for funding are limited to a maximum of \$50,000 of grant funds. In general, applicants must provide at least 50 percent of total project costs as match, which may be in the form of in-kind services, donations, or cash.

I encourage you to take advantage of the funding opportunities available through the CMP, and to take an active role in managing, protecting, and restoring our state's valuable coastal resources.

If you have any questions, please contact us at 517-335-3168.

Sincerely,

Catherine Cunningham Ballard, Chief  
Coastal Management Program  
Environmental Science and Services Division  
[cunningc@michigan.gov](mailto:cunningc@michigan.gov)

Enclosure

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION  
COASTAL MANAGEMENT PROGRAM**

**GRANT INFORMATION**

Funds are being made available to encourage projects that reflect Michigan's Coastal Management Program objectives which include:

- \* Create and enhance coastal public access.
- \* Protect, manage and/or restore coastal resources, habitats, and watersheds.
- \* Control of development in erosion or flood hazard areas
- \* Research and educational outreach on Great Lakes and coastal issues.
- \* Preserve and restore historic and cultural coastal structures.
- \* Redevelop urban waterfronts, brownfields, and ports.
- \* Protect coastal water quality and reduce nonpoint source pollution in coastal watersheds.
- \* Reduce the adverse impacts of coastal growth and development.

**Who is eligible to apply?**

- \* Coastal units of government including cities, counties, villages, and townships.
  - \* Area-wide agencies including regional planning agencies and conservation districts.
  - \* State agencies.
  - \* Universities and school districts.
  - \* Tribal governments.
  - \* Nonprofit organizations (non-construction projects only)
- Important:** Nonprofit organizations wishing to apply for construction funding must apply through an eligible entity. This eligible entity must provide assurance of public ownership.

**What kinds of coastal projects are eligible for funding?**

**A. Studies, Designs and Land Use Plans**

- \* Site design, planning, and engineering for recreational sites and waterfront redevelopment.
- \* Restoration and resource management plans.
- \* Historic preservation/restoration plans.
- \* Waterfront redevelopment studies.
- \* Coastal educational materials.
- \* Natural features inventories.
- \* Research on Great Lakes and coastal issues.
- \* Studies for economic development planning, including ports and harbors.
- \* Community and land use master planning and zoning (coastal related).
- \* Facility relocation studies.
- \* Watershed management plans.
- \* Geographic Information System (development and mapping).
- \* Feasibility studies.

All land use planning and GIS proposals must have a direct connection to coastal planning and/or resource protection. The grant application should describe how the proposal would improve coastal management. Land use and GIS proposals that foster partnerships between communities and other governmental units and agencies will be given a higher priority. New legislation authorizes local units of government to form joint planning commissions. Coastal planning projects that involve the formation of joint planning commissions will also be given higher priority.

**B. Construction**

- \* Habitat restoration and coastal resource protection.
- \* Barrier-free retrofitting.
- \* Low-cost construction projects: example: boardwalks, scenic overlooks, educational and/or interpretive displays, and trails.
- \* Restoration of historic coastal structures.

All construction projects must be open to the general public, located on public land or secured through long-term lease (20 years minimum), and handicapped accessible.

**What kinds of coastal projects are NOT eligible for funding?**

- \* Restroom facilities.
- \* General recreational facilities (e.g., playground equipment, ball fields, tennis courts, basketball courts).
- \* Maintenance of existing structures.
- \* Hard shore protection (rip-rap, sheet pile, gabions, etc.).
- \* Brick and mortar construction.
- \* Dredging.
- \* Road construction.
- \* Water and sewer line construction.
- \* GIS-purchase of hardware.
- \* GIS-maintenance activities (maintaining data).
- \* GIS-parcel mapping outside of coastal areas.

**Where projects must be located to be eligible for funding?**

All construction projects must be within Michigan's coastal boundary that generally lies 1,000 feet inland from the ordinary high water mark of the Great Lakes. Included within the boundary are coastal cities, state parks, coastal lakes, coastal floodplains, Great Lakes connecting waters, coastal river mouths, bays, and designated sand dune areas. If you are uncertain whether a proposed project is located within the coastal boundary, **please call staff of the CMP at 517-335-3168.**

All project areas for studies, design, land use master plans, local ordinances, GIS, and nonpoint source pollution must directly relate to protection or management of coastal resources or water quality.

**When will funds be available?**

Upon receipt of grant application in May, site visits are conducted in May and June for all applications received. The grant selection process takes place in July and August. The grant period begins January 1 of each year, and ends March 31 of the following year. Approved projects must be started and completed within the grant period.

Recommended projects will require clearance from the State Historic Preservation Office and Department of Natural Resources, Wildlife Division. In addition, recommended projects in the grant amount of \$25,000 (not including match) or more will require clearance from the State Administrative Board. Final approval is required by the U.S. Department of Commerce, National Oceanic Atmospheric Administration.

**How to apply?**

**MAIL COMPLETED APPLICATION WITH NEXCESSARY ATTACHMENTS TO:**

Attn: Catherine C. Ballard  
MICHIGAN COASTAL MANAGEMENT PROGRAM  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION  
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
PO BOX 30457  
LANSING MI 48909-7957

**STREET ADDRESS (FOR OVERNIGHT DELIVERY, ONLY)**  
NORTH TOWER, 1<sup>ST</sup> FLOOR  
525 WEST ALLEGAN STREET  
LANSING, MI 48933

**\*\*\*ALL GRANT APPLICATIONS MUST BE POSTMARKED NO LATER THAN MAY 1, 2004\*\*\***



**DEPARTMENT OF ENVIRONMENTAL QUALITY  
COASTAL MANAGEMENT PROGRAM GRANT APPLICATION  
COMPLETION INSTRUCTIONS AND APPLICATION CHECKLIST**

**FOR ALL PROJECTS**

- 1. **Completed Grant Application form** (see page five of the application);
- 2. **Detailed Project Description:**
  - Describe purpose of the project. Why is this project needed?
  - Describe essential elements of the project
  - If part of a larger project, describe relationship
  - If construction, describe relationship to existing facilities
  - Indicate approvals that will be necessary (permits, etc.) and how the project conforms to the master plan, zoning, etc.
- 3. **Detailed Budget:**
  - Itemize project components, and provide a cost estimate for each component, round to the nearest hundred dollars. Distinguish between grant funds and local funds to be spent on each component (see EXAMPLE grant application for budget format).
  - Indicate how the grant will be matched (cash, in-kind services).  
If the proposed project is a site planning, design, or engineering project, include a statement as to the source of funds to construct the project once the plans and specifications are completed.
- 4. **Schedule for Completion:**
  - Provide a schedule for completion of the project components based on a grant year starting October 1 and ending December 30 of the following year (See EXAMPLE grant application package for schedule format).
- 5. **Resolution of Support** (ONLY if grant applicant is a local unit of government).
- 6. **Project Location Map** (form provided in application package).

**FOR CONSTRUCTION PROJECTS ONLY**

- 7. **Completed Construction Checklist** (form provided in application package).
- 8. **8½" x 11" drawing of the project site** (site plan, relationship to property lines, and other facilities on the site). Distinguish between existing and proposed components of the site.
- 9. **A master plan for the site, if one exists**, and sketches or drawings necessary to fully explain the project.

**Continued on other side**

10. All construction projects must be either located on public land or land secured through a long-term lease (20 years minimum). The project must be open to the general public and handicapped accessible. To document public ownership, please submit **either** a completed **a** or **b** document.

**a. ATTORNEY TITLE OPINION** (Form provided in grant application package)

This form must be completed and signed by an attorney. Please be sure the issue of easements or encumbrances is addressed.

**OR**

**b. PUBLIC OWNERSHIP AFFIDAVIT**

This document may be completed by a local official who has the authority and knowledge to attest that the property where the project is located is publicly owned. **Do not fill out the form in the grant application package. The form in the grant application package is provided to illustrate the required format. SUBMIT ON A SEPARATE PIECE OF PAPER:**

- Explain your authority to certify that the property on which the proposed project is located is publicly-owned.
- Provide the name or brief description of the property on which the proposed project is located description of the property.
- State that the property is publicly owned and whether there are encumbrances, easements, liens, etc. on the property and whether they would interfere with it being used for the proposed project.



DEPARTMENT OF ENVIRONMENTAL QUALITY  
 ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

### COASTAL MANAGEMENT PROGRAM GRANT APPLICATION

*Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended.*

Application must be completed for project to be considered for funding.

Project Type: (Check One)		<input type="checkbox"/> Master Plan/Zoning Ordinance	<input type="checkbox"/> GIS
		<input type="checkbox"/> Design or Study	<input type="checkbox"/> Construction
		<input type="checkbox"/> Both Design & Construction	<input type="checkbox"/> Other
Project Title:			
Project Location:			County:
Great Lake or Connecting Waterway:			
Congressional District #:		State Senate District #:	State House District #:
Amount of Grant Applied for: \$ _____ (Round to nearest \$500)			
Amount of Match: \$ _____			
Estimated Total Project Cost: \$ _____			
Applicant Name:			Federal ID #:
Street Address:			City:
State:	Zip Code:	Fax #:	Telephone # ( )
E-mail Address (if applicable):			
Authorized Representative Name:			Title:
Project Location: (Land Description)			
Town	Range	Section	N/A
<b>CERTIFICATION:</b>			
I certify that all statements in this application, including all requested supplemental information, are true, complete and accurate to the best of my knowledge.			
Applicant Representative Signature _____			Date _____

**MAIL COMPLETED APPLICATION WITH NECESSARY ATTACHMENTS TO:**

COASTAL MANAGEMENT PROGRAM  
 ENVIRONMENTAL SCIENCE AND SERVICES DIVISION  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 PO BOX 30457  
 LANSING MI 48909-7957

**STREET ADDRESS (FOR OVERNIGHT DELIVERY, ONLY)**  
 NORTH TOWER, 1<sup>ST</sup> FLOOR  
 525 WEST ALLEGAN  
 LANSING, MI 48933



DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

CONSTRUCTION CHECKLIST

Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended

1. Public Benefit:

- a. This project is on public land or on publicly controlled easement and is for public benefit. The project does not improve private property and is not for private of commercial gain.  Yes  No

If the answer to 1a is NO, the project is not eligible for construction funding.

- b. The facility will be open to the general public.  Yes  No  N/A

- c. If the answer to 1b is NO, the project is not eligible for construction funding, unless access to the facility will be limited for one or more of the following reasons:

N/A  Public Safety  Resource Protection  
 School Outings  Scientific Research  Other

- d. A deed, lease, or easement will be needed to conduct the activity.  Yes  No

- e. If the answer to 1d is YES, what is the life of the document (provide duration, i.e., years, or specify if in perpetuity).  
\_\_\_\_\_

- f. The document in 1d contains a reversionary clause.  Yes  No

If YES, attach the reversionary clause to this checklist.

- g. A subcontract with a nonprofit organization is needed to complete part or this entire project.  
 Yes  No

If YES, the name of the nonprofit is \_\_\_\_\_

2. National Flood Insurance Program:

- a. The project is located in a designated floodway or "v" zone on a National Flood Insurance Program Floodway Map.  
 Yes  No (If the answer is No, go to item 3. National Environmental Policy Act)

- b. A coastal community proposing a construction project that includes the construction in special flood hazard areas shown on an FIA map is participating in the Flood Insurance Program.  Yes  No

If the answer for 2b is NO, the project is not eligible for construction funding.

3. National Environmental Policy Act:

- a. The proposed project may significantly affect the human environment.  Yes  No

- b. The proposed project involves unresolved conflicts concerning alternative uses of available resources.  
 Yes  No

- c. This action would have significant adverse effects on public health and safety.  Yes  No

- d. This action will have highly controversial environmental effects.  Yes  No

**National Environmental Policy Act - continued**

- e. This action will have highly uncertain environmental effects or involve unique or unknown environmental impacts.  Yes  No
- f. The project will have significant adverse impacts on other natural resources, e.g., beaches and dunes, wetlands, estuarine areas, wildlife habitat, wild or scenic rivers, reefs, or other coastal resources.  Yes  No
- g. The project will have insignificant effects when performed separately, but will have significant cumulative effects.  Yes  No

If the answer to any one subpart of 3 is YES, then an Environmental Assessment (EA) may be required. If YES, attach a description of the resource(s) affected and the nature and scope of the effects.

