STATE OF MICHIGAN
COUNTY OF EATON ROLL CALL AND VOTES IN BOARD OF COMMISSIONER'S
January 16 SESSION A.D. 2013

ROLL CALL

Absent / Present			ON MOTION TO ~~DCA 1-13-1~~		ON MOTION TO ~~Bond Authorizing Resolution~~		ON MOTION TO ~~County Drain Bonds~~	
A.M.	P.M.	COMMISSIONERS	AYE	NAY	AYE	NAY	AYE	NAY
	✓	MICHAEL HOSEY						
	✓	TERRANCE AUGUSTINE						
	✓	HOWARD T. SPENCE						
	✓	JAMES OSIECZONEK						
	✓	JANE M. WHITACRE						
	✓	GLENN H. FREEMAN III						
	✓	JOSEPH C. BREHLER						
	✓	WALTER MIARS						
	✓	ROGER EAKIN						
	✓	WAYNE RIDGE						
	✓	L. DARYL BAKER						
	✓	DALE BARR						
	✓	JEREMY WHITTUM						
	✓	ROGER HARRIS						
	✓	BLAKE MULDER						

EATON COUNTY BOARD OF COMMISSIONERS
JANUARY 16, 2013

The Eaton County Board of Commissioners met in regular session at the County Facilities in the City of Charlotte, Monday, January 16, 2013.

Chairman Mulder called the meeting to order at 7:00 PM.

Pledge of Allegiance was given by all.

Invocation was given by Commissioner Eakin.

Roll call. Commissioners present; Michael Hosey, Blake Mulder, Terrance Augustine, Howard T. Spence, James Osieczonek, Jane M. Whitacre, Glenn Freeman, Joseph Brehler, Walter Miars, Roger Eakin, Wayne Ridge, L. Daryl Baker, Dale Barr, Jeremy Whittum, Roger Harris. Commissioners absent: None

Chairman Mulder asked for amendments to the agenda. Commissioner Eakin added item #5, Resolution to Authorize Pledge of County of Eaton's Full Faith and Credit for Eaton County Drain Bonds (Burrell Intercounty Drainage District) to the Ways and Means Committee report.

Commissioner Eakin moved the agenda be approved as amended. Seconded by Commissioner Barr. Carried.

Commissioner Barr moved the minutes of December 19, 2012 be approved as presented. Seconded by Commissioner Augustine. Carried.

Communications: none

Public Comment. Randall Tooker, 3607 Doane Highway, Grand Ledge, Michigan, spoke regarding Eaton County Historical Commission Grants of 2012. He acknowledged Heritage Award winners Paul Arnold and Allen Gardner. Mr. Tooker presented a Special Tribute from the Michigan State Legislature in celebration of Eaton County's 175th anniversary. Commissioner Mulder thanked Mr. Tooker and the Historical Commission for their continuing efforts.

Commissioner Whittum moved the approval of Resolution 13-1-3 to authorize application for an Interoperable Emergency Communications Grant.

WHEREAS, the Michigan State Police Emergency Management and Homeland Security Division has grant funds available through the U.S. Department of Homeland Security through the Region One Planning Board; and

WHEREAS, the purpose is to strengthen emergency responder communications and public notification capabilities through specialized training hosted by the Sheriff's Office for individuals assigned to the Communications Unit under the Incident Command System; and

WHEREAS, the total Eaton County allocation is $25,000 with no required matching funds; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves Eaton County's participation in the Interoperable Emergency Communication Grant; and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the granting agency; and

BE IT FURTHER RESOLVED, that the Chairperson or his designee is authorized to sign any necessary documents pertaining to the County's participation.

Seconded by Commissioner Harris. Carried.

Commissioner Whittum moved the approval of Resolution 13-1-4 to authorize the jail telephone system service contract extension.

WHEREAS, Eaton County previously entered into a contract for inmate telephone services within the Eaton County Jail; and

WHEREAS, the current contract expires in April 2013; and

WHEREAS, the Sheriff Department and Controller's Office is recommending the continuation of service with the current provider, Securus; and

WHEREAS, the Public Safety Committee reviewed and discussed the recommendation at its meeting January 3, 2013; and

WHEREAS, the Public Safety Committee is recommending the approval of a one year contract extension with Securus, with the same contractual terms and conditions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Commissioners approves a one year contract extension for jail inmate telephone services at the Eaton County Jail with Securus.

Seconded by Commissioner Ridge. Nays; Commissioners Brehler, Freeman and Augustine. Carried.

Commissioner Baker moved the approval of DCA 01-13-1

WHEREAS, DG Nelson Development Corp, L.L.C., initiated a petition to change the Land Development District (zoning) designation for a parcel at 651 S. Michigan Road, Section 13, Eaton Rapids Township from Local Business (C-1) to General Business (C-2); and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on January 8, 2013; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A-G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on January 8, 2013 to recommend the approval of the request for change in the Land Development District designation.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by DG Nelson Development Corp, L.L.C., for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a parcel of land at 651 S. Michigan Road, Section 13, Eaton Rapids Township from Local Business (C-1) to General Business (C-2);

COM ON E LINE M-99 HWY 975.7 FT S OF E & W 1/4 LINE, N 85DEG 53MIN E 104.3 FT, S 74DEG 31MIN E 103.58 FT, S 33.95 FT, N 88DEG 28MIN E 463.1 FT TO W BANK OF GRAND RIVER, NLY & ELY ALONG BANK OF RIVER TO A LINE RUNNING W TO SECTION LINE & S TO BEG. ENCLOSES TEN ACRES, W TO W LINE OF SEC. 13, S TO BEG. SEC. 13, T2N R3W, EATON RAPIDS TOWNSHIP

Seconded by Commissioner Freeman. Carried.

Commissioner Baker moved the approval of Resolution #13-1-5 to continue membership in the Greater Lansing Regional Commmittee for Stormwater Management and the Memorandum of Agreement.

WHEREAS, Eaton County has been a member of the Greater Lansing Regional Committee (GLRC) for Stormwater Management since 2003; and
WHEREAS, participation in the GLRC advances local efforts to improve responsible stewardship of natural resources; and
WHEREAS, participation in the GLRC allows for the cooperative management of the watersheds in which Eaton County is located; and
WHEREAS, the GLRC assists Eaton County in complying with the regulatory requirements promulgated by the Michigan Department of Environmental Quality Municipal Separate Storm Sewer System (MS4) stormwater discharge permit; and
WHEREAS, the Board of Commissioners now wishes to approve the Memorandum of Agreement (as revised on December 13, 2012) and commit itself and Eaton County to continued participation in the GLRC; and
WHEREAS, Eaton County appoints Drain Commissioner Richard Wagner to serve as the Eaton County representative to the GLRC.
NOW, THEREFORE, BE IT RESOLVED THAT, Eaton County hereby approves the Memorandum of Agreement and continued membership in the GLRC.

Seconded by Commissioner Whitacre. Carried.

Commissioner Eakin moved the approval of Resolution #13-1-6 Bond Authorizing Resolution.

WHEREAS, Act No. 51, Public Acts of Michigan, 1951, as amended ("Act 51"), authorizes a county to borrow money and issue bonds to pay all or any portion of the cost of the construction or reconstruction of highways, including limited access highways, which by law a county road commission is authorized to construct or reconstruct, or participate with any other county road commission, city, or village in the construction or reconstruction of, including the construction or the enlargement, reconstruction, or relocation of existing highways and the acquisition of necessary rights-of-way for those highways, and all work incidental to the construction or reconstruction, and to pledge for the payment thereof future revenues derived from state-collected taxes returned to such county for county road purposes pursuant to law; and
WHEREAS, Eaton County (the "County") previously issued its $5,500,000 Michigan Transportation Fund Bonds, Series 2003 dated July 1, 2003 (the "Prior Bonds"); and
WHEREAS, the County has been advised that the Prior Bonds can be refunded through the issuance of a new series of bonds which will result in debt service savings to the County; and

WHEREAS, the issuance of refunding bonds to refund the Prior Bonds is authorized by Act No. 34, Public Acts of Michigan, 1951, as amended ("Act 34"); and
WHEREAS, the Eaton County Road Commission, by resolution dated January 8, 2013, has recommended the adoption of this Bond Authorizing Resolution.
NOW, THEREFORE, be it resolved by the Board of Commissioners of Eaton County that:

1. Bond Details. Bonds of the County in the maximum aggregate principal amount of $2,750,000 (the "Bonds" or the "Refunding Bonds"), subject to final determination by an Authorized Officer, shall be issued for the purpose of refunding all or a portion of the Prior Bonds (the Prior Bonds to be refunded with the proceeds of the Refunding Bonds are referred to herein as the "Bonds To Be Refunded"). The Bonds shall be issued in substantially the form of Exhibit A hereto, with such changes, modifications and additions as may be approved by the Chairperson of the Board of Commissioners or the County Administrator (each an "Authorized Officer"). The Bonds are hereby designated and shall be known as "County of Eaton, State of Michigan, Michigan Transportation Fund Refunding Bonds, Series 2013 (Limited Tax General Obligation)." The Bonds initially issued shall be dated as of the Closing Date for the Bonds. The Bonds shall bear interest from the interest payment date through which interest has been paid, and if no interest has yet been paid, they shall bear interest from their date of issue. The Bonds shall be fully registered Bonds, both as to principal and interest, in any denomination which is $5,000 or any integral multiple thereof, up to a single maturity, and shall be numbered from 1 upwards. The Bonds shall mature on such dates as may be determined by an Authorized Officer prior to the sale of the Bonds, in the amounts determined by an Authorized Officer prior to the sale of the Bonds.
2. Interest Payment and Date of Record. The Bonds shall bear interest payable August 1, 2013, and each February 1 and August 1 thereafter, until maturity, which interest rate shall not exceed 5% per annum. Interest shall be paid by check or draft mailed by first class mail to the registered owner of each Bond as of the applicable date of record, provided, however, that an Authorized Officer may agree with the Bond Registrar on a different method of payment. The date of record for each interest payment shall be the 15th day of the month before such payment is due. An Authorized Officer is hereby authorized to designate different interest payment dates before the sale of the Bonds based on advice from the County's financial advisor.
3. Redemption Prior to Maturity. The Bonds shall be subject to redemption prior to maturity to the extent (if any) as determined by an Authorized Officer prior to the sale of the Bonds.
4. Price. The Bonds may be offered for sale with a price of not less than 97% and not more than 103%.
5. Method of Sale. The County shall sell the Bonds within the parameters for the interest rates, discounts rates and premiums set forth in this Resolution at a public sale in conformance with applicable law. Each Authorized Officer is authorized to award the Bonds to the bidder whose bid produces the lowest interest cost on such Bonds to the County, based upon the calculations of the County's Financial Advisor, provided that the refunding of the Bonds To Be Refunded shall result in net present value debt service savings for the County. Sealed bids for the purchase of the Bonds will be accepted up to a time to be later determined by an Authorized Officer. Notice of the sale shall be published once in accordance with law in *The Bond Buyer*, and the notice shall be in the form of an Official Notice of Sale that shall be approved by an Authorized Officer after consultation with the County's Bond Counsel and Financial Advisor. An Authorized Officer may cause such Official Notice of Sale to be published in additional publications, as such Authorized Officer deems appropriate.

