

GENESEE COUNTY BOARD OF COMMISSIONERS

2016-18

**ITEMS FOR BOARD ACTION
MONDAY, AUGUST 8, 2016 @ 9:00 a.m.**

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. INVOCATION**
- IV. PLEDGE TO THE FLAG**
- V. APPROVAL OF MINUTES – July 18, 2016**
- VI. PUBLIC ADDRESS TO THE BOARD**
- VII. COMMUNICATIONS**

Keith Francis, County Controller

REPORTS

BOARD OF COMMISSIONERS

Jamie W. Curtis, Chairperson
Bryant W. Nolden, Vice Chairperson

16-369 B01 Resolution waiving any potential conflict of interest in retaining law firm of
Dykema Gosset, PLLC

Report from Chairperson

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

Tony Brown, Chairperson
Michael Lynch, Vice Chairperson

Report from Chairperson

FINANCE COMMITTEE

Mark Young, Chairperson
Bryant W. Nolden, Vice Chairperson

16-310 F01 Resolution accepting the Treasurer's Quarterly Investment Report

- 16-311 F02 Resolution authorizing County DHHS line-item budget transfers
- 16-312 F03 Resolution authorizing application submission and acceptance of the Clerk's FY2017 Victims of Crimes Services Grant
- 16-313 F04 Resolution authorizing travel and overnight lodging for the Senior Drain Engineer of Surface Water Management
- 16-314 F05 Resolution authorizing de-registration of the County Self-Insured Trust Pool
- Report from Chairperson

GOVERNMENTAL OPERATIONS COMMITTEE

Bryant W. Nolden, Chairperson
Mark Young, Vice Chairperson

- 16-315 G01 Resolution authorizing payment of County bills
- 16-316 G02 Resolution authorizing travel and overnight lodging for four District Court Magistrates
- 16-317 G03 Resolution ratifying expedited action authorizing travel and overnight lodging for the Prosecuting Attorney and four senior staff members
- 16-318 G04 Resolution accepting the Treasurer's updated investment policy
- 16-319 G05 Resolution authorizing travel and overnight lodging for Treasurer employee Isaiah Matan
- 16-320 G06 Resolution authorizing travel and overnight lodging for HR Director Anita Galajda
- 16-321 G07 Resolution authorizing travel and overnight lodging for CIO Christopher Newell and Systems Engineer Carlotta Brown
- 16-322 G08 Resolution authorizing August 2016 overtime requests
- 16-323 G09 Resolution authorizing Health Department acceptance of W.K. Kellogg Foundation grant

Burial Claims

Report from Chairperson

HUMAN SERVICES COMMITTEE

Brenda Clack, Chairperson

Pegge Adams, Vice Chairperson

- 16-324 H01 Resolution ratifying expedited action authorizing GCCARD lease agreement extension with Bridgestone Americas Tire Operations, LLC
- 16-325 H02 Resolution ratifying expedited action authorizing GCCARD contracts with the eight firms that responded to RFP 16-086
- 16-326 H03 Resolution ratifying expedited action authorizing GCCARD submission of a request to carryover unspent Early Head Start supplemental funds
- 16-327 H04 Resolution ratifying expedited action authorizing GCCARD acceptance of increased funding for Home Delivered and Congregate Meal Programs
- 16-328 H05 Resolution authorizing Health Department contract with Hope Network New Passages – Connexion
- 16-329 H06 Resolution authorizing Health Department contract with McLaren Regional Medical Center Family Medicine Residency Program
- 16-330 H07 Resolution authorizing travel and overnight lodging for Health Department employee Christal Hetherington
- 16-331 H08 Resolution authorizing travel and overnight lodging for Health Department employees Dawn Scharer and Tessa Clardy

Report from Chairperson

PUBLIC WORKS COMMITTEE

Michael Lynch, Chairperson

Tony Brown, Vice Chairperson

- 16-04 P01 Resolution approving Drain Commissioner Refinancing Water Supply System Revenue Bond ordinance
- 16-332 P02 Resolution authorizing surveying services contracts between Genesee County and Fleis & VandenBrink Engineering, Inc.; Meridian Land Surveying, Inc.; Rowe Professional Services Company; and Wade Trim

Report from Chairperson

LAUDATORY RESOLUTIONS

16L-48 Willie Lee Booth
16L-49 The Dorsey Family

IX. **UNFINISHED BUSINESS**

X. **NEW AND MISCELLANEOUS BUSINESS**

XI. **OTHER BUSINESS**

Closed Session - 1) To discuss trial or settlement strategy in the pending litigation matter of *Jabril Muhammad v. named deputies*, case no. 14-12277, and 2) to discuss written legal opinion of counsel related to case no. 16-3-086.

XII. **ADJOURNMENT**

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, accepts the recommendation made by Corporation Counsel to waive any potential conflict of interest in retaining the law firm of Dykema Gossett, PLLC, to represent Genesee County and this Board in the lawsuit of *John J. Gleason, Genesee County Register of Deeds v County of Genesee Board of Commissioners*; Case No. 16-107182-CL, and Corporation Counsel is authorized to execute the written waiver and engagement agreement on behalf of Genesee County.

BOARD OF COMMISSIONERS

B _____
BDM:bdm
07-29-16
08-08-B01

B01

16-310

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of Commissioners of Genesee County,
Michigan, hereby accepts the Treasurer's Quarterly Investment Report for the period
ending June 30, 2016, submitted pursuant to MCL 129.96(3).