**4. Handicapped Accessibility:**

- a. The proposed project is handicapped accessible.  Yes  No  N/A

If the answer to 4 is NO, attach to this checklist an explanation as to why the project is not handicapped accessible.

**5. User Fees:**

- a. The public will be charged a user fee for the proposed project.  Yes  No  N/A

If the answer to 5 is YES, please attach a description of the user fee that includes how much, differential fees (if any), the need for the fees, and proposed use of the revenue.

**6. Environmental Justice:**

- a. The project will not have disproportionately high and adverse human health or environmental effects on minority or low-income populations.  Yes  No

**7. State, Local, and Tribal Laws:**

- a. The project is consistent with state, local and tribal laws to protect the environment.  Yes  No

If the answer to either 6 or 7 is NO the project will not be approved.

If you have any questions or require assistance in completing this checklist, please feel free to contact the Coastal Management Program staff at 517-335-3168.



# Michigan Coastal Management Program





DEPARTMENT OF ENVIRONMENTAL QUALITY  
 ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

**ATTORNEY TITLE OPINION**

*Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended.*

Date: _____		
RE: _____		
I hereby certify that I am a member in good standing of the bar of Michigan, and have been requested to determine record of ownership for the parcel(s) of property on which the above-reference project will be constructed.		
_____ (name or brief description of land)		
After thoroughly examining the public land records or other appropriate records in accordance with the laws of Michigan, I certify that the record title to the parcel is held by:		
_____ (public entity)		
in (check one):		
<input type="checkbox"/> Fee simple absolute		
<input type="checkbox"/> Other (specify) _____		
I have determined that there are: (check one)		
<input type="checkbox"/> no easements or encumbrances on the property.		
<input type="checkbox"/> easements or encumbrances on the property, but they <b>would not</b> interfere with it being used for the project which is the subject of this Coastal Management Program grant application. They are:		
_____		
_____		
<input type="checkbox"/> easements or other encumbrances on the property that <b>may</b> interfere with it being used for the project that is the subject of this Michigan Coastal Management Program grant application. They are:		
_____		
_____		
Signature _____		
Name (Printed or Typed) _____		
Address _____		
City _____	State _____	Zip Code _____
Bar Number _____	Telephone Number (     ) _____	



DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

**COMPLETION INSTRUCTIONS ONLY**  
**PUBLIC OWNERSHIP AFFIDAVIT**

*Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended.*

**ON A SEPARATE SHEET OF PAPER**, prepare an affidavit and explain your authority to certify that the property on which the proposed project is located is publicly owned. The person signing this affidavit should be an official with knowledge and authority to certify ownership. Use the title "Public Ownership Affidavit", and the language provided below.

**PUBLIC OWNERSHIP AFFIDAVIT**

I solemnly affirm upon personal knowledge that the following statements are true:

I (*name of official*), being duly sworn, state that:

1. (*Official must explain what authority he/she has to certify that the property on which the proposed project is located is publicly owned. Provide official title, if appropriate.*)
2. (*Provide the name or brief description of the property on which the proposed project is located.*)
3. (*If appropriate, state that the property is publicly owned and there are no encumbrances, easements, liens, etc., on the property that may interfere with it being used for the proposed Michigan Coastal Management Program project as stated in the attached Michigan Coastal Management Program grant application.*)

**If there are encumbrances, easements or liens on the property that may interfere with the project, do not use this form. Instead, have an attorney complete the enclosed "Attorney Title Opinion". Submit it with your grant application.**

Signature \_\_\_\_\_  
(signature of authorized official)

Name \_\_\_\_\_  
(printed or typed name of authorized official)

Subscribed and sworn before me on this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
(expiration date)

\_\_\_\_\_  
(Notary Public signature)



DEPARTMENT OF ENVIRONMENTAL QUALITY  
 ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

## COASTAL MANAGEMENT PROGRAM GRANT APPLICATION

*Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended.*

Application must be completed for project to be considered for funding.

<input type="checkbox"/> Master Plan/Zoning Ordinance <input type="checkbox"/> GIS Project Type: (Check One) <input type="checkbox"/> Design (or Study) <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Both Design & Construction <input type="checkbox"/> Other			
Project Title: <i>Lakeview Park Improvements</i>			
Project Location: <i>Village of Lakeview</i>			County: <i>Alger</i>
Great Lake or Connecting Waterway: <i>Lake Superior</i>			
Congressional District #: <i>11</i>	State Senate District #: <i>37</i>	State House District #: <i>107</i>	
Amount of Grant Applied for:    \$ <u>12,500</u> (Round to nearest \$500)			
Amount of Match:    \$ <u>12,500</u>			
Estimated Total Project Cost:    \$ <u>25,000</u>			
Applicant Name: <i>Village of Lakeview</i>			Federal ID #: <i>30-6004368</i>
Street Address: <i>123 Main Street</i>			City: <i>Lakeview</i>
State: <i>MI</i>	Zip Code: <i>47747</i>	Fax #: <i>906-373-5609</i>	Telephone #: <i>(906) 482-1002</i>
E-mail Address (if applicable): <i>smitheyj@aol.com</i>			
Authorized Representative Name: <i>Jacqueline Smithey</i>			Title: <i>Village President</i>
Project Location: (Land Description)			
Town: _____	Range: _____	Section: _____	N/A
<b>CERTIFICATION:</b> I certify that all statements in this application, including all requested supplemental information, are true, complete and accurate to the best of my knowledge.			
Applicant Representative Signature _____			Date _____

## LAKEVIEW PARK IMPROVEMENTS - VILLAGE OF LAKEVIEW

### Detailed Project Description

#### Purpose of the project

Lakeview Park is located within the village of Lakeview at the mouth of the Red River and includes frontage on Lake Superior and the river. The village proposes to make improvements to the developed portion of the park and complete a site design that will encourage passive recreation and wildlife observation in the undeveloped part of the park (see enclosed site plan). This project will include construction of a wood chip pathway, providing access to a barrier-free observation deck along the river and the beach area near the rivermouth.

The site design for the undeveloped portion of the park will include an inventory of the park's natural features to determine the best route for a compacted chips and fines pathway and a barrier-free observation deck along the river. Construction drawings and bid specifications for the observation deck will be included as part of the site design. The pathway and observation deck will be constructed upon completion of the site design and after receipt of all permits.

In the developed portion of the park, indiscriminate pedestrian access to the Lake Superior beach has damaged the vegetation, resulting in erosion of the bluff. The village proposes to construct approximately 250 linear feet of rustic wood fencing along the top of the bluff parallel to the lake, and revegetate the bluff with dune grass. Benches would be installed at the top of the bluff, overlooking the lake. Native shrubs and ground cover would be planted behind the benches. Construction and installation of the benches, planting of the dune grass, and installation of shrubs and ground cover would be done by Public Works crews as "in-kind" match.

The village plans to provide controlled access to the river by constructing a wood chip path and foot bridge connecting to a barrier-free observation deck at the river's edge. Construction of the observation deck would be contracted through a competitive bid process.

#### Essential elements of the project

1. Preparation of the site design for sixteen acres of park land, construction drawings, and bid specifications for an observation deck and foot bridge;
2. Construction and installation of 1,000 linear feet of rustic wood fencing and eight wooden benches;
3. Landscaping and dune grass planting along the lake bluff;
4. Construction of a 2,000 linear foot chips and fines compacted pathway;
5. Construction of a barrier-free observation deck and foot bridge.

#### Relationship to a larger project

This is Phase II development of the park property as indicated in the village's waterfront redevelopment plan. Phase I was completed in 1995 and included construction of the existing park facilities.

#### Relationship to existing facilities

The park is located near a marina and nature center complex operated by the state east of the Red River from this park site. This project will increase opportunities for enjoyment of the waterfront, and encourage visitors to the area to use the park as well as the nearby marina and nature center. Upon completion of plans for the observation deck and footbridge, the village will submit the plans to the Michigan Coastal Management Program (MCMP) staff for review. Upon approval, the village will apply for all necessary construction permits.

**Detailed Project Budget**

	<u>CZM</u>	<u>MATCH</u>	<u>TOTAL</u>
Preparation of site design, construction drawings, bid specifications for deck, foot bridge, and wood chip path	\$1,000	\$5,500	\$6,500
Materials for 2,000 linear feet of wood fencing and benches	6,000	0	6,000
Purchase of native shrubs and dune grass	1,000	0	1,000
Construction/installation of rustic fencing and benches	0	2,000	2,000
Planting of native shrubs and dune grass		2,500	2,500
Construction of 5 feet of wide chips and fines pathway		0	2,000
Construction of observation deck and foot bridge	2,500	2,500	5,000
<b>Total Estimated Cost</b>	<b>\$12,500</b>	<b>\$12,500</b>	<b>\$25,000</b>

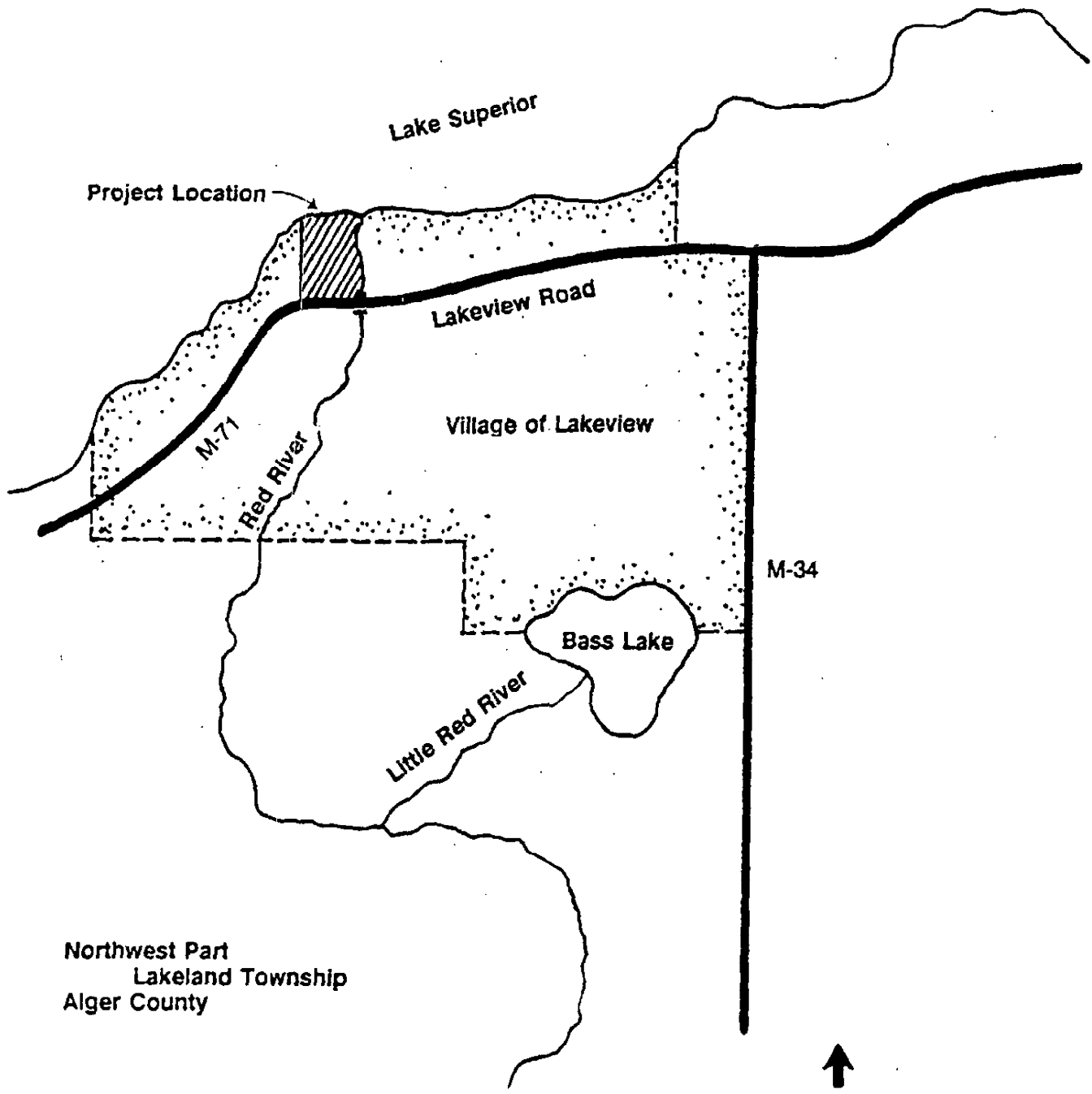
Funding source

Local match for the project includes cash from the village's Park Development Fund, and in-kind labor.