In addition to the foregoing authorization for the sale of the Bonds, each Authorized Officer is authorized to determine (pursuant to Section 309 of Act 34) to sell the Bonds at a private sale as

provided herein. The Board of Commissioners hereby determines that such sale will provide additional flexibility in the structure, terms and timing of the sale and delivery of the Bonds. If the Bonds are sold via private sale, such sale must be within the interest rates, discounts rates and premiums set forth in this Resolution and each Authorized Officer is authorized and directed to execute and deliver a Purchase Contract regarding the Bonds (the "Purchase Contract") in such form as shall be determined by such Authorized Officer, based on recommendations of the County's Bond Counsel and Financial Advisor.

6. Municipal Bond Insurance. The County hereby authorizes the Financial Advisor to solicit proposals for municipal bond insurance to provide additional security for the Bonds to the extent that the Financial Advisor determines that the purchase of such municipal bond insurance would result in interest rate savings for the County, after taking into consideration the cost of any such municipal bond insurance. If the Financial Advisor recommends the purchase of municipal bond insurance, then each Authorized Officer is hereby authorized to sign a municipal bond insurance commitment or other agreement with the bond insurer recommended by the Financial Advisor and the premium for such municipal bond insurance shall be paid as part of the costs of issuance of the Bonds.

7. Use of Proceeds. The proceeds from the sale of the Refunding Bonds, along with any applicable contributions of funds from the County shall be used as follows:

(a) Accrued interest, if any, shall be transferred to Debt Retirement Fund created pursuant to Section 9 below;

(b) There shall next be transferred to the Escrow Agent under the Escrow Agreement entered into pursuant to Section 11 below, an amount which, when invested in permitted obligations pursuant to the Escrow Agreement, will be sufficient to pay when due the principal of, premium, if any, and interest on the Bonds To Be Refunded until maturity or earlier redemption as provided in the Escrow Agreement; and

(c) The balance of the proceeds shall be used to pay some or all of the costs of issuance of the Refunding Bonds, including but not limited to, publication costs, financial costs, consultant fees, counsel fees, printing costs, application fees, bond insurance premiums, rating fees and any other fees or costs incurred in connection with the financing.

8. Capitalized Interest. No portion of the interest payable on the Bonds is to be capitalized.

9. Michigan Transportation Fund Moneys Pledged. For the purpose of providing moneys to pay the principal of and interest on the Bonds and in accordance with the provisions of Act 51, there is hereby irrevocably appropriated and pledged from the moneys to be derived from state-collected taxes returned to the County for county road purposes from the Michigan Transportation Fund pursuant to law, and which have not been theretofore specifically allocated for other purposes, an amount sufficient to pay the principal of and interest on the Bonds due on the next succeeding February 1 and August 1. The County and the Road Commissioner hereby agree that the County Treasurer shall set aside in a separate fund to be designated "Eaton County Bond Payment Fund for 2013 Refunding Bonds" (the "Debt Retirement Fund") from such moneys received each year an amount sufficient for the payment of the principal of and interest on the Bonds due on the next succeeding February 1 and August 1. Any accrued interest or premium received at the delivery of the Bonds from the purchaser thereof shall be deposited in the Debt Retirement Fund. All moneys at any time in the Debt Retirement Fund shall be used solely and only to pay the principal of and interest on the Bonds.

10. Full Faith and Credit Pledge of the County. As additional security for the Bonds, the Board of Commissioners hereby agrees on behalf of the County that if the funds pledged for the payment of the Bonds are at any time insufficient to pay the principal of and interest on the Bonds as the same become due, the County Treasurer shall be obligated to advance sufficient money from the general fund of the County, and reimbursement shall be made from the first subsequent revenues received by the Eaton County Road Commission from the Michigan Transportation Fund not pledged or required to be set

aside for the payment of the principal of and interest on bonds, notes, or other evidences of indebtedness. The ability of the County to raise funds with which to meet such pledge is subject to applicable statutory and constitutional tax limitations.

11. Escrow Agreement; Redemption of the Bonds To Be Refunded. In order that the Bonds To Be Refunded may be properly defeased, the County shall enter into an escrow agreement (the "Escrow Agreement") with a bank or trust company designated by an Authorized Officer. The form of Escrow Agreement shall be determined and approved by an Authorized Officer prior to the sale of the Refunding Bonds. The final Escrow Agreement shall be in that form, with such changes, modifications and additions as may be approved by an Authorized Officer prior to the sale of the Refunding Bonds. Upon execution of the Escrow Agreement and delivery of the Refunding Bonds, the County and/or the Escrow Agent shall take all necessary steps to cause the Bonds To Be Refunded to be redeemed in accordance with the provisions of the Escrow Agreement.

12. Final Determination of Aggregate Principal Amount. The aggregate principal amount of the Bonds to be issued hereunder shall be finally determined by an Authorized Officer on, as applicable, (i) the date an Authorized Officer signs an Award Certificate in connection with a competitive sale of the Refunding Bonds, or (ii) the date that the Purchase Contract is executed in connection with a private sale of the Bonds, both after consultation with and on the advice of the County's Bond Counsel and Financial Advisor. The principal amount to be issued shall not be more than is permitted pursuant to applicable sections of the Internal Revenue Code of 1986, as amended, and regulations of the United States Treasury Department issued thereunder (collectively, the "Code"), for the purpose of carrying out the refunding contemplated hereby in order to defease the Bonds To Be Refunded and to pay the costs of issuance of such Refunding Bonds.

13. Paying Agent and Bond Registrar. The Bonds shall be registrable upon the books of a paying agent and bond registrar (the "Bond Registrar") to be named by an Authorized Officer. The Bond Registrar so named may be any bank or trust company permitted by law to offer and offering the necessary services pertaining to the payment, authentication, registration, transfer and exchange of the Bonds.

14. Transfer or Exchange of Bonds. Any Bond shall be transferable on the bond register maintained by the Bond Registrar with respect to the Bonds at any time prior to the applicable date of record preceding an interest payment date upon the surrender of the Bond together with an assignment executed by the registered owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned Bond, the Bond Registrar shall authenticate and deliver a new Bond or Bonds in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

Bonds may likewise be exchanged at any time prior to the applicable date of record preceding an interest payment date for one or more other Bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the registered owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions, the Bond Registrar shall authenticate and deliver a new Bond or Bonds to the registered owner of the Bond or his or her properly designated transferee or transferees or attorney.

The Bond Registrar shall not be required to honor any transfer or exchange of Bonds during the period from the applicable date of record preceding an interest payment date to such interest payment date. Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid by the County. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

15. Execution and Delivery. The Bonds shall be executed for and on behalf of the County by the Chairman of the Board of Commissioners and countersigned by the County Clerk by manually executing the same or by causing their facsimile signatures to be affixed thereto. If facsimile signatures are used, the Bonds shall thereafter be authenticated by the Bond Registrar. The Bonds, when so executed and (if required) authenticated, shall be delivered to the County Administrator, who shall then deliver the Bonds to the purchaser thereof upon receipt of the purchase price for the Bonds.

16. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the Chairperson of the Board of Commissioners and the County Clerk may, on behalf of the County, execute and deliver, or order the Bond Registrar to authenticate and deliver, a new Bond having a number not then outstanding, of like date, maturity, interest rate and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Bond Registrar. In the case of a lost, stolen or destroyed Bond a replacement Bond shall not be delivered unless and until the County and the Bond Registrar shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument bond for principal and interest remaining unpaid on the lost, stolen or destroyed Bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the County and the Bond Registrar against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond in connection therewith; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the County and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the County.

17. Arbitrage and Tax Covenants. Notwithstanding any other provision of this Resolution, the County covenants that it will not at any time or times:

(a) Permit any proceeds of the Bonds or any other funds of the County or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in Section 148 of the Code, or (ii) in a manner which would result in the exclusion of any Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Bond as a "private activity bond" within the meaning of Section 141(a) of the Code, as a "private loan bond" within the meaning of section 141(a) of the Code or as an obligation guaranteed by the United States, of America within the meaning of Section 149(b) of the Code; or

(b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Bonds to be includable in gross income for federal income tax purposes, cause the interest on the Bonds to be includable in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Bonds to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code or (ii) adversely affect the exemption of the Bonds and the interest thereon from State of Michigan income taxation.

18. Qualified Tax Exempt Obligations. The County hereby designates the Bonds as "qualified tax exempt obligations" for the purpose of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, unless otherwise certified by an Authorized Officer prior to the sale of the Bonds. The County covenants to comply with all provisions of the Code (together with

regulations promulgated under the Code) necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes.

19. Defeasance or Redemption of Bonds. If at any time,

(a) the whole amount of the principal of and interest on all outstanding Bonds shall be paid, or

(b) (i) sufficient moneys, or Government Obligations (as defined in this Section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys to pay the whole amount of the principal of and premium, if any, and interest on all outstanding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding Bonds shall have been duly called for redemption (or irrevocable instructions to call such Bonds for redemption shall have been given) then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the County shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest an the Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the County and considered excess proceeds of the Bonds. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within 30 days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be published once in a newspaper of general circulation in the City of Detroit, Michigan, setting forth (x) the date or dates, if any, designated for the redemption of the Bonds, (y) a description of the moneys or Government Obligations so held by it and (z) that the County has been released from its obligations under this resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of and premium, if any, and interest on the Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by an Authorized Officer and (c) at the time of its appointment and so long as it is serving as such, have at least $25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

20. Continuing Disclosure. The Authorized Officers, or any one of them, are hereby authorized to execute a Continuing Disclosure Undertaking with respect to the Bonds. The Bonds are hereby made subject to such Continuing Disclosure Undertaking and the County agrees to abide by the provisions thereof so long as any of the Bonds are outstanding.

21. Preliminary Official Statement and Final Official Statement. Each Authorized Officer is hereby authorized to approve for distribution a Preliminary Official Statement for the Bonds. Following the sale of the Bonds, each Authorized Officer is hereby authorized to execute an Official Statement with respect to the Bonds.

22. Retention of Bond Counsel. The firm of Dykema Gossett PLLC, Lansing, Michigan, is hereby retained to act as bond counsel ("Bond Counsel") for the County in connection with the issuance, sale and delivery of the Bonds.