FINANCE COMMITTEE

F071816VIA
MKS:mks
07-14-16
08-08-F01

F01

16-311

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Child Welfare Director of the Genesee County Department of Health and Human Services to authorize budget line-item transfers from the Family Foster Care line to the Independent Living line in the amount of \$50,000.00 and to the Institutional Care line in the amount of \$250,000.00, is approved (a copy of the memorandum request dated June 20, 2016, being on file with the official records of the July 18, 2016, meeting of the Finance Committee of this Board), and the Controller is directed to make the line-item budget adjustments as necessary.

FINANCE COMMITTEE

F071816VIIB
BDM:mks
07-28-16
08-08-F02

F02

16-312

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Chief Deputy Clerk of the County Clerk's Office to authorize both the submission of an application for the FY2017 Victims of Crime Services Grant and its acceptance, if granted, from the Crime Victims Services Commission, State of Michigan Department of Community Health, in the amount of \$70,000.00, is approved (a copy of the memorandum request dated July 12, 2016, being on file with the official records of the July 18, 2016, meeting of the Finance Committee of this Board), and this Board's Chairperson is authorized to execute the application and grant agreement, if necessary, on behalf of Genesee County.

FINANCE COMMITTEE

F071816VIIC
BDM:mks
07-28-16
08-08-F03

F03

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Drain Commissioner to authorize travel and overnight lodging for the Senior Drain Engineer of Surface Water Management to attend the Michigan Association of County Drain Commissioners 117th Summer Conference in Bellaire, Michigan, August 17 – 19, 2016, at a cost not to exceed \$865.36, is approved (a copy of the memorandum request dated June 28, 2016, and supporting documents being on file with the official records of the July 18, 2016, meeting of the Finance Committee of this Board).

BE IT FURTHER RESOLVED, that the request by the Drain Commissioner to authorize a budget line item transfer of \$870.00 from line 101.00.00.2751.46500.000 (training employees) to line 101.00.00.2751.60020.000 (travel workshop) to cover the aforementioned travel expenses is approved, and the Controller is directed to make the necessary line-item budget adjustments.

FINANCE COMMITTEE

F071816VIID
BDM:mks
07-28-16
08-08-F04

F04

16-314

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the recommendation by the Trustees of the Self-Insured Trust Pool to authorize de-registration of the Genesee County Self-Insured Trust Pool is accepted and approved (a copy of the memorandum request dated July 6, 2016, and supporting documents being on file with the official records of the July 18, 2016, meeting of the Finance Committee of this Board), and the Controller is authorized to take the necessary actions to de-register the Trust Pool.

FINANCE COMMITTEE

F071816VIIE
BDM:mks
07-28-16
08-08-F05

F05

16-315

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, allows and authorizes the payments of bills, claims, and obligations for the County of Genesee in the amount of \$1,406,744.18 for the period ending July 8, 2016, including \$234,208.39 from the General Fund; and in the amount of \$2,177,466.56 for the period ending July 15, 2016, including \$114,976.85 from the General Fund.

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIA
MKS:mks
07-25-16
08-08-G01

G01

16-316

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the 67th District Court Deputy Director of Court Operations to authorize travel and overnight lodging for four 67th District Court Magistrates to attend the 2016 Michigan Association of District Court Magistrates Conference in Grand Rapids, Michigan, September 27 – 28, 2016, at a cost not to exceed \$1,600.00, is approved (a copy of the memorandum request dated July 6, 2016, and supporting documents being on file with the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIIC
BDM:mks
07-26-16
08-08-G02

G02

16-317

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 25, 2016, by the Governmental Operations Committee of this Board approving the request by the Office of the Prosecuting Attorney to authorize travel and overnight lodging for the Prosecuting Attorney and four senior staff members to attend the Prosecuting Attorneys Association of Michigan 2016 Summer Conference on Mackinac Island, Michigan, August 25 – 28, 2016, at a total cost, inclusive of registration and attendance for all five attendees, not to exceed \$4,950.00 (a copy of the memorandum request dated July 19, 2016, and supporting documents being on file with the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIID
BDM:mks
08-04-16
08-08-G03

G03

16-318

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee
County, Michigan, hereby accepts the Treasurer's updated Genesee County Investment
Policy.

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIIE
BDM:bdm
07-26-16
08-08-G04

G04

16-319

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Treasurer to authorize travel for Isaiah Matan to attend the 2016 Association of Public Treasurers US & Canada 51st Annual Conference in Grand Rapids, Michigan, on August 17, 2016, at a cost not to exceed \$318.00, is approved (a copy of the memorandum request dated July 19, 2016, and supporting documents being on file with the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIIF
BDM:mks
07-28-16
08-08-G05

G05

16-320

COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Director of Human Resources and Labor Relations to authorize travel and overnight lodging for her to attend the 2016 Annual Training Conference presented by the Michigan Public Employer Labor Relations Association in Bellaire, Michigan, September 14 – 16, 2016, at a cost not to exceed \$600.00, is approved (a copy of the memorandum request dated July 25, 2016, and supporting documents being on file with the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIIG
BDM:mks
07-28-16
08-08-G06

G06

16-321

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Chief Information Officer to authorize travel and overnight lodging for him and Systems Engineer Carlotta Brown to attend the Michigan Chapter – Governmental Management Information Sciences annual conference in Bellaire, Michigan, September 12 – 14, 2016, at a total cost not to exceed \$858.48, is approved (a copy of the memorandum request dated July 14, 2016, and supporting documents being on file with the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board).

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIIIH
BDM:bdm
07-26-16
08-08-G07

G07

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

WHEREAS, pursuant to the procedures mandated in this Board's Resolution #08-05, certain departments have submitted funding requests and asserted justifications for overtime for the period of August 1, 2016, through August 31, 2016, such requests and asserted justifications appearing in the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board; and

WHEREAS, said Committee, upon review and consideration of said requests and asserted justifications, has recommended certain funding for the overtime activities requested for funding, as above referenced, by the Departments and/or Divisions of Departments as listed on the following schedule.