Schedule for completion

Prepare site design	January - March 2005
Submit design to staff of the CMP for review and approval	March 2005
Prepare bid documents; apply for a permit by the DFO	April 2005
Review construction bids	May 2005
Award contract	June 2005
Install pathway	July 2005
Construct/install fencing and benches, plant vegetation	August - October 2005
Construct observation deck	September - November 2005
Project complete	March 31, 2006
Submit final report to the staff of the MCMP	May 15, 2006

# EXAMPLE



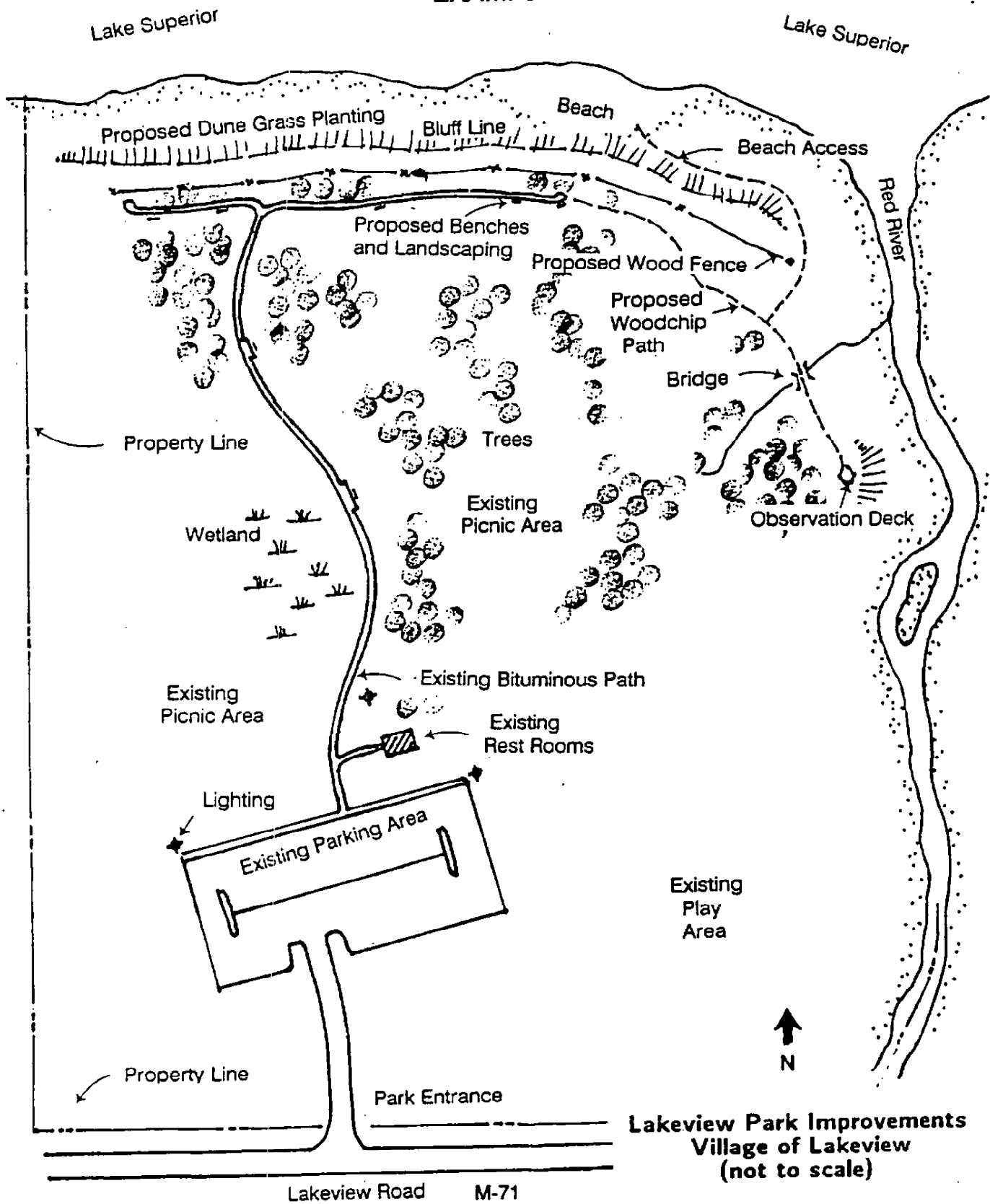
Northwest Part  
Lakeland Township  
Alger County



Scale  
1" = 1/4 mile

## Lakeview Park Improvements Village of Lakeview

# EXAMPLE



**Lakeview Park Improvements  
Village of Lakeview  
(not to scale)**





MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

**ATTORNEY TITLE OPINION**

Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended.

Date: 1-18-04

RE: Lakeview Park Improvements

I hereby certify that I am a member in good standing of the bar of Michigan, and have been requested to determine record of ownership for the parcel(s) of property on which the above-referenced project will be constructed.  
Lakeview Village Park, a parcel of land in the Village of Lakeview, Alger County, Michigan;  
NE 1/4 of NW 1/4 of Section 34, T43N, R12W

(name or brief description of land)

After thoroughly examining the public land records or other appropriate records in accordance with the laws of Michigan, I certify that the record title to the parcel is held by:  
the Village of Lakeview, a municipal corporation of Lakeview, Michigan.  
(public entity)

in (check one):  
 Fee simple absolute  
 Other (specify) \_\_\_\_\_

I have determined that there are: (check one)  
 no easements or encumbrances on the property.  
 easements or encumbrances on the property, but they would not interfere with it being used for the project which is the subject of this Michigan Coastal Management Program grant application. They are:  
Said parcel is subject to three utility easements to Wisconsin and Michigan Power Company  
 easements or other encumbrances on the property that may interfere with it being used for the project which is the subject of this Michigan Coastal Management Program grant application. They are \_\_\_\_\_

Signature \_\_\_\_\_

Name (Printed or Typed) James G. Martin

Address 3786 Tree Street

City <u>Lakeview</u>	State <u>MI</u>	Zip Code <u>47747</u>
Bar Number <u>P-00001</u>	Telephone Number ( 906 ) <u>427-3333</u>	

MAIL COMPLETED APPLICATION WITH NECESSARY ATTACHMENTS TO:

MICHIGAN COASTAL MANAGEMENT PROGRAM  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION  
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
PO BOX 30457  
LANSING MI 48909-7957

**STREET ADDRESS (FOR OVERNIGHT DELIVERY, ONLY)**  
NORTH TOWER, 1<sup>ST</sup> FLOOR  
525 WEST ALLEGAN  
LANSING, MI 48933

DEPARTMENT OF ENVIRONMENTAL QUALITY  
ENVIRONMENTAL SCIENCE AND SERVICES DIVISION

**COMPLETION INSTRUCTIONS ONLY**  
**PUBLIC OWNERSHIP AFFIDAVIT**

*Authorized by the Federal Coastal Zone Management Act, PL 92-583 of 1972, as amended.*

**ON A SEPARATE SHEET OF PAPER**, prepare an affidavit and explain your authority to certify that the property on which the proposed project is located is publicly owned. The person signing this affidavit should be an official with knowledge and authority to certify ownership. Use the title "Public Ownership Affidavit", and the language provided below.

Date: January 3, 2004

Project Title: Lakeview Park Improvements

I solemnly affirm upon personal knowledge that the following statements are true:  
I, Jane Doe, being duly sworn state that:

1. I am the Tax Assessor for the Village of Lakeview. In my duties as Tax Assessor, I have the authority to certify that the property on which the proposed project is to be located is publicly owned and under the control of the Village of Lakeview.
2. The property is in Lakeview Village Park, a parcel of land in the Village of Lakeview, Alcona County, Michigan, NE 1/4 of NW 1/4 of Section 3, T43N, R12W.

3. I have determined that there are (complete only one):

no easements, encumbrances or liens on the parcel.

easements, encumbrances or liens on the parcel, but they would not interfere with it being used for the project which is the subject of this Michigan Coastal Management Program grant application. The easements, encumbrances or liens are: Said parcel is subject to three utility easements of Wisconsin and Michigan Power Company (Deed attached).

Signature: \_\_\_\_\_

Name (printed or typed): \_\_\_\_\_

Subscribed and sworn before me on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

My Commission Expires: \_\_\_\_\_  
(expiration date)

\_\_\_\_\_  
(Notary Public signature)

**RESOLUTION OF SUPPORT**  
**(Complete only if grant applicant is a local unit of government)**

(ALL of the following information must be included)

Resolution No. \_\_\_\_\_  
Village of Lakeview Council

**RESOLUTION APPROVING SUBMISSION OF COASTAL GRANT APPLICATION  
FOR LAKEVIEW PARK IMPROVEMENTS**

WHEREAS, the developed portion of the park is in need of improvements, and

WHEREAS, the undeveloped portion of the park is linked to the developed portion and is in need of passive recreation activities, and

WHEREAS, funding is available from the U.S. Department of Commerce through the Coastal Management Program, and

WHEREAS, total project cost is estimated at about \$25,000, 50% of which would be funded through the Coastal Program and 50 percent would be a local match;

NOW, THEREFORE, BE IT RESOLVED, that the Village Council approves the submission of the grant application to the Michigan Coastal Management Program in the amount of \$25,000 for improvements to Lakeview Park and commits that the local match shall be provided if the project is funded.

Adopted this 22nd day of December, 2003:

AYES: *Nelson, Smith, Jenkins, Woodward, Wilcox, Johnson*

NAYS: *None*

ABSENT: *Parker*

BY \_\_\_\_\_

ATTEST: \_\_\_\_\_

**RESOLUTION 04-08**

**Resolution Establishing Authorized  
Parking Enforcement Agent**

**Whereas**, the St. Clair County Board of Commissioners has provided for controls within the County owned and operated parking lots through the adoption of Resolution 90-6, Adopting Parking Control and Enforcement Ordinance ("Parking Control Ordinance"); and,

**Whereas**, the Parking Control Ordinance provides for its enforcement through authorized enforcement agents; and,


**Whereas**, the St. Clair County Board of Commissioners desires to appoint an authorized enforcement agent to enforce the Parking Control Ordinance.

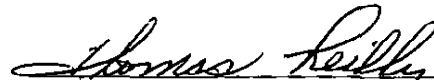
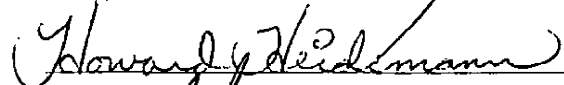
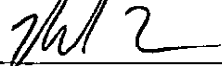
**NOW, THEREFORE, BE IT RESOLVED:**

1. The St. Clair County Board of Commissioners appoints the City of Port Huron Parking Enforcement Division as its authorized enforcement agent to enforce the Parking Control Ordinance.
2. The County Administrator shall take measures necessary to implement this Resolution including the negotiation of an agreement with the City of Port Huron to provide personnel for enforcement of the Parking Control Ordinance.

**DATED: March 24, 2004**

Reviewed and Approved by:

  
 \_\_\_\_\_  
 Gary A. Fletcher  
 County Corporation Counsel  
 522 Michigan Street  
 Port Huron, Michigan 48060

  
 \_\_\_\_\_  
  
 \_\_\_\_\_  


1  
2 **Resolution 04-07**  
3 **St. Clair County Farmland Preservation Ordinance**

4 **Adopted by County Board of Commissioners on March 24, 2004**

5  
6 **Ordinance NO. 04-07**

7  
8 AN ORDINANCE creating the St. Clair County Farmland Preservation Program which  
9 protects farmland by acquiring development rights voluntarily offered by landowners,  
10 authorizes the cash purchase and/or installment purchases of such development rights,  
11 places an agricultural conservation easement on the property which restricts future  
12 development, and provides the procedures and guidelines governing the purchase of  
13 development rights and the placement of an agricultural conservation easement.