23. Retention of Financial Advisor. Public Financial Management, Inc., Ann Arbor, Michigan (the "Financial Advisor"), is hereby retained to act as financial consultant to the County in connection with the sale and delivery of the Bonds.

24. Contract. The provisions of this Resolution shall constitute a contract between the County and the holder or holders of the Bonds from time to time, and after the issuance of such Bonds, no change, variation or alternation to the provisions of this Resolution may be made which would lessen the security for the Bonds. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by such bondholders either at law or in equity.
25. Conflicting Resolutions. All resolutions of the County, or parts of such resolutions, in conflict with this resolution are hereby rescinded.

Seconded by Commissioner Brehler. Carried.

Commissioner Eakin moved the approval of Resolution #13-1-7 application for a Farmland and Open Space Developmental Rights Agreement.

WHEREAS, Jeffrey L and Stacey L Morton, filed a Farmland and Open Space Application for property located in Vermontville Township, with the Eaton County Clerk's Office in September 2012; and
WHEREAS, this application includes Parcel # 23-050-006-100-001-00 of which totals 59.18 acres; and
WHEREAS, the applicant is requesting a 10 year agreement; and
WHEREAS, a copy of this application was sent to all reviewing agencies as required by the act; and
WHEREAS, the Eaton County Ways & Means Committee has reviewed this application and is recommending approval.
THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on January 16, 2013 does hereby approve the Farmland and Open Space Application filed by Jeffrey L and Stacey L Morton, properties located in Vermontville Township.

Seconded by Commissioner Hosey. Carried.

Commissioner Eakin moved the approval of claims as audited by the Ways and Means Committee in the amount of $252,890.89 and to accept the report of previously authorized payments. Seconded by Commissioner Baker. Carried.

Commissioner Eakin moved the approval of Resolution #13-1-8 to approve 2012/2013 Budget Amendments.
Seconded by Commissioner Augustine. Carried.

Commissioner Eakin moved the approval of Resolution #13-1-9 to authorize pledge of County of Eaton's full faith and credit for Eaton County Drain Bonds (Burrell Intercounty Drainage District).

WHEREAS, pursuant to the Drain Code of 1956, as amended, being Act 40 of the Public Acts of Michigan of 1956, as amended ("Act 40"), a county may pledge its full faith and credit for the payment of obligations issued pursuant to Act 40, if the board of commissioners of the county adopts a resolution by a majority of its membership to that effect; and

WHEREAS, the Eaton County Drain Commissioner, at the request of the intercounty drainage board (the "Drainage Board") for the Burrell Intercounty Drainage District (the "Drainage District"),

has undertaken proceedings for the partial reconstruction and improvement of the Burrell Intercounty Drain under the provisions of Chapter 8 of Act 40; and

WHEREAS, the Drainage District, acting by and through the Drainage Board intends to issue drain bonds (the "Bonds") in the aggregate principal amount of not to exceed $725,000, in anticipation of the collection of an equal amount of special assessments against property and public corporations in the Drainage District, which includes properties located within the County and the County of Ingham, said special assessments having been duly confirmed as provided in Act 40; and

WHEREAS, 95% of the cost of the Project to be financed by the Bonds has been apportioned by the Drainage Board to the County and 5% of the of the cost of the Project to be financed by the Bonds has been apportioned by the Drainage Board to the County of Ingham; and

WHEREAS, the proposed Bonds of the Drainage District are to be designated "Drainage Bonds, Series 2013," and will bear interest at a rate not exceeding 5% per annum; and

WHEREAS, on behalf of the Drainage District, the Drain Commissioner deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County on the Bonds; and

WHEREAS, the improvements to said Drain are necessary to protect and preserve the public health and therefore it is in the best interest of the County of Eaton that the Bonds be sold.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. Pursuant to the authorization provided in Section 276 of Act 40, and in accordance with the Eaton County Board of Commissioners' Full Faith and Credit Policy adopted by the Board of Commissioners, the County Board of Commissioners does hereby irrevocably pledge the full faith and credit of the County of Eaton for the prompt payment of the principal of and interest on the Bonds to the extent of special assessments against property and public corporations located within the County, and does agree that in the event that the property owners or public corporations in the County of Eaton shall fail or neglect to account to the County Treasurer of the County of Eaton for the amount of any special assessment installment and interest (in anticipation of which the Bonds are issued), when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Eaton advances out of County funds, all or any part of said installment and interest, it shall be the duty of the County Treasurer and the County Drain Commissioner, for and on behalf of the County of Eaton, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. The County Controller and County Drain Commissioner are each hereby separately authorized and directed to execute and file on behalf of the County and/or Drainage District any necessary application or request for exception, necessary or required by Act 40 or the Revised Municipal Finance Act, Act 34 of the Public Acts of Michigan of 2001, as amended, for the issuance of the Bonds.

4. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

Seconded by Commissioner Baker. Carried

Public Comment: None

Commissioner Comment. Commisioner Spence stated that he was appointed to the Michigan Association of Counties (MAC) Judicial Committee and Public Safety Committee. He noted that the MAC Legislative Workshop would be held in March and invited commissioners to attend.

Commissioner Whitacre stated that she would be participating on the MAC Health and Human Services Committee.

Commissioner Mulder stated that a workshop is scheduled for the Board of Commissioners to discuss possible amendments to the current Employee Personnel Policy regarding retiree health insurance benefits. The session is scheduled for January 30, 2013 at 5:30 p.m. in the Board of Commissioners Room. He noted that employees were welcome to attend the workshop.

There was no Unfinished Business, Old Business or New Business.

Chairman Mulder adjourned the meeting to Wednesday, February 20, 2013 at 7:00 PM.

_____ _____

Chairman of the Board of Commissioners Clerk of the Board of Commissioners

DRAFT

EATON COUNTY BOARD OF COMMISSIONERS

JANUARY 16, 2013

RESOLUTION TO AUTHORIZE APPLICATION FOR AN INTEROPERABLE EMERGENCY COMMUNICATION GRANT

Introduced by the Public Safety Committee

Commissioner Whittum moved the approval of the following resolution. Seconded by Commissioner Harris.

WHEREAS, the Michigan State Police Emergency Management and Homeland Security Division has grant funds available through the U.S. Department of Homeland Security through the Region One Planning Board; and

WHEREAS, the purpose is to strengthen emergency responder communications and public notification capabilities through specialized training hosted by the Sheriff's Office for individuals assigned to the Communications Unit under the Incident Command System; and

WHEREAS, the total Eaton County allocation is $25,000 with no required matching funds; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners approves Eaton County's participation in the Interoperable Emergency Communication Grant; and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the granting agency; and

BE IT FURTHER RESOLVED, that the Chairperson or his designee is authorized to sign any necessary documents pertaining to the County's participation. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO AUTHORIZE JAIL TELEPHONE SYSTEM SERVICE CONTRACT EXTENSION

JANUARY 16, 2013

Introduced by the Public Safety Committee

Commissioner Whittum moved the approval of the following resolution. Seconded by Commissioner Ridge. Nays; Brehler, Freeman, and Augustine.

WHEREAS, Eaton County previously entered into a contract for inmate telephone services within the Eaton County Jail; and

WHEREAS, the current contract expires in April 2013; and

WHEREAS, the Sheriff Department and Controller's Office is recommending the continuation of service with the current provider, Securus; and

WHEREAS, the Public Safety Committee reviewed and discussed the recommendation at its meeting January 3, 2013; and

WHEREAS, the Public Safety Committee is recommending the approval of a one year contract extension with Securus, with the same contractual terms and conditions.

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Commissioners approves a one year contract extension for jail inmate telephone services at the Eaton County Jail with Securus. Carried.

EATON COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO APPROVE DCA-1-13-1

Introduced by the Public Works and Planning Committee
Eaton County

Commissioner Baker moved the approval of the following resolution. Seconded by Commissioner Freeman.

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, as amended, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, DG Nelson Development Corp, L.L.C., initiated a petition to change the Land Development District (zoning) designation for a parcel at 651 S. Michigan Road, Section 13, Eaton Rapids Township from Local Business (C-1) to General Business (C-2); and

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **January 8, 2013**; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A-G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on **January 8, 2013** to recommend the approval of the request for change in the Land Development District designation.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by DG Nelson Development Corp, L.L.C., for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a parcel of land at 651 S. Michigan Road, Section 13, Eaton Rapids Township from Local Business (C-1) to General Business (C-2);

COM ON E LINE M-99 HWY 975.7 FT S OF E & W 1/4 LINE, N 85DEG 53MIN E 104.3 FT, S 74DEG 31MIN E 103.58 FT, S 33.95 FT, N 88DEG 28MIN E 463.1 FT TO W BANK OF GRAND RIVER, NLY & ELY ALONG BANK OF RIVER TO A LINE RUNNING W TO SECTION LINE & S TO BEG. ENCLOSES TEN ACRES, W TO W LINE OF SEC. 13, S TO BEG. SEC. 13, T2N R3W, EATON RAPIDS TOWNSHIP

At the regular meeting of the Eaton County Board of Commissioners on **January 16, 2013** the Resolution regarding the approval of said request was adopted.

Those voting Aye: Hosey, Augustine, Spence, Osieczonek, Whitacre, Freeman, Brehler, Miars, Eakin, Ridge, Baker, Barr, Whittum, Harris, Mulder.

Those voting Nay: None

Abstention: None

Absent: None

Motion carried.

Blake Mulder, Chairman
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of **January 16, 2013** of the Eaton County Board of Commissioners.

Diana Bosworth, Clerk
Eaton County Board of Commissioners

EATON COUNTY LAND DEVELOPMENT CODE
ZONING ORDINANCE AMENDMENT DCA-1-13-1

District Change Amendment DCA-1-13-1 to amend the Zoning District Maps of the Eaton County Land Development Code (zoning ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.

An application for a District Change Amendment to change a Land Development District designation on the Official Land Development District Map (Map Amendment) has been submitted by DG Nelson Development Corp, L.L.C. to rezone property from Local Business (C-1) to General Business (C-2) for property located at 651 S. Michigan Road, Section 13, Eaton Rapids Township, parcel ID# 120-013-300-020-00 and is legally described as:

COM ON E LINE M-99 HWY 975.7 FT S OF E & W 1/4 LINE, N 85DEG 53MIN E 104.3 FT, S 74DEG 31MIN E 103.58 FT, S 33.95 FT, N 88DEG 28MIN E 463.1 FT TO W BANK OF GRAND RIVER, NLY & ELY ALONG BANK OF RIVER TO A LINE RUNNING W TO SECTION LINE & S TO BEG. ENCLOSES TEN ACRES, W TO W LINE OF SEC. 13, S TO BEG. SEC. 13, T2N R3W, EATON RAPIDS TOWNSHIP

WHEREAS, the Eaton County Planning Commission held a duly advertised and noticed public hearing on **January 8, 2013**; and

WHEREAS, the Eaton County Planning Commission has taken action on **January 8, 2013** to recommend approval of the map amendment:

WHEREAS, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned map amendment as follows:

Yeas 15
Nays 0
Abstaining 0
Absent 0

I, Diana Bosworth, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Zoning District Maps of the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **January 16, 2013,** and now on record in the office of the Clerk of said County.

