

RESOLUTION 14-40

**RESOLUTION TO SUPERSEDE RESOLUTION 14-23
PURCHASE OF PROPERTY – 318 GRAND RIVER AVENUE**

WHEREAS, the St. Clair County Library and the St. Clair County Parks governing boards authorized the contribution of fund balance monies of their respective departments for the purchase; and

WHEREAS, the St. Clair County Board of Commissioners resolved to allow the requested purchase using funds contributed by the respective departments in Resolution 14-23; and

WHEREAS, after the purchase of the property by the County of St. Clair, concerns were expressed by some citizens and public officials questioning the appropriateness of the expenditures for the property purchase; and

WHEREAS, the St. Clair County Board of Commissioners requested and received a formal legal opinion concluding that the use of fund balance by the St. Clair County Library Board for the purchase was a legal expenditure and recommending that the purchase should be charged to non-millage fund balance; and

WHEREAS, both at the time of the purchase and at present, the County of St. Clair has funds presently budgeted for the purchase of property without contribution by the St. Clair County Library and the St. Clair County Parks; and

WHEREAS, the St. Clair County Board of Commissioners desires to take adequate steps to satisfy any concerns that the monies contributed by the St. Clair County Library and the St. Clair County Parks were not appropriately expended by the governing Boards of those departments.

NOW, THEREFORE, BE IT RESOLVED, that the St. Clair County Library and St. Clair County Parks and Recreation Boards shall be offered the option to rescind the Memorandum Agreement between the County Board and the Library and Park's Boards under which such boards approved the funding of the purchase of 318 Grand River Avenue for future use by the Library and Parks. If either or both boards elect to rescind the agreement concerning the acquisition of 318 Grand River Avenue, the County will return the funds to the rescinding board(s) which shall be paid from the County capital purchases fund. If either of the two boards, or both, elect to rescind the prior agreement, the County shall be free to use their portion of 318 Grand River Avenue, or the entire parcel if both rescind, as the County sees fit.

Dated: September 18, 2014

Reviewed and Approved by:

Board of Commissioners:



GARY FLETCHER
County Corporation Counsel
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