14  
15 **BE IT ORDAINED BY THE ST. CLAIR COUNTY BOARD OF COMMISSIONERS:**

16  
17 **Section 1: Declaration of Purpose**

18 *A. Economic importance of farmland and agriculture.* St. Clair County's agricultural  
19 land is a unique and economically important resource. These lands support a  
20 locally important and globally unique agricultural industry that includes; dairy,  
21 livestock, food from grains, vegetables, fruit, and nursery and greenhouse crops.  
22 St. Clair County's climate, topography, and accessibility make it uniquely suited  
23 to the production, processing, and distribution of agricultural products on a  
24 regional, national, and international level.

25  
26 St. Clair County's economic base is also supported by a variety of agriculturally  
27 related businesses including; farm equipment, fuel, veterinarians, grain dealers,  
28 packaging plants, and professional services.

29  
30 *B. Importance of other non-agricultural attributes of farmland.* In addition to its  
31 economic benefits, the county's farmland contributes significantly to the open  
32 space and natural resource benefits, including rural character, scenic beauty,  
33 cultural heritage, hunting and other recreational opportunities, and the  
34 environmental benefits including watershed protection and wildlife habitat. By  
35 enhancing the scenic beauty and rural character of the county and providing  
36 other open space benefits, the county's farmland increases the overall quality of  
37 life and makes the county an attractive place to live and work for all of the  
38 county's residents.

39  
40 *C. The extent of development and farmland loss.* Because of the county's natural  
41 resources, productive farmland and rural character, it has become a desirable  
42 place to live and work. The population growth in St. Clair County has continued  
43 to increase dramatically. As the population increases and people move out into  
44 the countryside, agricultural land is converted to residential and other developed  
45 uses. There has also been a corresponding increase in residential parcels and  
46 loss of farmland.

48 D. *The Impact of farmland loss.* Land suitable for farming is an irreplaceable natural  
49 resource with soil and topographic characteristics that have been enhanced by  
50 generations of agricultural use. When such land is converted to residential or  
51 other more developed uses that do not require those special characteristics, a  
52 critical community resource is permanently lost to the citizens of the county.  
53 Residential development in agricultural areas also makes farming more difficult  
54 by increasing conflict over farming practices and increased trespass, liability  
55 exposure and property damage. Because agricultural land is an invaluable  
56 economic, natural and aesthetic resource, the county should make an effort to  
57 maintain agricultural land in a substantially undeveloped state to ensure the  
58 long-term viability of agriculture and to create a long-term business environment  
59 for agriculture in the county.

60  
61 E. *State and local policies.* It is the policy of the State of Michigan and St. Clair  
62 County to protect, preserve and enhance farmland as evidenced by the St. Clair  
63 County General Development Plan and Township Master Plans, the Farmland  
64 and Open Space Preservation Act, the State Agricultural Preservation Fund, the  
65 Conservation and Historic Preservation Easement Act, portions of the County  
66 Zoning Act, and other state and local statutes and policies. These measures by  
67 themselves, however, have not effectively provided sufficient long-term  
68 protection of farmland in St. Clair County from the pressure of increasing  
69 residential and commercial development.

70  
71 F. *Value of development rights.* Generally, farmland has a greater market value for  
72 future residential development than its market for farming. The features of good  
73 farmland, such as permeable soils and open space views, are also the features  
74 desired for residential home sites. This fact encourages the speculative  
75 purchase of farmland at high prices for future residential development,  
76 regardless of the current zoning of such lands. Farmland which has a greater  
77 development potential and market value than its agricultural value does not  
78 attract sustained agricultural investment and eventually is sold to non-farmers  
79 and removed from agricultural use.

80  
81 G. *Purpose of the program.* It is the purpose of the St. Clair County Farmland  
82 Preservation Program and this development rights ordinance to protect farmland  
83 in order to maintain a long-term business environment for agriculture in the  
84 county, to preserve the rural character and scenic attributes of the county, to  
85 enhance important environmental benefits and to maintain the quality of life of  
86 county residents.

87  
88 H. *Mechanism to achieve purpose.* The purchase of development rights and the  
89 placement of an agricultural conservation easement on farmland through the St.  
90 Clair County Farmland Preservation Program as provided for in this Ordinance is  
91 a public purpose of St. Clair County. Financing of such purchases requires that  
92 the County enter into agreements with property owners to obtain such  
93 development rights. Properties on which the County has purchased  
94 development rights and entered into an agricultural conservation easement

95 should remain substantially undeveloped in order to remain viable for agricultural  
96 use.

97

98 **Section 2: Definitions**

99 A. "Agricultural conservation easement" means a conveyance by a written  
100 instrument, in which, subject to permitted uses, the owner relinquishes to the  
101 public in perpetuity his or her development rights and makes a covenant running  
102 with the land not to undertake development.

103  
104 B. "Agricultural use" means substantially undeveloped land devoted to the  
105 production of plants and animals useful to humans, including forages and sod  
106 crops; grains, feed crops, and field crops; dairy and dairy products; poultry and  
107 poultry products; livestock, including breeding and grazing of cattle, swine,  
108 captive cervidae, and similar animals; berries; herbs; flowers; seeds; grasses;  
109 nursery stock; fruits; vegetables; Christmas trees; and other similar uses and  
110 activities. Agricultural use includes use in a federal acreage set-aside program,  
111 a federal conservation reserve program, or a wetland reserve program.  
112 Agricultural use does not include the management and harvesting of a woodlot.

113  
114 C "Development" means an activity that materially alters or affects the existing  
115 conditions or use of any land in a manner that is inconsistent with an agricultural  
116 use.

117  
118 D "Development rights" means an interest in land that includes the right to  
119 construct a building or structure, to improve land for development, to divide a  
120 parcel for development purposes or to extract minerals incidental to a permitted  
121 use or as set forth in an agricultural conservation easement.

122  
123 E "Development rights ordinance" means an ordinance adopted under the County  
124 Zoning Act, P.A. 183 of 1943, as amended. The development rights ordinance  
125 may be incorporated into an existing County zoning ordinance, or it may be a  
126 separate ordinance.

127  
128 F. "Farmland" means 1 or more of the following:  
129 (i) A farm of 40 or more acres in 1 ownership, with 51% or more of the  
130 land area devoted to an agricultural use.  
131 (ii) A farm of 5 acres or more in 1 ownership, but less than 40 acres,  
132 with 51% or more of the land area devoted to an agricultural use,  
133 that has produced a gross annual income from agriculture of  
134 \$200.00 per year or more per acre of cleared and tillable land. A  
135 farm described in this subparagraph enrolled in a federal acreage  
136 set-aside program or a federal conservation reserve program is  
137 considered to have produced a gross annual income from  
138 agriculture of \$200.00 per year or more per acre of cleared and  
139 tillable land.  
140 (iii) A farm designated by the department of agriculture as a specialty  
141 farm in 1 ownership that has produced a gross annual income of

142 \$2,000.00 or more from an agricultural use. Specialty farms  
143 include, but are not limited to, greenhouses; equine breeding and  
144 grazing; the breeding and grazing of cervidae, pheasants, and  
145 other game animals; bees and bee products; mushrooms;  
146 aquaculture; and other similar uses and activities.

147  
148 G. "Parcel" means a contiguous quantity of land in the possession of a single  
149 owner.

150  
151 H. "Permitted use" means any use expressly authorized within an agricultural  
152 conservation easement consistent with the farming operation or that does not  
153 adversely affect the productivity or agricultural use of the land. Storage, retail or  
154 wholesale marketing, or processing of agricultural products is a permitted use in  
155 a farming operation if more than 50% of the stored, processed, or merchandised  
156 products are produced by the farm operator for at least 3 of the immediately  
157 preceding 5 years. Permitted use includes oil and gas exploration and  
158 extraction, but does not include other mineral development that is inconsistent  
159 with an agricultural use.

160  
161 I. "Property owner" means the party or parties having a freehold estate or fee  
162 simple interest in land. If land is subject to a land contract, owner means the  
163 vendee in agreement with the vendor.

164  
165 J. "PDR program" means a program as defined in the County Zoning Act for the  
166 purchase of development rights by a county, and specifically includes the St.  
167 Clair County Farmland Preservation Program.

168  
169 **Section 3: Authorization**

170 A. Pursuant to the County Zoning Act, the County Board of Commissioners is  
171 authorized to purchase the development rights of farmland throughout the  
172 County. Such acquisition may be by purchase, gift, grant, bequest, devise,  
173 covenant or contract. The County shall only purchase development rights on  
174 farmland that are voluntarily offered for sale by a property owner.

175  
176 B. The County is authorized to enter into installment purchase contracts, options,  
177 and agreements or take receipt of donations of easements, consistent with  
178 applicable law. The County is authorized to pay interest on the declining unpaid  
179 principal balance at a legal rate of interest consistent with prevailing market  
180 conditions at the time of execution of the installment purchase contract.

181  
182 C. The County may contract with recognized and legally established nonprofit land  
183 trusts or other experienced and qualified individuals, parties or entities that would  
184 assist the County in the process of negotiating easements and purchase  
185 contracts, establishing baseline studies and procedures for monitoring, and  
186 actual monitoring of any agricultural conservation easements acquired under this  
187 Ordinance.

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**Section 4: County Agricultural Preservation Board**

- A. The County Board of Commissioners shall create a nine member body under this Ordinance to be named the County Agricultural Preservation Board. The seven *voting members shall be residents of the county and will be appointed by the County Board of Commissioners* and will include: (a) one County Commissioner or designee, (b) three individuals with agricultural interests, (c) one representative that is an elected official in township government, (d) one individual with real estate interests, (e) one individual representing home builder/development interest (f) one individual representing local natural resource conservation interests, and (g) one individual towns, cities and/or villages.
  
- B. Members of the County Agricultural Preservation Board shall serve three-year terms, with the exception that the County Commissioner representative shall be designated on an annual basis. The initial term shall be staggered so that one of the agricultural representatives, the towns, cities and/or villages representative and the real estate representative serve an initial one-year term, another agricultural representative, the developmental interest representative and the local township representative serve an initial two-year term and the third agricultural representative and the local conservation representative serve an initial three-year term. Members may be re-appointed to successive three-year terms by the County Board of Commissioners. The County Board of Commissioners shall have the discretion to remove members for neglect of duty or malfeasance in office or other good cause. Vacancies due to removal or resignation shall be filled for the remainder of a term by appointment by the County Board of Commissioners. Members shall not be compensated for their services, although reimbursement for attending meetings, for mileage and for other approved expenses shall be at the discretion of the County Board of Commissioners when funding is available, at rates established and approved by the County Board of Commissioners.
  
- C. The County Agricultural Preservation Board shall oversee the county's farmland preservation program and shall be responsible for:
  - i. Establishing selection criteria for the ranking and prioritization of *applications to the program. The selection criteria must be approved by the County Board of Commissioners prior to each application cycle.*
  - ii. Establishing a points-based appraisal formula for determining the value of the agricultural conservation easements.
  - iii. Reviewing and providing oversight in scoring all applications according to the adopted selection criteria.
  - iv. Ranking and prioritizing the top scoring applications for acquisition and determining whether the development rights should be purchased.
  - v. Approving the restrictions and permitted uses under the agricultural conservation easement.
  - vi. Establishing the price to be offered to the property owner and authorize negotiations for the purchase of development rights and

236 agricultural conservation easement. All purchases of development  
237 rights and agricultural conservation easements must be approved by  
238 the County Board of Commissioners.

239 vii. Establishing monitoring procedures and overseeing subsequent  
240 monitoring to ensure compliance with the agricultural conservation  
241 easement. Enforcement of the agricultural conservation easement in  
242 the case of non-compliance shall be the responsibility of the County  
243 Board of Commissioners.