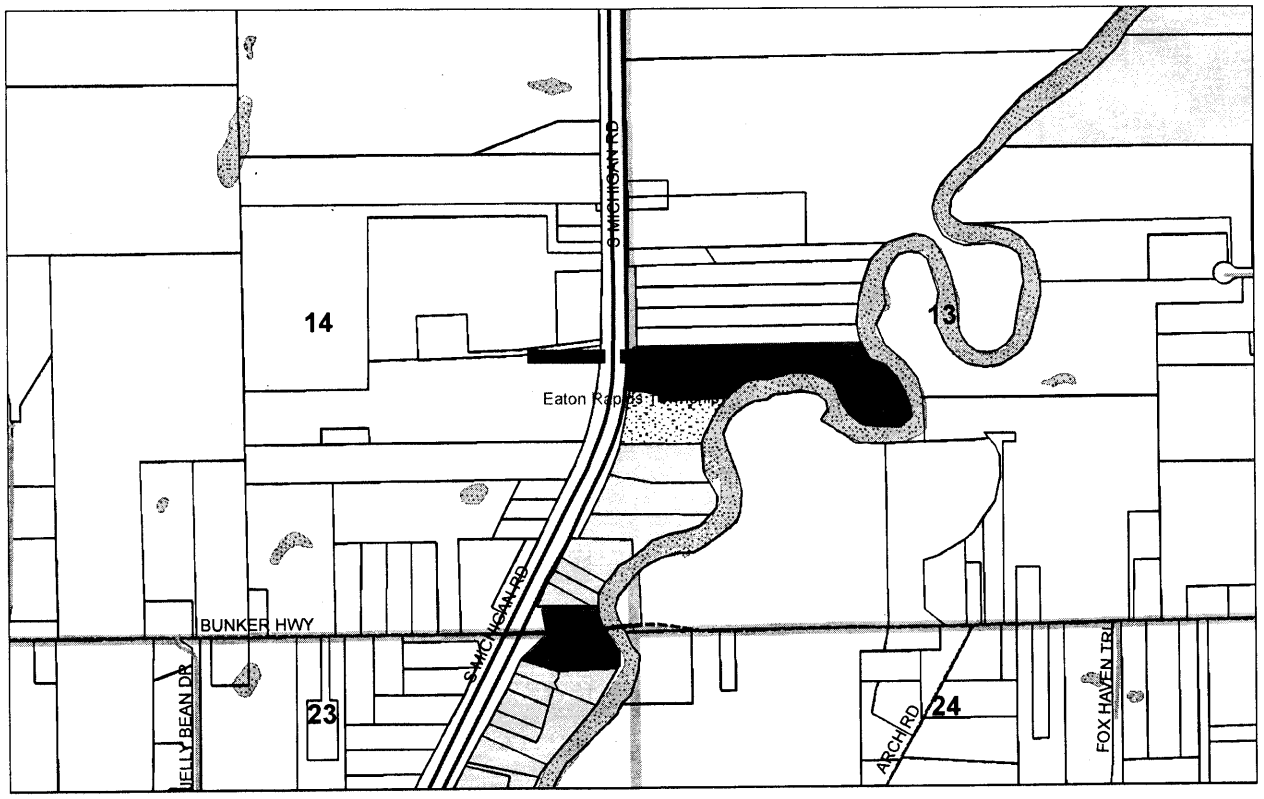
IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

16th day of January, 2013

Diana Bosworth
Diana Bosworth, Clerk
Eaton County Board of Commissioners

Blake Mulder, Chairman
Eaton County Board of Commissioners

LOCAL BUSINESS (C-1) CHANGED TO GENERAL BUSINESS (C-2)



Eaton County
Community Development Department

Permit: DCA-1-13-1
Township: Eaton Rapids
Parcel Number: 120-013-300-020-00

COM ON E LINE M-99 HWY 975.7 FT S OF E & W 1/4 LINE, N 85DEG 53MIN E 104.3 FT, S 74DEG 31MIN E 103.58 FT, S 33.95 FT, N 88DEG 28MIN E 463.1 FT TO W BANK OF GRAND RIVER, NLY & ELY ALONG BANK OF RIVER TO A LINE RUNNING W TO SECTION LINE & S TO BEG. ENCLOSES TEN ACRES, W TO W LINE OF SEC. 13, S TO BEG. SEC. 13, T2N R3W, EATON RAPIDS TOWNSHIP

Blake Mulder, Chairman
Eaton County Board of Commissioners
Date: 1-16-13

Diana Bosworth, Clerk
Eaton County Board of Commissioners
Date: 1-16-13

EATON COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO CONTINUE MEMBERSHIP IN THE GREATER LANSING REGIONAL COMMITTEE FOR STORMWATER MANAGMENT AND TO AGREE TO THE TERMS OF THE MEMORANDUM OF AGREEMENT

JANUARY 16, 2013

Introduced by the Public Works and Planning Committee

Commissioner Baker moved the approval of the following resolution. Seconded by Commissioner Whitacre.

WHEREAS, Eaton County has been a member of the Greater Lansing Regional Committee (GLRC) for Stormwater Management since 2003; and

WHEREAS, participation in the GLRC advances local efforts to improve responsible stewardship of natural resources; and

WHEREAS, participation in the GLRC allows for the cooperative management of the watersheds in which Eaton County is located; and

WHEREAS, the GLRC assists Eaton County in complying with the regulatory requirements promulgated by the Michigan Department of Environmental Quality Municipal Separate Storm Sewer System (MS4) stormwater discharge permit; and

WHEREAS, the Board of Commissioners now wishes to approve the Memorandum of Agreement (as revised on December 13, 2012) and commit itself and Eaton County to continued participation in the GLRC; and

WHEREAS, Eaton County appoints Drain Commissioner Richard Wagner to serve as the Eaton County representative to the GLRC.

NOW, THEREFORE, BE IT RESOLVED THAT, Eaton County hereby approves the Memorandum of Agreement and continued membership in the GLRC. Carried.

GREATER LANSING REGIONAL COMMITTEE
for Stormwater Management

MEMORANDUM OF AGREEMENT - MAY 21, 2004
REVISED-DECEMBER 13, 2012

I. PURPOSE

It is the purpose of this Memorandum of Agreement (hereinafter the Agreement) to set forth the composition, duties and responsibilities of the Greater Lansing Regional Committee for Stormwater Management (hereinafter the "GLRC") to be formed as more particularly described below. Local public agencies, institutions, and communities believe there are substantial benefits that can be derived under this Agreement through cooperative management of the Grand River, Red Cedar River and Looking Glass River watersheds to protect the Waters of the State; to meet local initiatives for protecting the environment; and in providing mutual assistance in meeting the requirements under the Michigan Department of Environmental Quality (MDEQ) National Pollutant Discharge Elimination System (NPDES) Permit for Municipal Separate Storm Sewer Systems, (hereinafter the "MS4 Permit") or similar stormwater discharge permits issued to public entities within the Grand River, Red Cedar River, and Looking Glass River watersheds.

The Agreement will also provide a framework for consideration of new, permanent watershed organizations with potentially broader responsibilities that could provide a more cost effective and efficient means to meet state and federal requirements, and public expectations for restoration and maintenance of the beneficial uses of the watersheds.

II. HISTORY OF GLRC

On November 15, 1999, Delta Township and the City of Lansing hosted a meeting for several local communities. The meeting notice stated that this was to be "an informal meeting to discuss the Stormwater Phase II program (now referred to as the MS4 program) and how, or if, there may be a way to pool resources on a regional basis".

Representatives from various communities, counties and MDEQ discussed the Federal Regulations for Stormwater Phase II and the MDEQ's program allowing a "Voluntary Permit Program." Originally nine communities and three counties were listed as designated communities by MDEQ.

Subsequent meetings were held to continue exploring the feasibility and cost of a cooperative effort. On June 8, 2000, a draft Resolution was prepared for the establishment of the "Greater Lansing Area Regional NPDES Phase II Stormwater Regulations Committee" and for each community to name a representative to serve on the committee.

Throughout the remainder of 2000, the committee obtained Resolutions from each community; elected officers; received proposals and interviewed four consulting firms. Tetra Tech MPS was selected to assist the Committee in determining how to best comply with the Phase II Stormwater Rules. Tri-County Regional Planning Commission (TCRPC) also assisted the Committee in providing contractual, fiduciary, and administrative support.

In May 2001, Tetra Tech MPS completed the "Step 1 – Permit Strategy Development" study which incorporated the Committee's decision (April 20, 2001) to proceed as a group using the State's Voluntary General Permit approach. The Committee then agreed to retain Tetra Tech MPS to prepare the Voluntary General Permit Application for each of the nine communities. The cost for each community was based on a formula that included weighted factors for population and land area. Eight of the nine communities then passed a second resolution agreeing to continue as a group with voluntary general permits using

the distribution of costs as presented. Williamstown Township elected to proceed with a jurisdictionally based permit.

The eight communities proceeding under the voluntary general permit, also formally agreed to have the watershed management plans developed under the individual drain commissioners.

On January 25, 2002, the Committee agreed to retain Tetra Tech MPS to prepare a watershed management plan for the Grand River, Looking Glass River, and the Red Cedar River. Again, the allocation of cost agreed to by everyone was based on weighted factors involving the percent of population and land in each watershed. Each community adopted a third resolution committing their appropriate funds for the watershed management plans.

A Public Education Advisory Committee was organized to assist in the educational portion of Voluntary General Permit Applications.

Throughout 2002 and 2003 fourteen additional communities within the three watersheds were invited to join the committee. Ten communities were required to meet the MS4 Permit requirements based on the 2000 census.

Eight communities ultimately joined and participated in the regional approach and completed the Voluntary General Permit Application utilizing Tetra Tech MPS.

In March 2003, all sixteen communities and the three counties submitted their Voluntary General Permit Applications to MDEQ. In November 2003, certificates of coverage were issued to each of the sixteen communities and to each of the three counties.

In 2006 Lansing Public Schools and DeWitt Public Schools joined the GLRC.

In 2007, a lawsuit filed by a Township in Kalamazoo County, established that some townships no longer required an MS4 Permit from MDEQ. As this case relates to the

GLRC, MDEQ determined that Alaiedon, Bath, Oneida, Watertown, and Windsor Townships would no longer need an MS4 Permit.