NOW, THEREFORE, BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 25, 2016, by the Governmental Operations Committee of this Board approving the request by the Controller to authorize the appropriation of the sum of \$59,619.00 from General Fund Contingencies - Reserve for Overtime (Fund No. 101.00.00.9010.70075.000) and allocating those funds as specified to the Overtime Account (No. 30055) of the respective departments as detailed below:

| <u>Account</u> | <u>Department</u> | <u>Amount</u> |
|----------------|---|---------------|
| 101.00.00.1050 | Board Coordinator | 0 |
| 101.00.00.1311 | Circuit Court | 0 |
| 101.00.00.1320 | Jury Board | 0 |
| 101.00.00.1360 | District Court | 1,020 |
| 101.00.00.1370 | 5 th Division District Court | (225) |
| 101.00.00.1390 | Family Court | 15 |
| 101.00.00.1485 | Probate Court | 0 |

| | | |
|----------------|--|---------|
| 101.00.00.2160 | County Clerk | 3,725 |
| 101.00.00.2236 | Controller | (1,033) |
| 101.00.00.2260 | Human Resources | 79 |
| 101.00.00.2292 | Prosecutor | 0 |
| 101.00.00.2310 | Court Services | 0 |
| 101.00.00.2332 | Purchasing | 5 |
| 101.00.00.2364 | Register of Deeds | 373 |
| 101.00.00.2530 | Treasurer's Office | 225 |
| 101.00.00.2653 | Building and Grounds | 1,784 |
| 101.00.00.2656 | Building and Grounds – McCree | 15 |
| 101.00.00.3020 | Sheriff Court Security-Transport | 1,340 |
| 101.00.00.3025 | Sheriff Court Security-Transport-McCree | 1,205 |
| 101.00.00.3028 | Sheriff Court Security-Transport-Probate | 1 |
| 101.00.00.3030 | Sheriff Corrections Division | 40,361 |
| 101.00.00.3035 | Building and Grounds – Jail | 47 |
| 101.00.00.3050 | Sheriff Administration | 213 |
| 101.00.00.3110 | Sheriff Investigative Division | 1,567 |
| 101.00.00.3145 | Sheriff Overtime | 8,004 |
| 101.00.00.3160 | Sheriff Marine Section | 0 |
| 101.00.00.3205 | Sheriff Tether | 7 |
| 101.00.00.4260 | Emergency Mgmt | 0 |
| 628.00.00.2582 | IT | 476 |
| 645.00.00.2334 | Motor Pool | 415 |

TOTAL

\$ 59,619

to cover all anticipated overtime costs during the month of August 2016 in these departments.

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIII
BDM:bdm
07-26-16
08-08-G08

G08

16-323

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 25, 2016, by the Governmental Operations Committee of this Board approving the request by the Health Officer to accept the terms of the W.K. Kellogg Foundation grant agreement and funds in the amount of \$800,000.00 for the two-year period commencing August 1, 2016, through August 31, 2018, for the purpose of providing health care services, treatments, and other supports for families impacted by the water and lead crisis in Flint, Michigan (a copy of the memorandum request dated July 25, 2016, and supporting documents being on file with the official records of the July 25, 2016, meeting of the Governmental Operations Committee of this Board), and the Health Officer is authorized to execute the grant agreement on behalf of Genesee County.

GOVERNMENTAL OPERATIONS COMMITTEE

G072516VIIJ
BDM:mks
07-28-16
08-08-G09

G09

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 18, 2016, by the Human Services Committee of this Board approving the request by the Executive Director of the Genesee County Community Action Resource Department to authorize amending the Lease Agreement between Genesee County and Bridgestone Americas Tire Operations, LLC, regarding the property at 2727 Lippincott Boulevard in Flint, Michigan, said amendment being for the purpose of both extending the lease for an additional two years commencing on January 1, 2017, through December 31, 2018, and adding a mutual six-month termination clause (a copy of the memorandum request dated July 18, 2016, and the Agreement Amending Lease being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board), and the Chairperson of this Board is authorized to execute the document titled *Agreement Amending Lease* on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H071816VIA2
BDM:mks
07-28-16
08-08-H01

H01

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 18, 2016, by the Human Services Committee of this Board approving the request by the Executive Director of the Genesee County Community Action Resource Department to authorize entering into contracts with the eight firms that responded to RFP 16-086 for the purpose of replacing water heaters in qualified structures for income-eligible residents in the City of Flint who have been affected by the water crisis, said firms being:

- BedRock Builders;
- Johnson & Wood;
- Property Monkey;
- Pelch Services;
- Holland Heating & Cooling;
- Synergy Construction;
- DM Burr Heating & Cooling; and
- Human Development Commission

(a copy of the memorandum request dated July 18, 2016, being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board), and, upon review and approval by Corporation Counsel, both the Executive Director and the Chairperson of this Board are authorized to execute the contracts, as necessary, on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H071816VIA3
BDM:mks
07-28-16
08-08-H02

H02

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 18, 2016, by the Human Services Committee of this Board approving the request by the Executive Director of the Genesee County Community Action Resource Department to authorize submission of a request to the Health and Human Services Administration for Children and Families to carryover unspent 2015-2016 Early Head Start Supplemental funds in the amount of \$482,317.16, into the 2016-2017 program year (a copy of the memorandum request dated July 18, 2016, being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board).