244  
245 D. Individual County Agricultural Preservation Board members shall disclose any  
246 potential conflict of interest and may not vote when a conflict exists. Conflicts of  
247 interest include, but are not confined to, situations where (1) the board member  
248 is the applicant; (2) the member is a close relative of the applicant; (3) the board  
249 member has a close business association or ties with the applicant; (4) the board  
250 member, a relative, or a business associate could receive financial gain or  
251 benefit from the acceptance of the application.

252  
253 E. To the extent of available funding and as approved by the County Board of  
254 Commissioners in consultation with the County Agricultural Preservation Board,  
255 the County may contract with qualified and experienced individuals or entities for  
256 consulting or staffing services.

257  
258 **Section 5: Eligibility for Application**

259 Any property owner may submit an application to the County Farmland Preservation  
260 Program provided it meets the following requirements:

261  
262 A. The property owner has signed the application indicating that he or she is  
263 interested in voluntarily selling the development rights to the parcel.

264  
265 B. At least 51% of the parcel's area is devoted to an active agricultural use and no  
266 more than 49% of the parcel may be devoted to non-agricultural open space  
267 consisting of wetlands, woodlands, or otherwise unusable land.

268  
269 C. If the parcel is located within a city, village or township that administers a zoning  
270 ordinance, the municipality has also signed the application indicating its  
271 approval of the application to the County. The County shall not purchase  
272 development rights under a development rights ordinance from land subject to a  
273 city, village, or township zoning ordinance unless all of the following  
274 requirements are met:

275  
276 i. The development rights ordinance provisions for the PDR program  
277 are consistent with the plan upon which the city, village, or  
278 township zoning is based.

279 ii. The legislative body of the city, village, or township adopts a  
280 resolution authorizing the PDR program to apply in the city, village,  
281 or township.

282

- 283 D. The property is not designated for commercial, industrial, or residential uses at
- 284 densities in excess of 1 dwelling unit per 2 acres under the County, Township,
- 285 City or Village Master Plan.
- 286
- 287 E. Agricultural activities are a permitted use on the parcel under all applicable
- 288 zoning ordinances.
- 289

290 **Section 6: Criteria for Reviewing and Ranking Applications**

291 The County Agricultural Preservation Board shall establish selection criteria for ranking  
292 and prioritizing all eligible parcels submitted to the County Farmland Preservation  
293 Program. The selection criteria shall place an emphasis on farmland that:

- 294
- 295 A. As part of the application procedure for the specific proposed purchase of
- 296 development rights, the city, village, or township provides the county with written
- 297 approval of the purchase.
- 298
- 299 B. Has a productive capacity suited for the production of feed, food and fiber and
- 300 has a greater potential for long-term agricultural production. Specific selection
- 301 criteria may be based on soil classifications, parcel size, agricultural income,
- 302 enrollment in the Farmland and Open Space Preservation Act, or the
- 303 implementation of a soil conservation plan.
- 304
- 305 C. Is under the threat of development. Specific selection criteria may be based on
- 306 proximity to public sanitary sewer or water, the extent of development activity in
- 307 the township or the amount of road frontage.
- 308
- 309 D. Complements other farmland protection efforts in the County. Specific selection
- 310 criteria may include proximity to other permanently protected farmland, proximity
- 311 to other protected lands or surrounding land enrolled in the State Farmland and
- 312 Open Space Preservation Act, or inclusion in an agricultural zoning district.
- 313
- 314 E. Has additional matching funds available for the purchase of development rights
- 315 provided by a local unit of government, landowner or private sources.
- 316
- 317 F. Other factors considered important by the County Agricultural Preservation
- 318 Board such as unique physical, historical or environmental characteristics.
- 319

320 **Section 7: Application and Selection Process**

- 321 A. The county shall on an annual basis, at the discretion of the County Agricultural
- 322 Preservation Board, conduct a voluntary application and selection process for
- 323 property owners who wish to sell development rights under the County Farmland
- 324 Preservation Program.
- 325
- 326 B. The County Agricultural Preservation Board shall begin each application cycle by
- 327 giving notice at least 90 days in advance of the application deadline that the
- 328 county is accepting applications to the County Farmland Preservation Program.
- 329 Notification shall be given in newspapers of general circulation within the county,

330 through the county Farm Bureau, county Conservation District, county MSU-  
331 Extension Service, local township offices and other organizations.

332

333 C. The application may require information to be filled out by the property owner,  
334 the county Conservation District and the local unit of government.

335

336 D. All applications shall represent the applicant's intent to sell the development  
337 rights of the property to the County subject to mutually acceptable terms. The  
338 application will remain active by way of annual written approval of the landowner,  
339 provided there is no subsequent modification to the scoring criteria or application  
340 that requires additional information. Local cities, villages, and townships will be  
341 asked to sign a letter of continued support for standing landowner applications,  
342 and all applications, both new and old, will be scored and ranked for each cycle.

343

344 E. The County Agricultural Preservation Board shall give notice to each city, village,  
345 or township, that administers their own zoning, in which an application for the  
346 purchase of development rights has been received, and when disposition of that  
347 application has been made.

348

349 F. At the close of the application deadline, an initial determination of eligibility shall  
350 be completed by the County Agricultural Preservation Board or designated staff.  
351 The property owner shall be notified if the application is not eligible for the  
352 program. Each application shall be evaluated and scored according to selection  
353 criteria approved by the County Agricultural Preservation Board and the County  
354 Board of Commissioners prior to the application cycle.

355

356 G. The County Agricultural Preservation Board shall rank parcels according to the  
357 selection criteria score but shall also individually evaluate and prioritize the top  
358 scoring parcels. The County Agricultural Preservation Board may reprioritize the  
359 top scoring parcels based on individual review of each application and establish  
360 a priority on which development rights should be purchased first based on  
361 available funds.

362

363 The written rationale for reprioritization of the top scoring parcels shall be  
364 included with each application.

365

366 H. The ranking and prioritization of applications according to the Agricultural  
367 Preserve Board shall be submitted to the County Board of Commissioners for  
368 preliminary approval.

369

370 I. Agricultural conservation easement value shall be based upon a price  
371 established by the County Agricultural Preservation Board using a points-based  
372 appraisal method established in section 10.

373

374 J. Upon mutual agreement to purchase terms by the property owner and the  
375 County Agricultural Preservation Board, a title search shall be completed before  
376 signing and recording of the agricultural conservation easement. Any questions

377 or concerns regarding clear title to the property shall be resolved prior to signing  
378 of the agricultural conservation easement. All individuals, parties or entities with  
379 an interest in the property must be willing to agree to the terms and provisions of  
380 the agricultural conservation easement.

381  
382 K. The County Board of Commissioners must give final approval to the purchase of  
383 development rights and the agricultural conservation easement. The County  
384 Board of Commissioners may alter the recommendation of the County  
385 Agricultural Preservation Board to purchase the development rights only if there  
386 are insufficient funds, or upon a finding of fact that the selection criteria had not  
387 been accurately or appropriately applied to a specific application.

388  
389 L. Once the application has been approved for purchase by the County Board of  
390 Commissioners, the county and the property owners shall sign the agricultural  
391 conservation easement and it shall be legally recorded with the County Register  
392 of Deeds' office.

393  
394 M. The County shall notify the appropriate local unit of government of each  
395 agricultural conservation easement.

396  
397 N. The agricultural conservation easement will be monitored in accordance with  
398 procedures and guidelines established by the County Agricultural Preservation  
399 Board and as approved by the County Board of Commissioners.

400

401 **Section 8: Agricultural Conservation Easement Provisions**

402 A. Upon the agreement of the purchase and sale of development rights by the  
403 County Agricultural Preservation Board, the property owner and the County  
404 Board of Commissioners, the County and the property owner shall execute an  
405 agricultural conservation easement, approved by the County Agricultural  
406 Preservation Board and the County Board of Commissioners, that will  
407 perpetually protect the parcel's agricultural use by preventing any use that would  
408 significantly impair or interfere with the agricultural value or use of the farmland.  
409 The agricultural conservation easement shall contain a provision indicating that  
410 the easement runs with the land and may not be terminated except as provided  
411 for in this Ordinance and the easement.

412

413 B. Restrictions on that portion of the property included in the agricultural  
414 conservation easement shall include, but not be limited to, the following:

- 415 i. Property shall not be divided into parcels less than 40 acres in size.
- 416 ii. The construction of residences for new owners of any divisions shall  
417 be prohibited.
- 418 iii. Construction of any other buildings, unless they are built for uses  
419 consistent with farming operations shall be prohibited.
- 420 iv. Commercial or industrial activity that is inconsistent with a normal  
421 farming operation shall be prohibited.
- 422 v. Excavation of topsoil, sand, gravel, rock, minerals or other materials  
423 that significantly impairs or interferes with the agricultural values of the

- 424 property shall not take place without prior written approval.
- 425 vi. Public access may not be required under the agricultural conservation
- 426 easement.
- 427
- 428 C. Permitted uses and retained development rights in the agricultural conservation
- 429 easement shall include, but not be limited to, the following:
- 430
- 431 i. Construction of buildings necessary for and consistent with agricultural
- 432 uses.
- 433 ii. The right to construct one additional residence for an individual
- 434 essential to the operation of the farm as defined in section 36110(5) of
- 435 the Natural Resources and Environmental Protection Act, MCL
- 436 324.36110(5); MSA 13A.36110(5). Any structure must be in
- 437 conformance with all applicable federal, state and local laws,
- 438 ordinances and regulations.
- 439 iii. The right to maintain, renovate, add on to, or replace existing
- 440 structures. Structure built must be in conformance with all applicable
- 441 federal, state and local laws, ordinances and regulations.
- 442 iv. The right to sell, mortgage, bequeath or donate the property, provided
- 443 that any conveyance shall be subject to the terms of the easement.
- 444

#### 445 **Section 9: Duration of the Agricultural Conservation Easement**

446

- 447 A. The agricultural conservation easement shall be permanent and run with the
- 448 land, regardless of transfers in property ownership. It is the intent of this
- 449 ordinance to preserve valuable farmland through the establishment of
- 450 permanent conservation easements. Development rights acquired pursuant to
- 451 this Ordinance shall be held by the County in perpetuity and the development
- 452 rights may be repurchased by the landowner only when a court of competent
- 453 jurisdiction has determined through eminent domain that the use of those
- 454 development rights is necessary for a specific public interest, need or purpose.
- 455
- 456 B. Upon a court's determination in eminent domain proceedings that the repurchase
- 457 of the development rights from the County is necessary for a specific public
- 458 interest, need or purpose, the party acquiring the property through eminent
- 459 domain or the landowner shall pay to the county the fair market value of those
- 460 development rights at the time of the repurchase, as determined by a State
- 461 Certified Appraiser, or utilizing the points-based appraisal in section 10, before
- 462 the termination of the agricultural conservation easement. The value of the
- 463 development rights shall be determined as the difference between the fair
- 464 market value of the property with all development rights intact and the value of
- 465 the property for agricultural use with an agricultural conservation easement in
- 466 place. If the appraiser has a conflict of interest associated with a potential
- 467 appraisal, the appraiser shall report the conflict to the County, and the County
- 468 shall select another appraiser to complete the appraisal.
- 469
- 470 C. The County will deposit the proceeds from any repurchases into the farmland

471 preservation fund and the proceeds shall be used to purchase additional  
472 development rights and agricultural conservation easements on additional  
473 farmland within the county.  
474

#### 475 **Section 10: Determining the Value of the Agricultural Conservation Easement**

476 A. The County Agricultural Preservation Board shall establish a points-based  
477 appraisal method and formula for determining the value of the agricultural  
478 conservation easement prior to each application cycle. The points-based  
479 appraisal method, as authorized under P.A. 262 of 2000, reduces administration  
480 costs, is much more time efficient, provides a consistent and objective value for  
481 all applicants and allows property owners to determine the value of the  
482 agricultural conservation easement prior to submitting an application. The  
483 formula shall establish a Base Value based on the parcel's soil characteristics,  
484 size and proximity to other protected farmland. The Base Value shall be  
485 increased if the parcel qualifies for a market value adjustment based on the  
486 parcel's location within the county and the amount of road frontage. In  
487 determining the market value adjustment, an average of actual vacant land sales  
488 of parcels over 20 acres in size zoned for agricultural purposes sold during the  
489 prior three years shall be determined for each township. The parcel may also  
490 qualify for a premium based on its proximity to sewer and water as determined  
491 by a formula established by the County Agricultural Preservation Board. The  
492 County Agricultural Preservation Board shall review the points-based appraisal  
493 method at the end of each application cycle, and compare agricultural  
494 conservation easement values relative to actual fair market sales in the county.  
495