At the December 14, 2007 GLRC meeting, the GLRC membership took formal action to establish an Associate Membership category to encourage any public agency, institution, or community who did not have an MS4 Permit to join the GLRC.

In 2012, the City of DeWitt entered into an agreement nesting DeWitt Public Schools.

In 2012, the MDEQ changed the process for permit renewal, instead of issuing a general watershed based permit; individual MS4 permits will be issued. The application process will detail all activities of the GLRC and members through two separate applications. Then, the MDEQ will review and negotiate, with the end result being MDEQ issuing a permit specific for each member.

III. GREATER LANSING REGIONAL COMMITTEE (GLRC)

A. Term

While the ultimate organization of the GLRC and its responsibilities has evolved over time and after thoughtful review of alternatives, the signatories to this Agreement want to continue to work together under the following terms to assure the continuation of responsibility for essential services. These stormwater management services provide for the legal and financial responsibility to meet state and federal stormwater discharge permit requirements as well as local initiatives to protect the Waters of the State.

The current GLRC agreement expires on April 30, 2013. This agreement replaces the current GLRC agreement in its entirety for the period expiring April 30, 2017. As confirmed by MDEQ, expiration of the current permit is September 30, 2017; an application will be due to MDEQ by April 17, 2017. The members may mutually

agree to renew and/or extend the term of the GLRC under the provisions contained in this Agreement.

Any member community may withdraw from this Agreement and the GLRC by delivering to the Executive Committee a resolution of withdrawal adopted by its governing body. Any such withdrawal adopted shall be effective 30 days following delivery of withdrawal, provided however, that any withdrawing community shall remain liable for payment of its annual assessment through the end of the current fiscal year.

B. Composition

Membership in the GLRC shall consist of "full members", "associate members", and "ex-officio members".

The full members of the GLRC shall consist of a representative, or designated alternate, appointed by the appropriate governing body in each township, city, village, school district, institution, and county within the Grand River, Red Cedar River and Looking Glass River watersheds that has an MDEQ NPDES MS4 Permit and that are signatory to this Agreement.

The associate members of the GLRC shall consist of a representative, or designated alternate, appointed by the governing body in each township, city, village, school district, institution, and county within the Grand River, Red Cedar River and Looking Glass River watersheds that does not have an MDEQ NPDES MS4 permit and that are signatory to this Agreement. However, once an associate member obtains an MDEQ NPDES MS4 Permit, they must become a full member of the GLRC.

Members, and designated alternates, shall serve until replaced in writing by the appointing authority.

The GLRC may also include ex-officio representatives from such agencies as Tri-County Regional Planning Commission (TCRPC), MDEQ and others as determined by the GLRC.

C. Public Participation

All meetings of the GLRC shall be noticed and conducted in accordance with the Michigan Open Meetings Act, MCL 15.261, et seq. The GLRC and/or its Executive Committee shall:

- Determine the rules for public participation.
- Schedule meetings at facilities that are fully accessible to the interested public, and
- Routinely provide notice of meeting times and places at publicly accessible locations

D. Voting

The GLRC shall take all formal actions by a simple majority vote of a quorum. A quorum shall consist of one more than fifty (50%) of the GLRC members, or their designated alternates, eligible to vote. Members eligible to vote are those full members and associate members authorized in writing by an appropriate governing authority that has adopted this Agreement and that has paid its assessment. Ex-officio members shall be non-voting members of the GLRC.

E. Election of Officers and Appointment of Executive Committee

The GLRC shall annually elect, from among its members, a Chair, a Vice-Chair, a Secretary and a Treasurer. The Chair and the Vice-Chair shall be elected or appointed officials, or employees of a voting full member of the GLRC. The

Secretary and Treasurer may be representatives of any full, associate, or ex-officio member of the GLRC. Officers elected by the GLRC may serve up to three consecutive terms. All terms shall be for one calendar year. The Vice Chair, or the Treasurer in the event the Vice-Chair is unavailable, may assume the duties of the Chair if the Chair is unavailable.

The Executive Committee shall have a maximum of eight voting members consisting of:

- (2) the Chair and Vice Chair of the GLRC
- (3) one representative or alternate from each member county
- (3) the Chairs of the Illicit Discharge Elimination Plan (IDEP), Public Education Plan (PEP), and Ordinance/Best Management Practices (BMP) Committees

The Chair of the GLRC shall chair the Executive Committee, with the responsibility succeeding to the Vice Chair, then the Chair of the PEP Committee if the Chair of the GLRC is absent. If neither the Vice Chair of the GLRC nor the Chair of the PEP Committee is present at an Executive Committee meeting, the Chair of the IDEP Committee shall serve as Chair for the meeting. The Chair of the GLRC shall not have an alternate serve on his behalf on the Executive Committee.

The Executive Committee will seek consensus on all issues brought before it. In the absence of consensus, the Executive Committee will adopt motions only when a majority of its members vote in favor of a motion. Each full and associate member will have one vote. A County or Committee may designate an alternate to serve and vote on behalf of their appointed representative to the Executive Committee.

F. Meetings

The GLRC shall meet at least twice each year at a designated time and location established by the Executive Committee. Agendas for GLRC meetings will be distributed and circulated to all members at least two weeks in advance of all meetings. The Executive Committee will meet at least five times each year at the call of the Chair. All meetings of the GLRC, Executive Committee, standing committees or special committees established under the GLRC shall operate under the Robert's Rules of Order unless modified by a majority vote of the GLRC members. The meetings of the GLRC may be rotated to locations throughout the three watersheds allowing any member or community agency to host a meeting.

G. GLRC Duties

The GLRC shall have the following duties:

1. Budget and Assessments

The fiscal year for the GLRC shall coincide with the calendar year.

Upon execution of this Agreement, review and approve the annual budget for the GLRC and establish the allocation of annual assessments for each member category. The GLRC shall adopt a budget before each December 31 for the calendar year that follows.

2. Standing Committees

Establish and outline a charge for up to three standing committees. The IDEP, PEP, and Ordinance/BMP Committees will continue to function. Any member or designated alternate may serve on any standing committee. See Appendix A for a flow chart of the GLRC structure.

3. Watershed Management

The GLRC is committed to working with watershed partners in the region. This includes but is not limited to: Middle Grand River Watershed Planning Project (319), Red Cedar River Watershed Planning Project (319), Friends of the Looking Glass River Watershed, Middle Grand River Organization of Watersheds (MGROW), Mid-Michigan Environmental Action Council (Mid-MEAC), student groups, etc. The GLRC values the watershed efforts being conducted and will work with these groups to improve water resources in the Tri-County region.

4. Other Duties

- Maintain official written record of meetings that includes attendance, issues discussed and votes taken.
- Recommend to member communities, institutions, school districts, and counties any subsequent changes needed to this Agreement.
- Take other actions required, including delegation of responsibilities to the Chair or Executive Committee to carry out the purposes and conduct the business of the GLRC including, but not limited to, directing the activities of any committees established under this Agreement or subsequently authorized by the GLRC.
- Encourage and promote public input into decisions and recommendations of the GLRC, and of all committees established by the GLRC.

H. Executive Committee Duties

The Executive Committee shall have the following duties:

1. Budget

With the advice of the standing committees, supervise the expenditure of GLRC monies consistent with the approved annual budget.

2. **Supervise Staff and Arrange Support Services**

Arrange for the services of staff responsible for facilitating meetings, preparing agendas, and negotiating and advocating on behalf of the GLRC. Supervise and provide direction to staff of the GLRC, make provisions for necessary management support services for operation of the GLRC.

All staff or employees employed by the GLRC shall be and remain at all times solely the agents, servants, or employees of the GLRC and shall not be construed for any purposes to be an agent, servant, or employee of any constituent member of the GLRC.

3. **Provide Forum for Discussion**

Provide a forum for discussion, and, if appropriate, resolution of issues related to the implementation of this Agreement brought to its attention by any member of the GLRC.

4. **Other Duties**

- Assist the standing committees and special committees of the GLRC in meeting their respective responsibilities.
- Maintain a brief written record of each Executive Committee meeting including, at a minimum, attendance, list of issues, and a record of decisions.
- Take other actions that are consistent with the provisions of this Agreement and direction provided by the GLRC.

IV. RESOLUTION

The communities, institutions, school districts, and counties entering into this Agreement shall do so by the passage of a formal resolution, or exercising authority that includes the ability to commit to the payment of their appropriate assessments based on their membership category for support of the GLRC. In subsequent years, communities, institutions, school districts, and counties shall indicate their acceptance to continue this Agreement, should it remain unchanged, through the payment of their appropriate annual assessment in support of annual budgets approved by the GLRC.

Modifications to this Agreement as may be recommended by formal action of the GLRC shall be subject to acceptance of the appropriate authority of each community, institution, school district, or county.

Services provided through the GLRC and grant funds if obtained for stormwater management shall be, to the extent practical, limited to members that have signed and met their respective financial obligations under this Agreement.

V. FIDUCIARY SERVICES

The TCRPC has agreed to provide fiduciary services for the collection and expenditure of assessments paid under the terms of this Agreement. It is understood that the assessments paid under the terms of this Agreement will be used only for the services identified in the GLRC Annual Budget as adopted by the GLRC members. It is further understood that the assessments paid may be used to provide the required local match for federal grant dollars used to support the annual GLRC budget.