HUMAN SERVICES COMMITTEE

H071816VIA4
BDM:mks
07-28-16
08-08-H03

H03

16-327

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, that this Board of County Commissioners of Genesee County, Michigan, ratifies the expedited action taken on July 18, 2016, by the Human Services Committee of this Board approving the request by the Executive Director of the Genesee County Community Action Resource Department to authorize the third amendment to the funding contracts from the Valley Area Agency on Aging through the Aging and Adult Services Agency for the purpose of increasing the funding for the Congregate Meal Program from \$309,076.00 to \$326,817.00, and for the Home Delivered Meal Program from \$1,086,361.00 to \$1,171,066.00, for a total increase in funding of \$102,446.00 (a copy of the memorandum request dated July 18, 2016, and supporting documents being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board), and both the Executive Director and the Chairperson of this Board are authorized to execute the amended contracts, as necessary, on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H071816VIA5
BDM:mks
07-28-16
08-08-H04

H04

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize the Professional Services Contract between Genesee County and Hope Network New Passages – Connexion, for a term commencing June 1, 2016, through September 30, 2016, for the purpose of providing tobacco retailer compliance checks throughout Genesee County, is approved (a copy of the memorandum request dated July 5, 2016, and the Professional Services Contract being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board), and the Chairperson of this Board is authorized to execute the contract on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H071816VIIB1
BDM:mks
07-28-16
08-08-H05

H05

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize the contract between Genesee County and McLaren Regional Medical Center for the purpose of providing a Community Medicine rotational training program for McLaren's Family Medicine second- and third-year residents for the term beginning June 1, 2016, through June 30, 2017, is approved (a copy of the memorandum request dated July 5, 2016, and contract being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board), and both the Health Officer and the Chairperson of this Board are authorized to execute the contract on behalf of Genesee County.

HUMAN SERVICES COMMITTEE

H071816VIIB2
BDM:mks
07-28-16
08-08-H06

H06

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize travel and overnight lodging for Christal Hetherington to attend the State of Michigan Annual STD and HIV Conference in Acme, Michigan, August 30 – 31, 2016, at no cost to the County, is approved (a copy of the memorandum request dated July 18, 2016, and supporting documents being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board).

HUMAN SERVICES COMMITTEE

H071816VIIB3
BDM:bdm
07-15-16
08-08-H07

H07

16-331

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Health Officer to authorize travel and overnight lodging for Dawn Scharer and Tessa Clardy to attend the Healthy Start EPIC Grantee Convention in Washington, D.C., September 26 – 28, 2016, at a total cost for both attendees not to exceed \$2,635.86, is approved (a copy of the memorandum request dated July 18, 2016, and supporting documents being on file with the official records of the July 18, 2016, meeting of the Human Services Committee of this Board).

HUMAN SERVICES COMMITTEE

H071816VIIB5
BDM:bdm
07-15-16
08-08-H08

H08

ORDINANCE NO. _____

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF WATER SUPPLY SYSTEM REVENUE REFUNDING BONDS FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING REVENUE BONDS OF THE WATER SUPPLY SYSTEM OF THE COUNTY OF GENESEE, MICHIGAN; TO PRESCRIBE THE FORM OF THE REVENUE REFUNDING BONDS; TO PROVIDE FOR THE RETIREMENT AND SECURITY OF THE REVENUE REFUNDING BONDS HEREIN AUTHORIZED; AND TO PROVIDE FOR OTHER MATTERS RELATIVE TO THE SYSTEM AND THE REVENUE REFUNDING BONDS.

WHEREAS, the County of Genesee, State of Michigan (the "County") has previously issued the Outstanding Bonds (as hereinafter defined) to defray the cost of certain improvements and extensions to the Genesee County Water Supply System; and

WHEREAS, the Series 2007 Bonds (as hereinafter defined) are currently outstanding in the principal amount of \$4,790,000; and

WHEREAS, the County has been advised that it may be able to achieve interest cost savings by refunding all or a portion of the callable maturities of the Series 2007 Bonds (the "Refunded Bonds"); and

WHEREAS, the cost of refunding the Refunded Bonds, including incidental financing and legal expenses, is estimated to be approximately Five Million Five Hundred Thousand Dollars (\$5,500,000); and

WHEREAS, the Outstanding Ordinances (as hereinafter defined) authorize the issuance of additional Bonds for the purpose of, among other things, refunding all or part of the Outstanding Bonds and paying the costs of issuing such additional Bonds; and

WHEREAS, to finance the cost of refunding the Refunded Bonds, including incidental financing and legal expenses, the County has determined that it is necessary to issue additional Bonds therefor in the aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000); and

WHEREAS, all things necessary to the authorization and issuance of additional Bonds under the Constitution and laws of the State of Michigan and the Master Ordinance (as hereinafter defined) have been done or will be completed prior to the issuance of the additional Bonds, and the Board of Commissioners of the County is now empowered and desires to authorize the issuance of said additional Bonds.

THE COUNTY OF GENESEE ORDAINS:

Section 1. Definitions. Capitalized terms used in this Ordinance and not otherwise defined herein shall have the meanings assigned to such terms in the Master Ordinance. In addition to the terms defined in the Master Ordinance, the following terms as used in this Ordinance shall have the following meanings:

“Act 34” means Act 34, Public Acts of Michigan, 2001, as amended.

“Act 94” means Act 94, Public Acts of Michigan, 1933, as amended.

“Act 342” means Act 342, Public Acts of Michigan, 1939, as amended.

“Combined 2016 Bond Issue” has the meaning set forth in Section 5 of this Ordinance.

“County” means the County of Genesee, State of Michigan.

“County Agency” means the Genesee County Drain Commissioner, as the designated “county agency” pursuant to Act 342.

“Master Ordinance” means Ordinance No. 03-03 of the County adopted on March 25, 2003.