496 B. The property owner may obtain, within a reasonable time frame, an appraisal of  
497 the development rights from a State Certified Appraiser at the property owner's  
498 expense. The appraisal may calculate the value of the development rights as  
499 the difference between the fair market value of the property with all development  
500 rights intact and the value of the property for agricultural use with an agricultural  
501 conservation easement in place. The County Agricultural Preservation Board  
502 may establish guidelines, consistent with state standards, for the State Certified  
503 Appraiser to use in determining the fair market value or the agricultural value.  
504

505 C. The County Agricultural Preservation Board shall approve the price to be offered  
506 and paid for the agricultural conservation easement. If the property owner  
507 obtains an independent appraisal, the County Agricultural Preservation Board  
508 may elect to renegotiate the initial offer based on qualified circumstances.  
509

510 D. The property owner may be paid a cash payment or offered an installment  
511 purchase contract, or a combination of both.  
512

#### 513 **Section 11: Related Costs**

514 The cost of services ordered by the County Agricultural Preservation Board in relation  
515 to the County's Farmland Preservation Program shall be paid from all available  
516 farmland preservation program funding sources within the County, including state and  
517 federal matching funds, which may include the cost of appraisal, engineering,

518 surveying, planning, financial, legal, environmental assessments, title searches,  
519 developing baseline assessments and monitoring easements. The County shall not be  
520 responsible for any expenses incurred by the property owner incident to this transaction  
521 that the County Agricultural Preservation Board has determined is the responsibility of  
522 the property owner, which may include title searches, appraisals, or surveying.

523

## 524 **Section 12: Farmland Preservation Fund**

525 A. Available funding for the County Farmland Preservation Program shall be  
526 deposited in a special farmland preservation fund. Money in such farmland  
527 preservation fund may be temporarily deposited in such institutions or invested in  
528 such obligations as may be lawful for the investment of county money. The  
529 revenues from the deposit and/or investment of the farmland preservation fund  
530 shall be applied and used solely for the purpose of purchasing development  
531 rights and agricultural conservation easements under this Ordinance, making  
532 payments obligated under installment purchase contracts; promoting farmland  
533 preservation programs, or paying for costs of administering or enforcing the  
534 County Farmland Preservation Program.

535

536 B. Supplemental or matching funds from private sources or other governmental  
537 agencies, including local municipalities, the State, or Federal Government, may  
538 *become available to pay a portion of the cost of acquiring development rights or*  
539 *agricultural conservation easements, or to supplement or enlarge such*  
540 *acquisitions. The County Board of Commissioners authorizes the County*  
541 *Agricultural Preservation Board to use such funds to purchase development*  
542 *rights of farmland and acquire agricultural conservation easements.*

543

544 C. The County, upon approval by the County Board of Commissioners, may finance  
545 the County Farmland Preservation Program through 1 or more of the following  
546 sources:

547

- 548 i. General appropriations by the county.
- 549 ii. Grants.
- 550 iii. Donations.
- 551 iv. General fund revenue.
- 552 v. Bonds or notes.
- 553 vi. Special assessments as permitted by law.
- 554 vii. Proceeds from the sale of development rights by the county under  
555 Section 9.
- 556 viii. Other sources approved by the County Board of Commissioners  
557 and permitted by law.

558

## 559 **Section 13: Amendments**

560 With the exception of section 9, this Ordinance may be amended, after receiving 2/3  
561 recommendation from the County Agricultural Preservation Board and by a 2/3 vote  
562 from the County Board of Commissioners.

563



564 **Section 14: Severability**

565 Any provision of this Ordinance which is found by a court of competent jurisdiction to be  
566 invalid, void or illegal shall in no way affect, impair or invalidate any other provision  
567 contained in the Ordinance and such other provisions shall remain in full force and  
568 effect.

569  
570 Date Adopted: March 24, 2004

571 Date Published:

572 Date Effective:

573

574

575 **Witnessed by:**

576

577   
578 Marilyn Dunn, County Clerk

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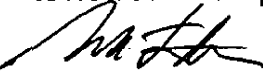
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**Approved by:**

  
Lee Masters, Chair - St. Clair County  
Board of Commissioners

581 **Reviewed and Approved as to Form by:**

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584 Gary A. Fletcher, Corporation Counsel

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**Resolution 04-06**

**Placing Proposed Millage Renewal for  
Drug Task Force on Ballot**

**Whereas**, the Board of Commissioners of the County of St. Clair recognizes the imminent danger to the health and safety of the community, most specifically our children and young people, that the distribution of illegal controlled substance poses; and

**Whereas**, it is further recognized that the employment of a Drug Task Force comprised of undercover police personnel and personnel from the Office of the Prosecuting Attorney can be an effective means of apprehending and removing from the community individuals involved in criminal activity; and

**Whereas**, such a Drug Task Force is a specialized unit created for a specific purpose and function not provided for within the structure of the County's law enforcement system; and

**Whereas**, Article IX, Section 6 of the Michigan Constitution of 1963 provides that the fifteen (15) mill limitation on property taxes therein imposed may be altered by a vote of the majority of the qualified electors of the County; and

**Whereas**, it is the desire of the Board of Commissioners to permit the electorate of the County to express its view on the question of continuation of funding for the operation of such a Drug Task Force.

**Now, Therefore, Be it resolved that:**

1. The Clerk of the County of St. Clair is hereby directed to place on the ballot for the primary election of August \_\_, 2004, a proposition to renew the imposition of an addition not to exceed 2.837 tenths (.0002837) of a mill to be used primarily for funding the operation of a Drug Task Force for a four year period, and that the proposition shall be placed on the ballot in the following form:

Proposition \_\_\_\_\_  
**RENEWAL OF THE DRUG INVESTIGATION AND  
PROSECUTION TASK FORCE MILLAGE**

Shall the current St. Clair County millage in excess of the constitutional tax limitation for the purpose of providing funds for the continuation of a Drug Task Force, comprised of personnel of and equipment from the St. Clair County Sheriff's Department and the Office of the Prosecuting Attorney of St. Clair County, to investigate and prosecute individuals involved in the distribution of illegal controlled substances and related offenses, be authorized in the amount of .2837 cents per one thousand (\$1,000.00) dollars (.0002837 mill) of the taxable valuation of all taxable property in St. Clair County, which is a renewal of the previously authorized millage as reduced pursuant to statute, for a period of four (4) years, 2004 through 2007, inclusive, raising revenues estimated at \$ \_\_\_\_\_ for 2004 if the millage is levied and collected?

2. Said election shall be held and conducted and the results of the said election shall be canvassed in accordance with the provisions of the State law pertaining to the submission of such questions to the electors entitled to vote thereon and that the County Clerk of St. Clair County and the Treasurer of St. Clair County shall do and perform all acts required by law for the calling and effecting of such election, and that the said Clerk shall within five (5) days of said election file with the County Treasurer for St. Clair County a certified copy of the official declaration of the results of said election.
3. The St. Clair County Board of Commissioners will establish a proposed budget prior to the election to serve as a base for the distribution of the additional levy in order to provide the specifics for the purpose of the ballot (with the understanding that future, unforeseen problems may require some budgetary readjustment between the public safety areas).

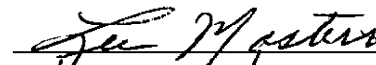

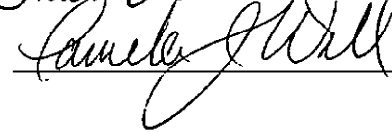
Adopted at a regular meeting of the Board of Commissioners of the County of St. Clair, on the 10<sup>th</sup> day of March, 2004.

**Dated: March 10, 2004**

Reviewed and Approved by:



\_\_\_\_\_  
Gary A. Fletcher  
Corporation Counsel  
522 Michigan Street  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
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\_\_\_\_\_

**RESOLUTION 04-05**

**RESOLUTION AMENDING A PART OF THE ST. CLAIR COUNTY  
EMPLOYEES' RETIREMENT SYSTEM ORDINANCE**

WHEREAS, St. Clair County provides retirement benefits to its retirees pursuant to the terms of the St. Clair County Employees' Retirement System Ordinance (the "Retirement System Ordinance"). The Retirement System Ordinance currently allows members to purchase credited service for military service within one year of achieving eight years of credited service; and

WHEREAS, the Board of Commissioners wishes to amend the Retirement System Ordinance to allow members to purchase credited service for military service at any time prior to retirement or termination of membership.

NOW, THEREFORE, BE IT RESOLVED THE RETIREMENT SYSTEM ORDINANCE IS AMENDED AS FOLLOWS:

1. Section 4.4 of the Retirement System Ordinance shall read:
  - (a) A member who enters any armed service of the United States shall be entitled to credited service for periods of active duty lasting 30 or more days, if each of the following conditions are satisfied:
    - (1) The member entered the armed service before June 1, 1980 or entered during a time of war or emergency condition on or after June 1, 1980;
    - (2) The individual is re-employed by the county within 1 year from and after the date of termination of active duty;
    - (3) The individual becomes a member and pays the retirement system the total amount of accumulated member contributions previously withdrawn, plus compound interest from the dates of withdrawal to the dates of repayment;
    - (3) The member has accumulated at least 8 years of credited service subject to applicable statutes;
    - (4) The member pays the retirement system 5% of the member's annual full-time rate of compensation at the time of payment multiplied by the period of service being purchased;
    - (5) Credited service shall not be granted for periods of military service which are or could be used for obtaining or increasing a benefit from another retirement system;
    - (6) No more than 5 years of credited service shall be granted on account of all military service of the member;
  - (b) The credited service for military service under subsection (a) above shall not be considered actual years of credited service for eligibility of health benefits under Article X.

2. Section 4.5 of the Retirement System Ordinance shall read:

(a) A member who has served in any armed service of the United States shall be entitled to credited service for periods of active duty lasting 30 or more days, if each of the following conditions are satisfied:

- (1) The member has at least 8 years of credited service not including any credited service acquired for intervening military service under the provisions of Section 4.4;
- (2) The member pays the retirement system 5% of the member's annual, full-time rate of compensation at time of payment multiplied by the period of service being purchased;
- (3) Armed service credited a member under this paragraph shall not exceed the smaller of 2 years and the difference between 5 years and the intervening armed service credited the member under Section 4.4;
- (4) Credited service shall not be granted for periods of military service which are or could be used for obtaining or increasing a benefit from another retirement system;
- (5) The member entered the armed service before June 1, 1980 or entered during a time of war or emergency condition on or after June 1, 1980.

(b) The credited service for military service under subsection (a) above shall not be considered actual years of credited service for eligibility of health benefits under Article X.

3. Except as amended by this Ordinance, the Retirement System Ordinance shall remain in full force and effect.

4. This Ordinance shall become effective April 1, 2004.

**DATED: February 25, 2004**

Reviewed and Approved by:

Mark Clark *for GAF*  
 Gary A. Fletcher  
 Corporation Counsel  
 522 Michigan Street  
 Port Huron, Michigan 48060

Patricia Duda  
Carol J. Duda  
Thomas Kelly

**ST. CLAIR COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION 04-03**

**OPPOSING COLLECTION OF STATE MINIMUM FEES**

**WHEREAS**, the State of Michigan has imposed upon Michigan Courts the State Minimum Fees; and

**WHEREAS**, these fees are collected on juvenile and adult criminal defendants for each crime; and

**WHEREAS**, the State requires the courts to collect these monies before any other monies due the counties for its reimbursement schedules, therefore disrupting County collections and effecting projected revenues; and

**WHEREAS**, the Counties bring frequent enforcement action against defendants who fail to pay on these costs resulting in additional expenditure of County monies for the collection of State monies; and

**WHEREAS**, the State does not share a percent of these collections as administrative costs for Counties to help offset the cost of these fees.