TCRPC has agreed to provide the Executive Committee full and complete access to records concerning the use of the funds collected from the members so that all expenditures of monies collected through assessments to members can be audited through a process determined to be appropriate by the Executive Committee. TCPRC has further agreed to provide a financial accounting of all funds collected and expended to the

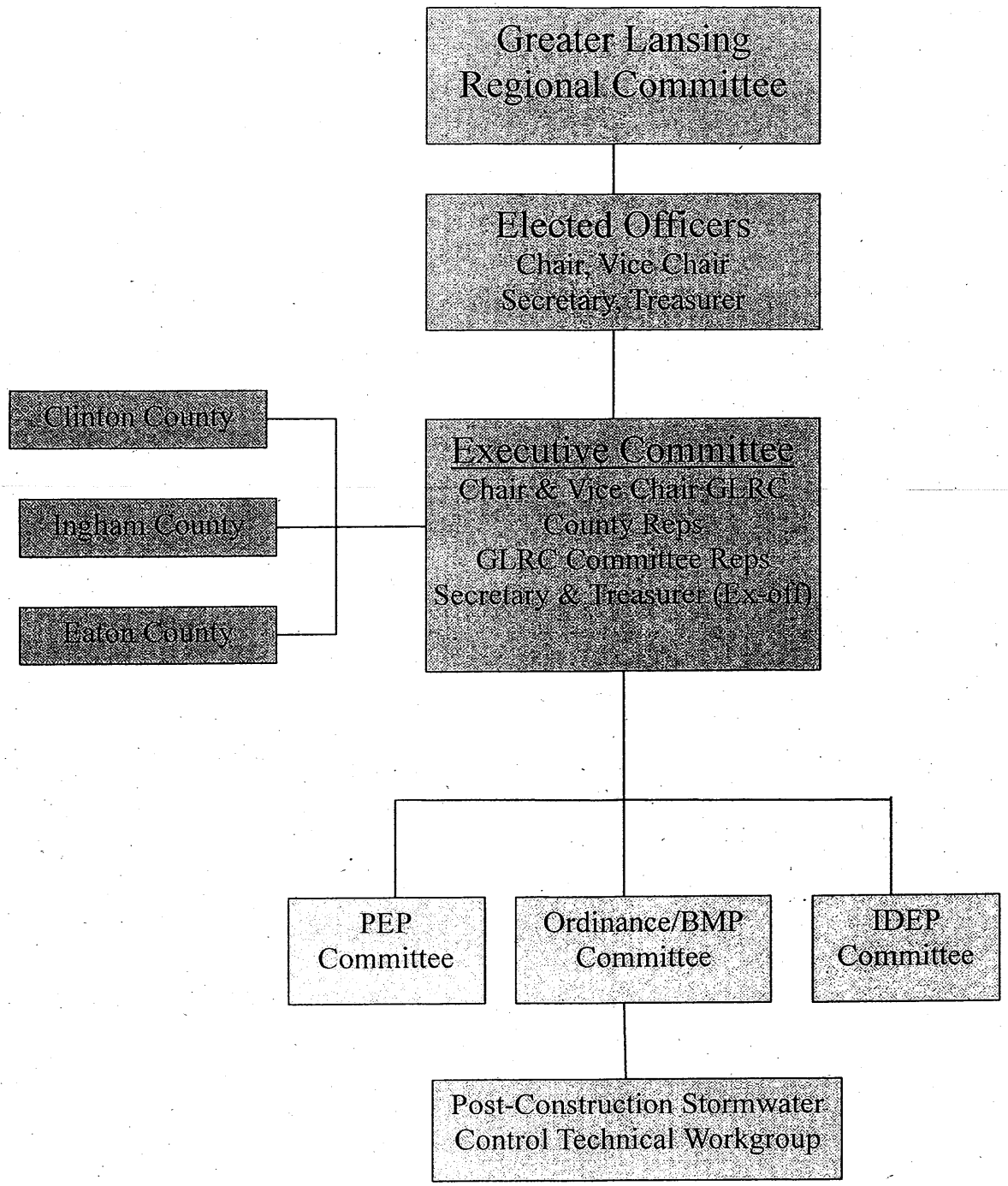
GLRC within 45 days following the end of each calendar year. Copies of the annual accounting and audit reports shall be made available to all GLRC member communities upon request. TCRPC shall obtain Executive Committee consensus before expenditure of any of the assessments collected.

VI. INDEMNIFICATION, INSURANCE AND LEGAL FEES

Each signatory to this agreement, as part of its general liability coverage, shall maintain coverage for any damages, claims, causes of action, or actions of any nature whatsoever arising from this agreement, and does hereby agree to indemnify and save and hold harmless each other signatory, respectively, its officers, employees, and agents from and against any and all such damages, claims, actions and causes of action, including legal fees, based on this agreement, as may arise form any action taken or permitted by each signatory, respectively.

This agreement is not intended to create a legal entity subject to suit. Nothing in this section shall be construed to give any third party any claim to which said third party would not otherwise be entitled, nor shall it abrogate or diminish the defense of governmental immunity, or any other defense, for any claim against any party.

APPENDIX A
GLRC MEMORANDUM OF AGREEMENT



EATON COUNTY BOARD OF COMMISSIONERS

At a regular meeting of the Board of Commissioners (the "Board of Commissioners") of Eaton County held in Charlotte, Michigan, on January 16, 2013 there were:

PRESENT: Hosey, Mulder, Augustine, Spence, Osieczonek, Whitacre, Freeman, Brehler, Miars, Eakin, Ridge, Baker, Barr, Whittum, Harris

ABSENT: None

The following preambles and resolution were offered by Commissioner Eakin and seconded by Commissioner Brehler:

Bond Authorizing Resolution

WHEREAS, Act No. 51, Public Acts of Michigan, 1951, as amended ("Act 51"), authorizes a county to borrow money and issue bonds to pay all or any portion of the cost of the construction or reconstruction of highways, including limited access highways, which by law a county road commission is authorized to construct or reconstruct, or participate with any other county road commission, city, or village in the construction or reconstruction of, including the construction or the enlargement, reconstruction, or relocation of existing highways and the acquisition of necessary rights-of-way for those highways, and all work incidental to the construction or reconstruction, and to pledge for the payment thereof future revenues derived from state-collected taxes returned to such county for county road purposes pursuant to law; and

WHEREAS, Eaton County (the "County") previously issued its $5,500,000 Michigan Transportation Fund Bonds, Series 2003 dated July 1, 2003 (the "Prior Bonds"); and

WHEREAS, the County has been advised that the Prior Bonds can be refunded through the issuance of a new series of bonds which will result in debt service savings to the County; and

WHEREAS, the issuance of refunding bonds to refund the Prior Bonds is authorized by Act No. 34, Public Acts of Michigan, 1951, as amended ("Act 34"); and

WHEREAS, the Eaton County Road Commission, by resolution dated January 8, 2013, has recommended the adoption of this Bond Authorizing Resolution.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Eaton County that:

1. Bond Details. Bonds of the County in the maximum aggregate principal amount of $2,750,000 (the "Bonds" or the "Refunding Bonds"), subject to final determination by an Authorized Officer, shall be issued for the purpose of refunding all or a portion of the Prior Bonds (the Prior Bonds to be refunded with the proceeds of the Refunding Bonds are referred to herein as the "Bonds To Be Refunded"). The Bonds shall be issued in substantially the form of Exhibit A hereto, with such changes, modifications and additions as may be approved by the

Chairperson of the Board of Commissioners or the County Administrator (each an "Authorized Officer"). The Bonds are hereby designated and shall be known as "County of Eaton, State of Michigan, Michigan Transportation Fund Refunding Bonds, Series 2013 (Limited Tax General Obligation)." The Bonds initially issued shall be dated as of the Closing Date for the Bonds. The Bonds shall bear interest from the interest payment date through which interest has been paid, and if no interest has yet been paid, they shall bear interest from their date of issue. The Bonds shall be fully registered Bonds, both as to principal and interest, in any denomination which is $5,000 or any integral multiple thereof, up to a single maturity, and shall be numbered from 1 upwards. The Bonds shall mature on such dates as may be determined by an Authorized Officer prior to the sale of the Bonds, in the amounts determined by an Authorized Officer prior to the sale of the Bonds.

2. Interest Payment and Date of Record. The Bonds shall bear interest payable August 1, 2013, and each February 1 and August 1 thereafter, until maturity, which interest rate shall not exceed 5% per annum. Interest shall be paid by check or draft mailed by first class mail to the registered owner of each Bond as of the applicable date of record, provided, however, that an Authorized Officer may agree with the Bond Registrar on a different method of payment. The date of record for each interest payment shall be the 15th day of the month before such payment is due. An Authorized Officer is hereby authorized to designate different interest payment dates before the sale of the Bonds based on advice from the County's financial advisor.

3. Redemption Prior to Maturity. The Bonds shall be subject to redemption prior to maturity to the extent (if any) as determined by an Authorized Officer prior to the sale of the Bonds.

4. Price. The Bonds may be offered for sale with a price of not less than 97% and not more than 103%.

5. Method of Sale. The County shall sell the Bonds within the parameters for the interest rates, discounts rates and premiums set forth in this Resolution at a public sale in conformance with applicable law. Each Authorized Officer is authorized to award the Bonds to the bidder whose bid produces the lowest interest cost on such Bonds to the County, based upon the calculations of the County's Financial Advisor, provided that the refunding of the Bonds To Be Refunded shall result in net present value debt service savings for the County. Sealed bids for the purchase of the Bonds will be accepted up to a time to be later determined by an Authorized Officer. Notice of the sale shall be published once in accordance with law in *The Bond Buyer*, and the notice shall be in the form of an Official Notice of Sale that shall be approved by an Authorized Officer after consultation with the County's Bond Counsel and Financial Advisor. An Authorized Officer may cause such Official Notice of Sale to be published in additional publications, as such Authorized Officer deems appropriate.

In addition to the foregoing authorization for the sale of the Bonds, each Authorized Officer is authorized to determine (pursuant to Section 309 of Act 34) to sell the Bonds at a private sale as provided herein. The Board of Commissioners hereby determines that such sale will provide additional flexibility in the structure, terms and timing of the sale and delivery of the Bonds. If the Bonds are sold via private sale, such sale must be within the interest rates, discounts rates and premiums set forth in this Resolution and each Authorized Officer is

authorized and directed to execute and deliver a Purchase Contract regarding the Bonds (the "Purchase Contract") in such form as shall be determined by such Authorized Officer, based on recommendations of the County's Bond Counsel and Financial Advisor.

6. Municipal Bond Insurance. The County hereby authorizes the Financial Advisor to solicit proposals for municipal bond insurance to provide additional security for the Bonds to the extent that the Financial Advisor determines that the purchase of such municipal bond insurance would result in interest rate savings for the County, after taking into consideration the cost of any such municipal bond insurance. If the Financial Advisor recommends the purchase of municipal bond insurance, then each Authorized Officer is hereby authorized to sign a municipal bond insurance commitment or other agreement with the bond insurer recommended by the Financial Advisor and the premium for such municipal bond insurance shall be paid as part of the costs of issuance of the Bonds.

7. Use of Proceeds. The proceeds from the sale of the Refunding Bonds, along with any applicable contributions of funds from the County shall be used as follows:

(a) Accrued interest, if any, shall be transferred to Debt Retirement Fund created pursuant to Section 9 below;

(b) There shall next be transferred to the Escrow Agent under the Escrow Agreement entered into pursuant to Section 11 below, an amount which, when invested in permitted obligations pursuant to the Escrow Agreement, will be sufficient to pay when due the principal of, premium, if any, and interest on the Bonds To Be Refunded until maturity or earlier redemption as provided in the Escrow Agreement; and

(c) The balance of the proceeds shall be used to pay some or all of the costs of issuance of the Refunding Bonds, including but not limited to, publication costs, financial costs, consultant fees, counsel fees, printing costs, application fees, bond insurance premiums, rating fees and any other fees or costs incurred in connection with the financing.