“Outstanding Bonds” means, collectively, the Series 2007 Bonds, the Series 2013 Bonds, the Series 2014 Bonds, the Series 2015 Bonds, the Series 2016A Bond and any Series 2016 Public Sale Bonds issued pursuant to the provisions of Ordinance No. 16-03 of the County adopted on January 19, 2016.

“Outstanding Ordinances” means, collectively, the Master Ordinance and Ordinance Nos. 03-05, 06-06, 12-02, 12-03, 13-01, 13-02 and 16-03 of the County.

“Refunded Bonds” means the outstanding Series 2007 Bonds maturing on November 1 of the years 2017 to 2024, inclusive, 2027, 2030 and 2033, or such portions thereof as may be determined by the County Agency at the time of sale of the Series 2016 Refunding Bonds.

“Sale Order” means an order of the County Agency awarding the sale of the Series 2016 Refunding Bonds and approving the final terms of the Series 2016 Refunding Bonds as provided in this Ordinance.

“Series 2007 Bonds” means the County’s Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2007, in the original principal amount of \$6,000,000.

“Series 2013 Bonds” means the County’s Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2013, in the original principal amount of \$35,000,000.

“Series 2014 Bonds” means the County’s Water Supply System Revenue Refunding Bonds (Limited Tax General Obligation), Series 2014, in the original principal amount of \$30,285,000.

“Series 2015 Bonds” means the County’s Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2015, in the original principal amount of \$60,000,000.

“Series 2016A Bond” means the County’s Water Supply System Revenue Bond (Limited Tax General Obligation), Series 2016A, in the original principal amount of \$6,430,000.

“Series 2016 Public Sale Bonds” means the Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2016, authorized to be issued by the County in one or more series pursuant to the provisions of Ordinance No. 16-03 of the County adopted on January 19, 2016.

“Series 2016 Refunding Bonds” means the Water Supply System Revenue Refunding Bonds (Limited Tax General Obligation), Series 2016, issued pursuant to Section 4 of this Ordinance.

“Transfer Agent” means, with respect to the Series 2016 Refunding Bonds, the person or entity appointed from time to time to act as paying agent, registrar and transfer agent for the Series 2016 Refunding Bonds as provided in Section 6 of this Ordinance.

Section 2. Necessity; Public Purpose; Estimated Cost. It is hereby determined and declared to be a necessary public purpose of the County to refund the Refunded Bonds. The estimated cost of refunding the Refunded Bonds, including incidental financing and legal expenses, in the amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000), is hereby approved and confirmed.

Section 3. Payment of Cost; Series 2016 Refunding Bonds Authorized. To pay the costs of refunding the Refunded Bonds, including financial, legal and other expenses incident thereto and incident to the issuance and sale of the Series 2016 Refunding Bonds, the County shall borrow the sum of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000) and issue the Series 2016 Refunding Bonds therefor pursuant to the provisions of Act 94. The remaining costs of refunding the Refunded Bonds, if any, shall be defrayed from funds of the System on hand and legally available for such use.

Except as amended by or expressly provided to the contrary in this Ordinance, all of the provisions of the Outstanding Ordinances shall apply to the Series 2016 Refunding Bonds issued pursuant to this Ordinance, the same as though each of said provisions were repeated in this Ordinance in detail; the purpose of this Ordinance being to authorize the issuance of additional Bonds of equal standing and priority of lien as to the Net Revenues with the Outstanding Bonds for the purpose of refunding the Refunded Bonds and paying the costs of issuing the Series 2016 Refunding Bonds as herein provided. The issuance of additional Bonds for such purpose is authorized by the provisions of Section 20 of the Master Ordinance, upon the conditions therein stated, which conditions have been fully met.

Section 4. Issuance of Series 2016 Refunding Bonds; Details. Bonds of the County, to be designated “WATER SUPPLY SYSTEM REVENUE REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION), SERIES 2016” (with such additional or alternate series designations as may be deemed appropriate by the County Agency) (the “Series 2016 Refunding Bonds”), are authorized to be issued in the aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000), as finally determined by the County Agency in the Sale Order, for the purpose of refunding all or a portion of the Refunded Bonds, as finally determined in the Sale Order, and paying costs incidental to the issuance of the Series 2016 Refunding Bonds. The Series 2016 Refunding Bonds shall be payable out of the Net Revenues, as set forth more fully in Section 7 hereof.

The Series 2016 Refunding Bonds shall consist of fully-registered bonds of the denomination of \$5,000 each, or integral multiples of \$5,000 not exceeding for each maturity the aggregate principal amount of that maturity, shall be dated as of a date determined by the County Agency in the Sale Order, and shall be numbered in order of registration. The Series 2016 Refunding Bonds may be issued as serial bonds or term bonds, or both, and shall mature or be subject to mandatory redemption on the dates and in the principal amounts as determined by the County Agency in the Sale Order; *provided, however*, that the final maturity date of the Series 2016 Refunding Bonds shall be not later than November 1, 2035.

The Series 2016 Refunding Bonds shall bear interest at the rate or rates to be determined at the time of sale thereof, but in any event not exceeding eight percent (8%) per annum, payable semi-annually on May 1 and November 1 of each year, or such other dates as determined by the County Agency in the Sale Order, commencing on the date determined by the County Agency in the Sale Order, by check or draft mailed by the Transfer Agent to the person or entity who or which is, as of the 15th day of the month preceding each interest payment date, the registered owner at the registered address as shown on the registration books of the County maintained by the Transfer Agent. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the County to conform to market practice in the future. The principal of the Series 2016 Refunding Bonds shall be payable at the designated office of the Transfer Agent. The Series 2016 Refunding Bonds shall be sold at the price determined at the time of sale, but in any event for a price not less than 96% of the par value of the Series 2016 Refunding Bonds.