**THEREFORE BE IT RESOLVED** that all Michigan Counties recognize the unfairness of this collection practice and contact Governor Granholm and local representatives to have this collection either amended or eliminated.

**FURTHERMORE BE IT RESOLVED** that a copy of this resolution be sent to all counties, Michigan Association of County, Governor Granholm and our state legislators.

**Dated: February 25, 2004**

Reviewed and approved as to form by:

Mark Clark Per GAE  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan Ave.  
Port Huron, MI 48060

Patricia Angell  
Carole Jensen  
Thomas Kelly

**Resolution 04-02**

**Placing Proposed Millage Renewal for County Parks and Recreation  
on August Primary Ballot**

**Whereas**, the Board of Commissioners of the County of St. Clair recognizes the benefits that quality parks and recreation programs provide to St. Clair County residents and their guests; and

**Whereas**, the County, its residents and guests, have benefited greatly from the parks and recreation investments that were made possible by the County voter approved County Parks and Recreation Millage during the last ten years; and

**Whereas**, every community has benefited directly and indirectly from the County Parks and Recreation millage; and

**Whereas**, the County Parks and Recreation Millage has allowed the County Parks and Recreation Commission and almost every local unit of government to leverage additional funds from government and private grant programs; and

**Whereas**, the St. Clair County Master Recreation Plan identifies additional goals that still need to be addressed.

**Now Therefore Be It Resolved** that the Clerk of the County of St. Clair is hereby directed to place on the ballot for the primary election of August 3, 2004, a proposition to renew the County Parks and Recreation millage at 4956 tenths (0.4956) of a mill to be used for county parks and recreation purposes in accordance with the County Master Recreation Plan for a 6 year period, and that the proposition shall be placed on the ballot in the following form:

**RENEWAL OF THE COUNTY PARKS  
AND RECREATION MILLAGE**

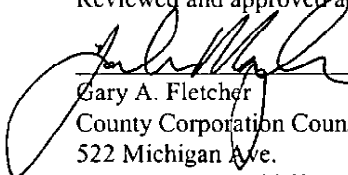
Shall the current St. Clair County millage in excess of the constitutional tax limitation for the purpose of acquiring, developing, and maintaining parks and recreational facilities in St. Clair County in accordance with the parks and recreation plan, as adopted and amended; be authorized in the amount of 49.56 cents per one thousand (\$1,000.00) dollars (.4956 mill) of the taxable valuation of all taxable property in St. Clair County, which is a renewal of the previously authorized millage as reduced pursuant to statute, for a period of six (6) years, 2004 through 2009, inclusive, raising revenues estimated at \$ \_\_\_\_\_ for 2004 if the millage is levied and collected?


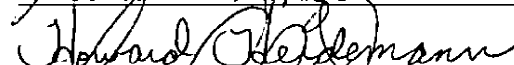
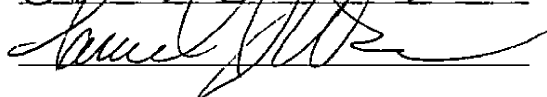
**And Be It Further Resolved** that said election shall be held and conducted and the results of said election shall be canvassed in accordance with the provisions of the State law pertaining to the submission of such questions to the electors entitled to vote thereon and that the County Clerk of St. Clair County and the Treasurer of St. Clair County shall do and perform all acts required by law for the calling and effecting of such election, and that said Clerk shall within five (5) days of said election file with the County Treasurer for St. Clair County a certified copy of the official declaration of the results of said election.

Adopted at a regular meeting of the Board of Commissioners of the County of St. Clair, on the 28<sup>th</sup> day of January, 2004.

**Dated: January 28, 2004**

Reviewed and approved as to form by:

  
\_\_\_\_\_  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan Ave.  
Port Huron, MI 48060

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

RESOLUTION 04-01  
BOND AUTHORIZING RESOLUTION  
GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2004

County of St. Clair, State of Michigan

Minutes of a regular meeting of the Board of Commissioners of the County of St. Clair, State of Michigan, held on January 28, 2004, at 6 o'clock p.m., Eastern Standard Time.

PRESENT: Members Anger, Heidemann, Pavlov, Reilly, Wall and Masters

ABSENT: Members Kearns

The following preamble and resolution were offered by Member Pavlov and supported by Member Heidemann:

WHEREAS, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), authorizes the County of St. Clair, State of Michigan (the "Issuer") to refund all or any part of its outstanding securities; and

WHEREAS, the Building Authority of St. Clair County (the "Authority") has previously issued its Building Authority Bonds General Obligation Limited Tax, Series 1996 in the original principal amount of \$11,000,000 (the "1996 Bonds"); and

WHEREAS, the Issuer and the Authority have entered into a certain Limited Tax Full Faith and Credit Contract of Lease dated as of June 26, 1996 (the "Contract"), by which the Issuer has agreed to pay Cash Rentals to the Authority in amounts sufficient to pay the debt service on the 1996 Bonds as and when due, and has pledged the Issuer's limited tax full faith and credit to such contractual obligation to pay Cash Rentals, and such Contract constitutes an "outstanding security" of the Issuer within the meaning of Act 34; and



WHEREAS, in order to achieve savings on its Cash Rental debt service payments for the outstanding 1996 Bonds, the Issuer tentatively determines that it is in the best interest of the Issuer to direct the Authority to refund all or a portion of the Authority's 1996 Bonds, maturing in the years 2007 to 2021, inclusive, in the principal amount of \$9,100,000 (the "Prior Bonds"); and

WHEREAS, to finance the cost of refunding all or a portion of the Prior Bonds and its obligation to pay Cash Rentals, the Issuer deems it necessary to borrow the principal sum of not to exceed Ten Million Five Hundred Thousand Dollars (\$10,500,000) and issue its refunding bonds therefor (the "Bonds"); and

WHEREAS, the Issuer has received a proposal from Oppenheimer & Co. Inc. (the "Underwriter") to purchase the Bonds pursuant to a negotiated sale.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bonds of the Issuer designated General Obligation Limited Tax Refunding Bonds, Series 2004 (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Ten Million Five Hundred Thousand Dollars (\$10,500,000) for the purpose of paying the costs of refunding all or a portion of the Prior Bonds, including the costs incidental to the issuance, sale and delivery of the Bonds, as determined at the time of sale of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration from 1 upwards. The Bonds will be dated as of the date of delivery (or such other date as determined at the time of sale thereof) and be payable on April 1 in the years 2005 to 2021, inclusive (or such other dates or years as determined at the time of sale), in the annual amounts determined at the time of sale.

The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, but in any event not to exceed six percent (6%) per annum, payable on October 1, 2004 (or such other date as determined at the time of sale thereof), and semiannually thereafter, by check or draft mailed by the Transfer Agent (as hereinafter defined) to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future.

Bonds of this issue shall be subject to redemption prior to redemption at the times, at the prices and in the manner as determined at the time of sale hereof.

2. The Bonds of this issue shall be executed in the name of the Issuer with the facsimile signatures of the Chairperson of the Board of Commissioners of the Issuer (the "Chairperson") and the County Clerk of the Issuer (the "County Clerk") and shall have the seal of the Issuer, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The principal of the Bonds shall be payable at the designated office of J.P. Morgan Trust Company, National Association, Detroit, Michigan, which is hereby designated as transfer agent for the Bonds (the "Transfer Agent").

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York ("DTC") and any officer of the Issuer 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 Bond form within the parameters of this Resolution as may be required to accomplish the foregoing.

3. The Transfer Agent shall keep the books of registration for this issue on behalf of

the Issuer. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's 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 Issuer shall execute and 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.

4. The Treasurer is hereby authorized to open a separate depository account with a bank or trust company designated GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2004 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the year 2004, there shall be levied upon the tax rolls of the Issuer for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 34, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund.

5. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds

and to secure payment of the Prior Bonds as provided in this paragraph. 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 for the Bonds. From the proceeds of the Bonds there shall next be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2004 ISSUANCE FUND (the "Issuance Fund"). Moneys in the Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds.

The balance of the proceeds of the Bonds together with any moneys transferred by the Issuer at the time of sale of the Bonds from the debt retirement fund for the Prior Bonds and any other lawfully available funds of the Issuer, shall be held as cash or invested in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Fund") and used to pay principal, interest and redemption premiums on the Prior Bonds. The Escrow Fund shall be held by J.P. Morgan Trust Company, National Association, Detroit, Michigan, who is hereby appointed to act as escrow agent (the "Escrow Agent") pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the Escrow Agent to take all necessary steps to call for redemption any Prior Bonds specified by the Issuer upon sale of the Bonds, including publication and mailing of redemption notices, on any call date, as specified by the Issuer. The investments held in the Escrow Fund shall be such that the principal and interest payments received thereon will be sufficient, without reinvestment, to pay the principal, interest and redemption premiums on the Prior Bonds when due or upon redemption as required by this

paragraph. Following establishment of the Escrow Fund, any amounts remaining in the debt retirement funds for the Prior Bonds shall be transferred to the Debt Retirement Fund for the Bonds.

6. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF ST. CLAIR  
GENERAL OBLIGATION LIMITED TAX REFUNDING BOND  
SERIES 2004

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
Registered Owner:	April 1, _____	_____, 2004	
Principal Amount:			Dollars

The County of St. Clair, State of Michigan (the "Issuer"), 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, with interest thereon until paid from the Date of Original Issue specified above or such later date to which interest has been paid, unless prepaid prior thereto or hereinafter provided, at the Interest Rate per annum specified above, first payable on October 1, 2004 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of J.P. Morgan Trust Company, National Association, Detroit, Michigan, or such other transfer agent as the Issuer 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 15th day of the month preceding the interest payment date as shown on the registration books of the Issuer kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$\_\_\_\_\_, issued for the purpose of defraying the costs of refunding all or part of the Limited Tax Full Faith and Credit Contract of Lease dated as of June 26, 1996, by and between the Issuer and the Building Authority of St. Clair County (the "Authority"), pursuant to which the Authority's Building Authority Bonds General Obligation Limited, Series 1996, were issued, in accordance with a resolution duly adopted by the Board of Commissioners of the Issuer on \_\_\_\_\_, 2004.

[Redemption provisions, if any, as specified upon the sale of the Bonds].

This bond is transferable only upon the registration books of the Issuer kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the

same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond is payable out of the Issuer's Debt Retirement Fund for this issue and in order to make such payment, the Issuer is required each year to levy taxes on all taxable property within the boundaries of the Issuer for such payment subject to applicable constitutional and statutory limitations.

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 Issuer, 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 Issuer, by its Board of Commissioners, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Chairperson and County Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

COUNTY OF ST. CLAIR  
State of Michigan

By: Lee Masters  
Lee Masters  
Its: Chairperson

(Seal)

Countersigned:

By: Marilyn Dunn  
Marilyn Dunn  
Its: County Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

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

J.P. Morgan Trust Company,  
National Association,  
Detroit, Michigan  
Transfer Agent

By: \_\_\_\_\_

Authorized: \_\_\_\_\_

DATE OF REGISTRATION:



(Form of Assignment)

**ASSIGNMENT**

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
(Please print or typewrite name and address of transferee)

the within bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

\_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: The signature(s) to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of such person's authority to act must accompany the bond.

Signature(s) must be guaranteed by a commercial bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges. The Transfer Agent will not effect transfer of this bond unless the information concerning the transferee requested below is provided.

PLEASE INSERT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER OF TRANSFEREE.

[Empty rectangular box for social security number]

(Insert number for first named transferee if held by joint account.)

Name and Address: \_\_\_\_\_

\_\_\_\_\_

(Include information for all joint owners if the bond is held by joint account.)

7. The Issuer shall, to the extent permitted by law, take all actions within its control necessary to maintain the exemption of the interest on the Bonds from general federal income taxation (as opposed to any alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

8. The Issuer agrees to enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds pursuant to Rule 15c2-12 of the U.S. Securities and Exchange Commission and the County Administrator is hereby authorized to execute such undertaking in substantially the form attached hereto as Exhibit A prior to delivery of the Bonds.