8. Capitalized Interest. No portion of the interest payable on the Bonds is to be capitalized.

9. Michigan Transportation Fund Moneys Pledged. For the purpose of providing moneys to pay the principal of and interest on the Bonds and in accordance with the provisions of Act 51, there is hereby irrevocably appropriated and pledged from the moneys to be derived from state-collected taxes returned to the County for county road purposes from the Michigan Transportation Fund pursuant to law, and which have not been theretofore specifically allocated for other purposes, an amount sufficient to pay the principal of and interest on the Bonds due on the next succeeding February 1 and August 1. The County and the Road Commissioner hereby agree that the County Treasurer shall set aside in a separate fund to be designated "Eaton County Bond Payment Fund for 2013 Refunding Bonds" (the "Debt Retirement Fund") from such moneys received each year an amount sufficient for the payment of the principal of and interest on the Bonds due on the next succeeding February 1 and August 1. Any accrued interest or

premium received at the delivery of the Bonds from the purchaser thereof shall be deposited in the Debt Retirement Fund. All moneys at any time in the Debt Retirement Fund shall be used solely and only to pay the principal of and interest on the Bonds.

10. Full Faith and Credit Pledge of the County. As additional security for the Bonds, the Board of Commissioners hereby agrees on behalf of the County that if the funds pledged for the payment of the Bonds are at any time insufficient to pay the principal of and interest on the Bonds as the same become due, the County Treasurer shall be obligated to advance sufficient money from the general fund of the County, and reimbursement shall be made from the first subsequent revenues received by the Eaton County Road Commission from the Michigan Transportation Fund not pledged or required to be set aside for the payment of the principal of and interest on bonds, notes, or other evidences of indebtedness. The ability of the County to raise funds with which to meet such pledge is subject to applicable statutory and constitutional tax limitations.

11. Escrow Agreement; Redemption of the Bonds To Be Refunded. In order that the Bonds To Be Refunded may be properly defeased, the County shall enter into an escrow agreement (the "Escrow Agreement") with a bank or trust company designated by an Authorized Officer. The form of Escrow Agreement shall be determined and approved by an Authorized Officer prior to the sale of the Refunding Bonds. The final Escrow Agreement shall be in that form, with such changes, modifications and additions as may be approved by an Authorized Officer prior to the sale of the Refunding Bonds. Upon execution of the Escrow Agreement and delivery of the Refunding Bonds, the County and/or the Escrow Agent shall take all necessary steps to cause the Bonds To Be Refunded to be redeemed in accordance with the provisions of the Escrow Agreement.

12. Final Determination of Aggregate Principal Amount. The aggregate principal amount of the Bonds to be issued hereunder shall be finally determined by an Authorized Officer on, as applicable, (i) the date an Authorized Officer signs an Award Certificate in connection with a competitive sale of the Refunding Bonds, or (ii) the date that the Purchase Contract is executed in connection with a private sale of the Bonds, both after consultation with and on the advice of the County's Bond Counsel and Financial Advisor. The principal amount to be issued shall not be more than is permitted pursuant to applicable sections of the Internal Revenue Code of 1986, as amended, and regulations of the United States Treasury Department issued thereunder (collectively, the "Code"), for the purpose of carrying out the refunding contemplated hereby in order to defease the Bonds To Be Refunded and to pay the costs of issuance of such Refunding Bonds.

13. Paying Agent and Bond Registrar. The Bonds shall be registrable upon the books of a paying agent and bond registrar (the "Bond Registrar") to be named by an Authorized Officer. The Bond Registrar so named may be any bank or trust company permitted by law to offer and offering the necessary services pertaining to the payment, authentication, registration, transfer and exchange of the Bonds.

14. Transfer or Exchange of Bonds. Any Bond shall be transferable on the bond register maintained by the Bond Registrar with respect to the Bonds at any time prior to the applicable date of record preceding an interest payment date upon the surrender of the Bond

together with an assignment executed by the registered owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned Bond, the Bond Registrar shall authenticate and deliver a new Bond or Bonds in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

Bonds may likewise be exchanged at any time prior to the applicable date of record preceding an interest payment date for one or more other Bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the registered owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions, the Bond Registrar shall authenticate and deliver a new Bond or Bonds to the registered owner of the Bond or his or her properly designated transferee or transferees or attorney.

The Bond Registrar shall not be required to honor any transfer or exchange of Bonds during the period from the applicable date of record preceding an interest payment date to such interest payment date. Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid by the County. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

15. Execution and Delivery. The Bonds shall be executed for and on behalf of the County by the Chairman of the Board of Commissioners and countersigned by the County Clerk by manually executing the same or by causing their facsimile signatures to be affixed thereto. If facsimile signatures are used, the Bonds shall thereafter be authenticated by the Bond Registrar. The Bonds, when so executed and (if required) authenticated, shall be delivered to the County Administrator, who shall then deliver the Bonds to the purchaser thereof upon receipt of the purchase price for the Bonds.

16. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the Chairperson of the Board of Commissioners and the County Clerk may, on behalf of the County, execute and deliver, or order the Bond Registrar to authenticate and deliver, a new Bond having a number not then outstanding, of like date, maturity, interest rate and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Bond Registrar. In the case of a lost, stolen or destroyed Bond a replacement Bond shall not be delivered unless and until the County and the Bond Registrar shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument bond for principal and interest remaining unpaid on the lost, stolen or destroyed Bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the County and the Bond Registrar against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond in connection therewith; and (iv) the agreement of the owner of the Bond (or

his or her attorney) to pay all expenses of the County and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the County.

17. Arbitrage and Tax Covenants. Notwithstanding any other provision of this Resolution, the County covenants that it will not at any time or times:

(a) Permit any proceeds of the Bonds or any other funds of the County or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in Section 148 of the Code, or (ii) in a manner which would result in the exclusion of any Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Bond as a "private activity bond" within the meaning of Section 141(a) of the Code, as a "private loan bond" within the meaning of section 141(a) of the Code or as an obligation guaranteed by the United States, of America within the meaning of Section 149(b) of the Code; or

(b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Bonds to be includable in gross income for federal income tax purposes, cause the interest on the Bonds to be includable in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Bonds to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code or (ii) adversely affect the exemption of the Bonds and the interest thereon from State of Michigan income taxation.

18. Qualified Tax Exempt Obligations. The County hereby designates the Bonds as "qualified tax exempt obligations" for the purpose of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, unless otherwise certified by an Authorized Officer prior to the sale of the Bonds. The County covenants to comply with all provisions of the Code (together with regulations promulgated under the Code) necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes.

19. Defeasance or Redemption of Bonds. If at any time,

(a) the whole amount of the principal of and interest on all outstanding Bonds shall be paid, or

(b) (i) sufficient moneys, or Government Obligations (as defined in this Section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys to pay the whole amount of the principal of and premium, if any, and interest on all outstanding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding Bonds shall have been duly called

for redemption (or irrevocable instructions to call such Bonds for redemption shall have been given) then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the County shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest an the Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the County and considered excess proceeds of the Bonds. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within 30 days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be published once in a newspaper of general circulation in the City of Detroit, Michigan, setting forth (x) the date or dates, if any, designated for the redemption of the Bonds, (y) a description of the moneys or Government Obligations so held by it and (z) that the County has been released from its obligations under this resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of and premium, if any, and interest on the Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by an Authorized Officer and (c) at the time of its appointment and so long as it is serving as such, have at least $25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

20. Continuing Disclosure. The Authorized Officers, or any one of them, are hereby authorized to execute a Continuing Disclosure Undertaking with respect to the Bonds. The Bonds are hereby made subject to such Continuing Disclosure Undertaking and the County agrees to abide by the provisions thereof so long as any of the Bonds are outstanding.

21. Preliminary Official Statement and Final Official Statement. Each Authorized Officer is hereby authorized to approve for distribution a Preliminary Official Statement for the Bonds. Following the sale of the Bonds, each Authorized Officer is hereby authorized to execute an Official Statement with respect to the Bonds.

22. Retention of Bond Counsel. The firm of Dykema Gossett PLLC, Lansing, Michigan, is hereby retained to act as bond counsel ("Bond Counsel") for the County in connection with the issuance, sale and delivery of the Bonds.

23. Retention of Financial Advisor. Public Financial Management, Inc., Ann Arbor, Michigan (the "Financial Advisor"), is hereby retained to act as financial consultant to the County in connection with the sale and delivery of the Bonds.

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

25. Conflicting Resolutions. All resolutions of the County, or parts of such resolutions, in conflict with this resolution are hereby rescinded.

A ROLL CALL VOTE WAS TAKEN ON THE RESOLUTION AS FOLLOWS:

YES: 15

NO: 0

ABSTAIN 0

THE RESOLUTION WAS DECLARED ADOPTED. Carried.

I certify that the foregoing is a true and accurate copy of a resolution adopted at a regular meeting of the Board of Commissioners of the County of Eaton held on January 16, 2013, and that notice of the meeting was given as required by Act No. 267, Public Acts of Michigan, 1976, as amended.

Diane Bosworth

Eaton County Clerk

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the County or its agent for registration or transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

COUNTY OF EATON
STATE OF MICHIGAN
MICHIGAN TRANSPORTATION FUND REFUNDING BONDS, SERIES 2013
(LIMITED TAX GENERAL OBLIGATION)

Date of Issuance	Maturity Date	Interest Rate	CUSIP

Registered Owner: Cede & Co.

Principal Amount: _____ (Dollars) ($_____)

FOR VALUE RECEIVED, the County of Eaton, State of Michigan, (the "County") hereby acknowledges itself indebted and for value received promises to pay the Principal Amount specified above on the Maturity Date specified above to the Registered Owner specified above, or its registered assigns, shown as the owner of record of this Bond on the applicable date of record on the books of _____ as Bond Registrar (the "Bond Registrar"), together with interest thereon from the Date of Issuance specified above, or such later date through which interest has been paid, at the Rate per annum specified above, payable on August 1, 2013, and semiannually thereafter on the first day of February and August in each year. The date of record shall be January 15 with respect to payments made on February 1 and July 15 with respect to payments made on August 1.

This Bond is one of a series of Bonds of like date and tenor except as to date of maturity and interest rate, numbered from 1 upwards, aggregating the principal sum of _____ _____ Dollars ($_____) issued pursuant to the authorization provided in Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34") and Act No. 51, Public Acts of Michigan, 1951, as amended ("Act 51"), and resolutions of the Board of the Eaton County Road Commissioners and of the Board of Commissioners of the County of Eaton, Michigan, for the purpose of refunding all or a portion of the County's Michigan Transportation Fund Bonds, Series 2003.