The Series 2016 Refunding Bonds shall initially be issued in book-entry-only form through The Depository Trust Company in New York, New York ("DTC"). So long as the Series 2016 Refunding Bonds are in book-entry-only form, the Transfer Agent shall comply with the terms of the Letter of Representations to be entered into among the County, the Transfer Agent and DTC, which provisions shall govern registration, notices and payment, among other things, and which provisions are incorporated herein with the same effect as if fully set forth herein. The County Treasurer and County Agency are each hereby authorized and directed to enter into the Letter of Representations with DTC for and on behalf of the County. In the event the County determines that the continuation of the system of book-entry-only transfer through DTC (or successor securities depository) is not in the best interest of the DTC participants, beneficial owners of the Series 2016 Refunding Bonds, or the County, the County will notify the Transfer Agent, whereupon the Transfer Agent will notify DTC of the availability through DTC of bond certificates. In such event, the County shall issue and the Transfer Agent shall transfer and exchange bonds as requested by DTC of like principal amount, series and maturity, in authorized denominations, to the identifiable beneficial owners in replacement of the beneficial interest of such beneficial owners in the bonds.

The Series 2016 Refunding Bonds shall be subject to redemption prior to maturity at the times and prices and in the manner determined by the County Agency in the Sale Order and as permitted by law, provided that the redemption premium on the Series 2016 Refunding Bonds may not exceed two percent (2%). Unless waived by any registered owner of the Series 2016 Refunding Bonds to be redeemed, notice of redemption shall be given in the manner specified in the form of the Series 2016 Refunding Bonds contained in Section 12 of this Ordinance.

The Series 2016 Refunding Bonds shall be executed in the name of the County with the manual or facsimile signatures of the Chairman of the Board of Commissioners and the County Clerk and shall have the seal of the County or a facsimile thereof impressed or printed thereon. No Series 2016 Refunding Bond shall be valid until authenticated by an authorized representative of the Transfer Agent. The Series 2016 Refunding Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser thereof in accordance with instructions from the County Agency upon payment to the County of the purchase price for the Series 2016 Refunding Bonds. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

Section 5. Combined Issuance of Series 2016 Refunding Bonds and Series 2016 Public Sale Bonds Authorized. If determined by the County Agency to be in the best interests of the County, the issuance of the Series 2016 Refunding Bonds authorized by this Ordinance may be combined with the issuance of any series of the Series 2016 Public Sale Bonds authorized to be issued by the County pursuant to the provisions of Ordinance No. 16-03 of the County, and such combined bond issue may be issued and sold as a single series of bonds (hereinafter, a "Combined 2016 Bond Issue"). Any Combined 2016 Bond Issue shall be designated as "WATER SUPPLY SYSTEM REVENUE AND REVENUE REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION), SERIES 2016" (with such additional or alternate series designations as may be deemed appropriate by the County Agency). If the Series 2016 Refunding Bonds are issued as part of a Combined 2016 Bond Issue, the portion of the Combined 2016 Bond Issue allocable to the Series 2016 Refunding Bonds shall be issued in accordance with the parameters established for the Series 2016 Refunding Bonds by this Ordinance.

Section 6. Transfer Agent; Registration and Transfer. The County Agency shall appoint a bank or trust company qualified under Michigan law to act as Transfer Agent with respect to the Series 2016 Refunding Bonds. Any Series 2016 Refunding Bond may be transferred upon the books required to be kept pursuant to this Section by the person in whose name it is registered, in person or by the registered owner's duly authorized attorney, upon surrender of the Series 2016 Refunding Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Series 2016 Refunding Bond or Bonds shall be surrendered for transfer, the County shall execute and the Transfer Agent shall authenticate and deliver a new Series 2016 Refunding Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required (i) to issue, register the transfer of or exchange any Series 2016 Refunding Bond during a period beginning at the opening of business 15 days before the day of the giving of a notice of redemption of Series 2016 Refunding Bonds selected for redemption and ending at the close of business on the day of that giving of notice, or (ii) to register the transfer of or exchange any Series 2016 Refunding Bond so selected for redemption in whole or in part, except the unredeemed portion of Series 2016 Refunding Bonds being redeemed in part. Unless waived by the Transfer Agent, the County shall give the Transfer Agent notice of call for redemption at least 20 days prior to the date notice of redemption is to be given.

The Transfer Agent shall keep or cause to be kept, at its principal office, sufficient books for the registration and transfer of the Series 2016 Refunding Bonds, which shall at all times be open to inspection by the County; and, upon presentation for such purpose, the Transfer Agent shall, under such reasonable regulations as it may prescribe, transfer or cause to be transferred, on said books, Series 2016 Refunding Bonds as hereinbefore provided.

If any Series 2016 Refunding Bond shall become mutilated, the County, at the expense of the holder of the Series 2016 Refunding Bond, shall execute, and the Transfer Agent shall authenticate and deliver, a new Series 2016 Refunding Bond of like tenor in exchange and substitution for the mutilated Series 2016 Refunding Bond, upon surrender to the Transfer Agent of the mutilated Series 2016 Refunding Bond. If any Series 2016 Refunding Bond issued under this Ordinance shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Transfer Agent and, if this evidence is satisfactory to both and indemnity satisfactory to the Transfer Agent shall be given, and if all requirements of any applicable law, including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), have been met, the County, at the expense of the owner, shall execute, and the Transfer Agent shall thereupon authenticate and deliver, a new Series 2016 Refunding Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Series 2016 Refunding Bond so lost, destroyed or stolen. If any such Series 2016 Refunding Bond shall have matured or shall be about to mature, instead of issuing a substitute Series 2016 Refunding Bond, the Transfer Agent may pay the same without surrender thereof.