9. The Board of Commissioners has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, determines that a negotiated sale of the Bonds to the Underwriter will result in the most efficient and expeditious means of selling the Bonds and will result in the lowest interest cost to the Issuer.

10. The County Administrator (the "County Administrator") and Deputy Controller (the "Deputy Controller") of the Issuer are each hereby authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if, upon the advice of the Issuer's financial consultant, the acquisition of such insurance would be of economic benefit to the Issuer; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery

of the Bonds as contemplated herein.

11. The County Administrator and Deputy Controller are each authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, the portion or portions of the Prior Bonds to be refunded, and other matters, within the parameters established by this Resolution, pursuant to a Bond Purchase Agreement with the Underwriter; *provided* that the County Administrator and Deputy Controller shall find and determine that a net present value savings of at least \$250,000 shall exist as a result of the issuance of the Bonds and said refunding. The County Administrator is authorized on behalf of the Issuer to execute a sales order approving the final terms of the Bonds and execute a Bond Purchase Agreement with the Underwriter, all in accordance with the provisions of this Resolution. The Chairperson, County Clerk, County Administrator, Deputy Controller and County Treasurer of the Issuer are each authorized to do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Bonds.

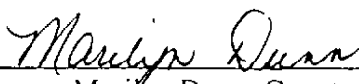
12. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Members Anger, Heidemann, Pavlov, Reilly, Wall and  
Masters

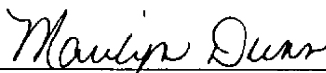
NAYS: Members None

ABSENT: Members Kearns

RESOLUTION DECLARED ADOPTED.

  
\_\_\_\_\_  
Marilyn Dunn, County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of St. Clair, State of Michigan, at a regular meeting held on January 28, 2004, 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.

  
\_\_\_\_\_  
Marilyn Dunn, County Clerk

## Exhibit A

### CONTINUING DISCLOSURE UNDERTAKING

This Continuing Disclosure Undertaking (the "Undertaking") is executed and delivered by the County of St. Clair, State of Michigan (the "County"), in connection with the issuance of its \$ \_\_\_\_\_ General Obligation Limited Tax Refunding Bonds, Series 2004 (the "Bonds"). The County covenants and agrees for the benefit of the Bondholders, as hereinafter defined, as follows:

(a) *Definitions.* The following terms used herein shall have the following meanings:

"Audited Financial Statements" means the annual audited financial statement pertaining to the County prepared by an individual or firm of independent certified public accountants as required by Act 2, Public Acts of Michigan, 1968, as amended, which presently requires preparation in accordance with generally accepted accounting principles.

"Bondholders" shall mean the registered owner of any Bond or any person (a) with the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bond (including any person holding a Bond through a nominee, depository or other intermediary) or (b) treated as the owner of any Bond for federal income tax purposes.

"MSRB" means the Municipal Securities Rulemaking Board.

"NRMSIR" means each nationally recognized municipal securities information repository as designated by the SEC in accordance with the Rule.

"Rule" means Rule 15c2-12 promulgated by the SEC pursuant to the Securities Exchange Act of 1934, as amended.

"SEC" means the United States Securities and Exchange Commission.

"SID" means the state information depository for the State of Michigan as designated by the SEC in accordance with the Rule.

(b) *Continuing Disclosure.* The County hereby agrees, in accordance with the provisions of the Rule, to provide or cause to be provided to each NRMSIR and to the SID for the State of Michigan ("SID"), on or before the last day of the 6th month after the end of the fiscal year of the County, the following annual financial information and operating data, commencing with the fiscal year ended December 31, 2003:

(1) Updates of the numerical financial information and operating data included in the official statement of the County relating to the Bonds (the "Official Statement") appearing in the Tables in the Official Statement as described below **[CONFORM TO ACTUAL HEADINGS USED]**:

- a. History of Property Valuations - Current year state equalized valuation ("SEV") and taxable value ("TV");
- b. Taxable Value by Governmental Unit, By Class and By Use - Analysis of current year TV by class;
- c. Major Taxpayers - Current year major taxpayers and current year TV thereof;
- d. Tax Rates - Current year tax rates;
- e. Tax Rate Limitations - Current year tax rate limitations;
- f. Tax Levies and Collections - Current year tax levy and collections;
- g. Revenues from the State of Michigan – Current year revenue sharing payments;
- h. Debt Statement - Update as of current year;
- i. Statement of Legal Debt Margin - Update as of current year; and

(2) Audited Financial Statements; provided, however, that if the Audited Financial Statements are not available by the date specified above, they shall be provided when available and unaudited financial statements in a format similar to the financial statements contained in the Official Statement will be filed by such date and the Audited Financial Statements will be filed as soon as available.

Such annual financial information and operating data described above are expected to be provided directly by the County in the following documents to be filed with each NRMSIR and the SID, if any: the Audited Financial Statements; materials containing the updates described in (b)(1) above; and in subsequent official statements of the County filed with the MSRB.

If the fiscal year of the County is changed, the County shall send notices of such change to each NRMSIR or the MSRB, and to the SID, prior to the earlier of the ending date of the fiscal year prior to such change or the ending date of the fiscal year as changed.

(c) *Notice of Failure to Disclose.* The County agrees to provide or cause to be provided, in a timely manner, to (i) each NRMSIR or the MSRB and (ii) the SID, notice of a failure by the County to provide the annual financial information with respect to the County described in subsection (b) above on or prior to the dates set forth in subsection (b) above.

(d) *Occurrence of Events.* The County agrees to provide or cause to be provided in a timely manner to (i) each NRMSIR or the MSRB and (ii) the SID, if any, notice of the occurrence of any of the following events listed in (b)(5)(i)(C) of the Rule with respect to the Bonds, if applicable, if material:

- (1) principal and interest payment delinquencies
- (2) non-payment related defaults
- (3) unscheduled draws on debt service reserves reflecting financial difficulties
- (4) unscheduled draws on credit enhancements reflecting financial difficulties

- (5) substitution of credit or liquidity providers, or their failure to perform
- (6) adverse tax opinions or events affecting the tax-exempt status of the security
- (7) modifications to rights of security holders
- (8) bond calls
- (9) defeasances
- (10) release, substitution, or sale of property securing repayment of the securities
- (11) rating changes

(e) *Materiality Determined Under Federal Securities Laws.* The County agrees that its determination of whether any event listed in subsection (d) is material shall be made in accordance with federal securities laws.

(f) *Termination of Reporting Obligation.* The obligation of the County to provide annual financial information and notices of material events, as set forth above, shall be terminated if and when the County no longer remains an “obligated person” with respect to the Bonds within the meaning of the Rule, including upon legal defeasance of all Bonds.

(g) *Benefit of Bondholders.* The County agrees that its undertaking pursuant to the Rule set forth in this Undertaking is intended to be for the benefit of the Bondholders and shall be enforceable by any Bondholder; provided that, the right to enforce the provisions of this Undertaking shall be limited to a right to obtain specific enforcement of the County’s obligations hereunder and any failure by the County to comply with the provisions of this Undertaking shall not constitute a default or an event of default with respect to the Bonds.

(h) *Amendments to the Undertaking.* Amendments may be made in the specific types of information provided or the format of the presentation of such information to the extent deemed necessary or appropriate in the judgment of the County, provided that the County agrees that any such amendment will be adopted procedurally and substantively in a manner consistent with the Rule, including any interpretations thereof by the SEC, which, to the extent applicable, are incorporated herein by reference. Such interpretations currently include the requirements that (a) the amendment may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the County or the type of activities conducted thereby, (b) the undertaking, as amended, would have complied with the requirements of the Rule at the time of the primary offering of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances, and (c) the amendment does not materially impair the interests of Bondholders, as determined by parties unaffiliated with the County (such as independent legal counsel), but such interpretations may be changed in the future. If the accounting principles to be followed by the County in the preparing of the Audited Financial Statements are modified, the annual financial information for the year in which the change is made shall present a comparison between the financial statements as



prepared on the prior basis and the statements as prepared on the new basis, and otherwise shall comply with the requirements of the Rule, in order to provide information to investors to enable them to evaluate the ability of the County to meet its obligations. A notice of the change in accounting principles shall be sent (i) to each NRMSIR or the MSRB and (ii) the SID.

IN WITNESS WHEREOF, the County has caused this Undertaking to be executed by its authorized officer.

COUNTY OF ST. CLAIR  
State of Michigan

By \_\_\_\_\_

Troy L. Feltman

Its County Administrator/Controller

Dated: \_\_\_\_\_, 2004

DELIB:2475816.4\078015-00078

*Failed*  
ST. CLAIR COUNTY BOARD OF COMMISSIONERS

*Did not pass  
on Roll call  
2/26/04*

**RESOLUTION 04-04**

**SUPPORT OF LANDFILL SURCHARGE**

**WHEREAS**, The Michigan State Senate’s Beverage Container and Recycling Task Force Report recommends that Michigan launch a comprehensive effort to improve its 20% recycling rate and finds that such a project will require a regular source of dedicated funding; and

**WHEREAS**, the Task Force has identified a state imposed surcharge of up to \$3 per ton on all residential and commercial waste disposed of in Michigan’s Type II sanitary landfills as the primary option for financing this effort; and

**WHEREAS**, legislation has been introduced in both the State House and Senate which would assess a \$3 per ton surcharge on landfill waste, stipulating that generated revenue be deposited in a state waste diversion fund, then disbursed to counties for new and existing recycling programs, with a small amount set aside for state coordinated diversion efforts; and

**WHEREAS**, a portion of the money for counties would be distributed in equal shares to all counties in the state, while the remainder would be distributed based on population; and

**WHEREAS**, counties, already statutorily designated as the entities responsible for solid waste management planning and strategically situated for advancing local and regional coordination, are the appropriate governmental agencies to receive these surcharge funds; and

**WHEREAS**, waste delivered to most landfills in Michigan, regardless of origin, is already subject to surcharges through host community agreements (HCAs), with associated revenues benefiting only the community or county where the landfill is located and often without limitation as to how the funds may be spent; and

**WHEREAS**, under the current circumstances, counties with landfills have substantial resources available to support recycling programs while counties without landfills, whose residents are contributing to landfill surcharge revenues through payments for waste disposal, derive no share of the benefit whatsoever; and

**WHEREAS**, the proposed surcharge is a user fee, in that users of the system would pay in proportion to their volume of disposed waste and would have an incentive to reduce that volume through increased participation in recycling programs; and

**WHEREAS**, a statewide surcharge could be conceived and implemented in a manner which would protect existing HCAs and complement local recycling assessments, while restoring fairness to the system and providing a base level of recycling revenue for every county in the state; and

**WHEREAS**, twenty-five other states in the U.S. now have statutes requiring surcharges on solid waste, ranging from \$0.25 per ton to \$10 per ton, including all of Michigan's immediate neighbors, whose rates vary from \$0.60 per ton to \$3.75 per ton; and

**WHEREAS**, at a time when Michigan's communities are facing difficult budgetary challenges, the State Legislature is acting on several bills which will expand local responsibilities and financial obligations for waste management and recycling efforts;

**THERE IT BE RESOLVED** that, in order to provide a stable funding mechanism for a substantial improvement in waste reduction programs, we urge that the State Legislature approve, and the Governor sign, a bill which would impose a \$3 per ton surcharge on solid waste landfilled in Michigan, earmarking all revenues for waste reduction programs and providing that most of the money be disbursed to counties under the formula described above.

**BE IT FURTHER RESOLVED** that copies of this resolution be forwarded to villages and townships of St. Clair County, Boards of Commissioners of other counties, Michigan Department of Environmental Quality, State Legislators, Governor Granholm, Michigan Association of Counties, Michigan Municipal League and the Michigan Township Association.

**Dated: February 25, 2004**

Reviewed and approved as to form by:

Mark Clark (RB CLF)  
Gary A. Fletcher  
County Corporation Counsel  
522 Michigan Ave.  
Port Huron, MI 48060

*Patricia Anderson*  
*Carole G. Purcell*  
*Thomas Kelly*

*Mailed*