This Bond and the interest thereon are payable primarily from funds received, and to be received, by the Board of County Road Commissioners of the County of Eaton from the Michigan Transportation Fund pursuant to law, such fund being a special fund in the State Treasury in which taxes imposed by law upon gasoline or other motor fuels and on certain motor vehicles are required by law to be set aside as collected. The resolution authorizing the issuance

Exhibit A

Form of Bond

and sale of the Bonds irrevocably appropriates and pledges sufficient moneys from such funds received and to be received to provide for the payment of the principal of and interest on this Bond, and the series of Bonds of which this is one, when due.

In the event such moneys are for any reason insufficient to pay the principal of and interest on the Bonds when due, the County is obligated to advance sufficient moneys from its general funds to make up such deficiency. The County, however, does not have the power to levy any tax for the payment of the Bonds in excess of its constitutional and statutory limitations. THE BONDS ARE NOT AN OBLIGATION OF THE STATE OF MICHIGAN OR OF THE MICHIGAN TRANSPORTATION FUND.

Bonds maturing before August 31, _____ shall not be subject to redemption prior to maturity. Bonds maturing on or after August 1, _____ shall be callable at the option of the County in whole or in part on any date on or after August 1, _____ at par plus accrued interest to the date fixed for redemption.

With respect to partial redemptions, any portion of a Bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion as well as the amount not being redeemed constitute authorized denominations. In the event that less than the entire principal amount of a Bond is called for redemption, upon surrender of the Bond to the Bond Registrar, the Bond Registrar shall authenticate and deliver to the registered owner of the Bond a new Bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each Bond being redeemed by first class mail at least 30 days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption. Any defect in any notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Bond Registrar to redeem the same.

This Bond is transferable on the bond registration books of the Bond Registrar upon surrender of this bond together with an assignment executed by the Registered Owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon such transfer, one or more fully registered Bonds with denominations of $5,000, or any integral multiple of $5,000, in the same aggregate principal amount and the same maturity and interest rate will be issued to the designated transferee or transferees. The Bond Registrar shall not be required to honor any transfer of this Bond during the period from the applicable date of record preceding an interest payment date to such interest payment date.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in connection with the issuance of the Bonds of this series, existed, have happened and have been performed in due time, form and manner as required by the Constitution and statutes of the State of Michigan, including in particular Act 34, Act 51, and that the total indebtedness of the County and of the Board of County Road Commissioners of Eaton County, including the series of Bonds of which this Bond is one, does not exceed any Constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Eaton, Michigan, has caused this Bond to be executed in its name with the facsimile signatures of its Chairman and its Clerk, and has caused this Bond to be authenticated by the Bond Registrar, as the Board's authenticating agent, all as of the Date of Issuance specified above.

THE COUNTY OF EATON

By: _____
Chairman, County Board of Commissioners

By: _____
County Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is one of the series of Bonds designated "County of Eaton, State of Michigan, Michigan Transportation Fund Refunding Bonds, Series 2013" (Limited Tax General Obligation).

_____

BOND REGISTRAR AND AUTHENTICATING AGENT

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers unto_____ this Bond and all rights hereunder and hereby irrevocably appoints attorney to transfer this Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

_____
Signature

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of this Bond in every particular.

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ID\JPK - 087616\0002

EATON COUNTY BOARD OF COMMISSIONERS

January 16, 2013

RESOLUTION TO APPROVE AN APPLICATION FOR A FARMLAND AND OPEN SPACE DEVELOPMENTAL RIGHTS AGREEMENT (PUBLIC ACT 116 OF 1974, AS AMENDED)

Introduced by the Ways & Means Committee

Commissioner Eakin moved the approval of the following resolution. Seconded by Commissioner Hosey.

WHEREAS, Jeffrey L and Stacey L Morton, filed a Farmland and Open Space Application for property located in Vermontville Township, with the Eaton County Clerk's Office in September 2012; and

WHEREAS, this application includes Parcel # 23-050-006-100-001-00 of which totals 59.18 acres; and

WHEREAS, the applicant is requesting a 10 year agreement; and

WHEREAS, a copy of this application was sent to all reviewing agencies as required by the act; and

WHEREAS, the Eaton County Ways & Means Committee has reviewed this application and is recommending approval.

THEREFORE, BE IT RESOLVED, that the Eaton County Board of Commissioners at its regularly scheduled meeting on January 16, 2013 does hereby approve the Farmland and Open Space Application filed by Jeffrey L and Stacey L Morton, properties located in Vermontville Township. Carried.

Diana Bosworth

Diana Bosworth, County Clerk

1-18-2013

Date

GENERAL FUND
2012/2013 CONTINGENCY UPDATE

	BEGINNING BALANCE	$	120,000
	BALANCE 10/31/12	$	**120,000**
	BALANCE 11/30/12	$	**120,000**
County Clerk	Salaries and Fringe (New Part-Time Clerk)	$	(15,100)
Computer Fund	Transfers-Out (Video Courtroom Equipment)	$	(25,000)
	BALANCE 12/31/12	$	**79,900**
Elections	Printing	$	(5,500)
	BALANCE 1/31/12	$	**74,400**

EATON COUNTY BOARD OF COMMISSIONERS

JANUARY 16, 2013

RESOLUTION TO APPROVE
2012/2013 BUDGET AMENDMENTS

Introduced by the Ways and Means Committee

Commissioner Eakin moved the approval of the following resolution. Seconded by Commissioner Augustine.

WHEREAS, the Eaton County 2012/2013 Appropriations Act of September 19, 2012 states that any amendment to increase a salary and/or a Capital Outlay line-item in excess of $2,500.00 or any amendment to increase the total budget of any fund or department in excess of $2,500.00 shall be amended by the Board of Commissioners, except that any amendment to decrease the General Fund Contingency shall be approved by the Board of Commissioners; and

WHEREAS, such amendments are needed in order to comply with the Uniform Budgeting and Accounting Act of 1978, P.A. 621.

NOW, THEREFORE BE IT RESOLVED, that the following budget amendments be approved and added to the 2012/2013 Eaton County Budget:

SPECIAL REVENUE

ELECTIONS -191

Increase	Printing	$ 5,500
Decrease	Contingency	$ 5,500

To increase budget for increased cost of printing ballots for the general election.

TREASURER

Increase	Salary and Fringe	$ 10,144
Increase	Transfers-In Delinquent Tax Fund	$ 10,144

To increase the total Treasurer's Office budget to reclassify an Accounting and Tax Records Clerk to a Deputy Treasurer on the Position Allocations for the County Clerk's Office and an increase in health insurance coverage. Carried.

RESOLUTION NO. #13-1-10

COUNTY OF EATON

STATE OF MICHIGAN

RESOLUTION TO AUTHORIZE PLEDGE OF COUNTY OF EATON'S FULL FAITH AND CREDIT FOR EATON COUNTY DRAIN BONDS (BURRELL INTERCOUNTY DRAINAGE DISTRICT)

Minutes of a regular meeting of the Board of Commissioners of the County of Eaton, Michigan, held in the County Building, 1045 Independence Boulevard, Charlotte, Michigan, on the 16 day of January, 2013, at 7:00 p.m. Local Time.

PRESENT: Commissioners: Hosey, Augustine, Spence, Osieczonek, Whitacre, Freeman, Brehler, Miars, Eakin, Ridge, Baker, Barr, Whittum, Harris, Mulder.

ABSENT: Commissioners: None

The following preamble and resolution were offered by Eakin and supported by Baker:

WHEREAS, pursuant to the Drain Code of 1956, as amended, being Act 40 of the Public Acts of Michigan of 1956, as amended ("Act 40"), a county may pledge its full faith and credit for the payment of obligations issued pursuant to Act 40, if the board of commissioners of the county adopts a resolution by a majority of its membership to that effect; and

WHEREAS, the Eaton County Drain Commissioner, at the request of the intercounty drainage board (the "Drainage Board") for the Burrell Intercounty Drainage District (the "Drainage District"), has undertaken proceedings for the partial reconstruction and improvement of the Burrell Intercounty Drain under the provisions of Chapter 8 of Act 40; and

WHEREAS, the Drainage District, acting by and through the Drainage Board intends to issue drain bonds (the "Bonds") in the aggregate principal amount of not to exceed $725,000, in anticipation of the collection of an equal amount of special assessments against property and

public corporations in the Drainage District, which includes properties located within the County and the County of Ingham, said special assessments having been duly confirmed as provided in Act 40; and

WHEREAS, 95% of the cost of the Project to be financed by the Bonds has been apportioned by the Drainage Board to the County and 5% of the of the cost of the Project to be financed by the Bonds has been apportioned by the Drainage Board to the County of Ingham; and

WHEREAS, the proposed Bonds of the Drainage District are to be designated "Drainage Bonds, Series 2013," and will bear interest at a rate not exceeding 5% per annum; and

WHEREAS, on behalf of the Drainage District, the Drain Commissioner deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County on the Bonds; and

WHEREAS, the improvements to said Drain are necessary to protect and preserve the public health and therefore it is in the best interest of the County of Eaton that the Bonds be sold.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. Pursuant to the authorization provided in Section 276 of Act 40, and in accordance with the Eaton County Board of Commissioners' Full Faith and Credit Policy adopted by the Board of Commissioners, the County Board of Commissioners does hereby irrevocably pledge the full faith and credit of the County of Eaton for the prompt payment of the principal of and interest on the Bonds to the extent of special assessments against property and public corporations located within the County, and does agree that in the event that the property owners or public corporations in the County of Eaton shall fail or neglect to account to the County Treasurer of the County of Eaton for the amount of any special assessment installment

and interest (in anticipation of which the Bonds are issued), when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Eaton advances out of County funds, all or any part of said installment and interest, it shall be the duty of the County Treasurer and the County Drain Commissioner, for and on behalf of the County of Eaton, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. The County Controller and County Drain Commissioner are each hereby separately authorized and directed to execute and file on behalf of the County and/or Drainage District any necessary application or request for exception, necessary or required by Act 40 or the Revised Municipal Finance Act, Act 34 of the Public Acts of Michigan of 2001, as amended, for the issuance of the Bonds.

4. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Commissioners: **Hosey, Augustine, Spence, Osieczonek, Whitacre, Freeman, Brehler, Miars, Eakin, Ridge, Baker, Barr, Whittum, Harris, Mulder.**

NAYS: Commissioners: 0

ABSTAIN: Commissioners: 0

RESOLUTION DECLARED ADOPTED. Carried.

Diana Bosworth
County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF EATON)

I, Diana Bosworth, the duly qualified and acting Clerk of the County of Eaton, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the County Board of Commissioners at a regular meeting thereof held on the 16th day of January, 2013, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed my official signature this 16th day of January, 2013.

Diana Bosworth

Diana Bosworth
County Clerk