Section 7. Payment of Series 2016 Refunding Bonds; Priority of Lien; Pledge of Full Faith and Credit. Principal of and interest on the Series 2016 Refunding Bonds shall be payable primarily from the Net Revenues of the System, and to secure such payment, there is hereby recognized the statutory lien upon the whole of the Net Revenues created by the Master Ordinance, which shall be a first lien to continue with respect to the Series 2016 Refunding Bonds until payment in full of the principal of and interest on the Series 2016 Refunding Bonds, or until sufficient cash or Sufficient Government Obligations have been deposited in trust for payment in full of all principal and interest on the Series 2016 Refunding Bonds then outstanding to maturity, or, if called for redemption, to the date fixed for redemption. The statutory first lien referred to herein shall be of equal standing and priority of lien as to the Net Revenues with the Outstanding Bonds. Upon deposit of sufficient cash or Sufficient Government Obligations for payment in full of all principal and interest on the Series 2016 Refunding Bonds then outstanding, as provided in the previous sentence, the statutory lien shall be terminated with respect to the Series 2016 Refunding Bonds, the holders of the Series 2016 Refunding Bonds shall have no further rights under this Ordinance or the Outstanding Ordinances, except for payment from the deposited funds, and the Series 2016 Refunding Bonds shall no longer be considered to be outstanding under this Ordinance or the Outstanding Ordinances.

In addition, as additional security for the payment of the principal of and interest on the Series 2016 Refunding Bonds, the County, pursuant to the provisions of Act 342, hereby irrevocably pledges its full faith and credit for the prompt payment of the principal of and interest on the Series 2016 Refunding Bonds. Should the Net Revenues of the System at any time be insufficient to pay the principal of and interest on the Series 2016 Refunding Bonds when due, then the County shall advance from any funds available therefor, or, if necessary, levy

taxes upon all taxable property in the County, subject to applicable constitutional and statutory limitations, such sums as may be necessary to pay said principal and interest. If the County shall be required to pay principal of and interest on the Series 2016 Refunding Bonds from its general funds, it shall be reimbursed the amount paid as soon as possible from the Net Revenues of the System.

Section 8. Bondholders' Rights: Receiver. The holder or holders of the Series 2016 Refunding Bonds representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding (or, if the Series 2016 Refunding Bonds are issued as part of a Combined 2016 Bond Issue, the holder or holders of the Combined 2016 Bond Issue representing in the aggregate not less than twenty percent (20%) of the entire principal amount thereof then outstanding), may, by suit, action, mandamus or other proceedings, protect and enforce the statutory lien upon the Net Revenues of the System and may, by suit, action, mandamus or other proceedings, enforce and compel performance of all duties of the officers of the County, including the fixing of sufficient rates, the collection of Revenues, the proper segregation of the Revenues of the System and the proper application thereof. The statutory lien upon the Net Revenues, however, shall not be construed as to compel the sale of the System or any part thereof.

If there is a default in the payment of the principal of or interest on the Series 2016 Refunding Bonds, any court having jurisdiction in any proper action may appoint a receiver to administer and operate the System on behalf of the County and under the direction of the court, and by and with the approval of the court to perform all of the duties of the officers of the County more particularly set forth herein and in Act 94.

The holder or holders of the Series 2016 Refunding Bonds shall have all other rights and remedies given by Act 94 and law, for the payment and enforcement of the Series 2016 Refunding Bonds and the security therefor.

Section 9. Rates and Charges. The rates and charges for service furnished by and the use of the System and the methods of collection and enforcement of the collection of the rates shall be those established by the County Agency and in effect on the date of adoption of this Ordinance, as the same may be modified by the Count Agency from time to time. The rates presently in effect in the County as established by the County Agency are estimated to be sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the System in good repair and working order, to provide for the payment of the principal of and interest on the Outstanding Bonds and the Series 2016 Refunding Bonds as the same become due and payable and to provide for all other obligations, expenditures and funds for the System required by law, this Ordinance and the Outstanding Ordinances. In addition, it is hereby covenanted and agreed that the rates shall be reviewed and shall be fixed and revised from time to time as may be necessary to produce these amounts, and it is hereby covenanted and agreed to fix and maintain rates for services furnished by the System at all times sufficient to provide for the foregoing.

Section 10. No Free Service or Use. No free service or use of the System, or service or use of the System at less than the reasonable cost and value thereof, shall be furnished by the

System to any person, firm or corporation, public or private, or to any public agency or instrumentality, including the County.

Section 11. Bond Proceeds; Escrow Fund. The proceeds of the Series 2016 Refunding Bonds shall be used to secure payment of the Refunded Bonds and to pay the costs of issuance of the Series 2016 Refunding Bonds as provided in this Section. Upon receipt of the proceeds of the Series 2016 Refunding Bonds, the accrued interest, if any, shall be deposited into the Bond and Interest Redemption Account established by the Master Ordinance. From the proceeds of the Series 2016 Refunding Bonds (or, if the Series 2016 Refunding Bonds are issued as part of a Combined 2016 Bond Issue, from the proceeds of the Combined 2016 Bond Issue allocable to the Series 2016 Refunding Bonds) there shall next be set aside a sum sufficient to pay the costs of issuance of the Series 2016 Refunding Bonds. Such funds may be deposited in an account established by the County or by the Escrow Agent (as hereinafter defined), or, alternatively, if the Series 2016 Refunding Bonds are issued as part of a Combined 2016 Bond Issue, such funds may be deposited in the Construction Account established for the Series 2016 Public Sale Bonds issued as part of such Combined 2016 Bond Issue. Such funds shall be used solely to pay the costs of issuance allocable to the Series 2016 Refunding Bonds, and if any such funds shall not be required to pay the costs of issuance allocable to the Series 2016 Refunding Bonds, the surplus shall be transferred to the Bond and Interest Redemption Account or used for any other purpose permitted by applicable law.

The balance of the proceeds of the Series 2016 Refunding Bonds (or, if the Series 2016 Refunding Bonds are issued as part of a Combined 2016 Bond Issue, the balance of the proceeds of the Combined 2016 Bond Issue allocable to the Series 2016 Refunding Bonds), together with other available funds of the County, if any, shall be deposited into an escrow fund (the "Escrow Fund") and shall be held in cash or invested in direct obligations of the United States of America or obligations the principal of and interest on which are fully guaranteed by the United States of America, not redeemable at the option of the issuer thereof, and used to pay the principal of and interest on all or a portion of the Refunded Bonds as shall be finally identified in the Sale Order. The Escrow Fund shall be held by an escrow agent (the "Escrow Agent"), in trust, pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the Escrow Agent to take all necessary steps to call for redemption the Refunded Bonds specified in the Sale Order, including publication and mailing of redemption notices, on the first date on which the Refunded Bonds may be called for redemption. The investments held in the Escrow Fund shall be such that the principal and interest payments received thereon will be sufficient, without reinvestment, to pay the principal of and interest on the Refunded Bonds when due and upon call of the Refunded Bonds for redemption as provided in this paragraph. The County Agency is authorized to select and retain a bank or trust company to serve as Escrow Agent pursuant to the Escrow Agreement and to execute and deliver the Escrow Agreement for and on behalf of the County. The County Agency and County Controller are each hereby individually authorized to designate and empower the Escrow Agent to subscribe for United States Treasury Obligations, State and Local Government Series, on behalf of the County, as may be necessary in connection with the refunding of the Refunded Bonds.

Section 12. Form of Series 2016 Refunding Bonds. The Series 2016 Refunding Bonds shall be in substantially the following form, with such changes or completions as are necessary or appropriate to give effect to the intent of this Ordinance or to provide for the issuance of the Series 2016 Refunding Bonds as part of a Combined 2016 Bond Issue:

PUBLIC WORKS COMMITTEE

P072516VIA

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07-28-16

08-08-P01

P01

R-____
UNITED STATES OF AMERICA
STATE OF MICHIGAN

COUNTY OF GENESEE

WATER SUPPLY SYSTEM REVENUE REFUNDING BOND
(LIMITED TAX GENERAL OBLIGATION), SERIES ____

Interest Rate

Maturity Date

Date of Original Issue

CUSIP

REGISTERED OWNER:

PRINCIPAL AMOUNT:

The County of Genesee, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay, out of the hereinafter described Net Revenues of the Issuer's System (hereinafter defined), the Principal Amount specified above, in lawful money of the United States of America, to the Registered Owner specified above, or registered assigns, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360 day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on _____, 201_, and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of _____, _____, Michigan or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable by check or draft mailed by the Transfer Agent to the person or entity who or which is, as of the fifteenth (15th) day of the month preceding the interest payment date, the registered owner of record, at the registered address as shown on the registration books of the Issuer kept by the Transfer Agent. For prompt payment of principal of and interest on this bond, the Issuer has irrevocably pledged the revenues of the Genesee County Water Supply System, including all appurtenances, extensions and improvements thereto (the "System"), after provision has been made for reasonable and necessary expenses of operation, maintenance and administration thereof (the "Net Revenues"), and a statutory first lien thereon is hereby recognized and created.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$_____, issued pursuant to Ordinance Nos. 03-03, 03-05, 06-06, 12-02, 12-03, 13-01, 13-02, 16-03 and _____, duly adopted by the Board of Commissioners of the Issuer (the "Ordinances"), and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 94, Public Acts of Michigan, 1933, as amended, and Act 342, Public Acts of Michigan, 1939, as amended ("Act 342"), for the purpose of refunding a portion of the Issuer's outstanding Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2007.

For a complete statement of the revenues from which and the conditions under which this bond is payable, a statement of the conditions under which additional bonds of equal standing as to the Net Revenues may hereafter be issued and the general covenants and provisions pursuant to which this bond is issued, reference is made to the Ordinances. The bonds of this issue are of equal standing and priority of lien as to the Net Revenues with the Issuer's (i) Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2007, (ii) Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2013, (iii) Water Supply System Revenue Refunding Bonds (Limited Tax General Obligation), Series 2014, (iv) Water Supply System Revenue Bonds (Limited Tax General Obligation), Series 2015 and (v) Water Supply System Revenue Bond (Limited Tax General Obligation), Series 2016A (collectively, the "Outstanding Bonds"). The Issuer has reserved the right to issue

additional bonds of equal standing with the bonds of this issue and the Outstanding Bonds on conditions stated in the Ordinances.

Bonds of this issue maturing in the years 20__ to 20__, inclusive, are not subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 20__ and thereafter are subject to redemption prior to maturity at the option of the Issuer, in such order as the Issuer shall determine and within any maturity by lot, on any date on or after _____, 20__, at par plus accrued interest to the date fixed for redemption.

[Insert term bond provisions, if applicable]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption of any bond or portion thereof shall be given by the Transfer Agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Transfer Agent. Bonds shall be called for redemption in multiples of \$5,000 and any bond of a denomination of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bond by \$5,000 and such bond may be redeemed in part. Notice of redemption for a bond redeemed in part shall state that upon surrender of the bond to be redeemed a new bond or bonds in aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bond or portion thereof.

This bond is primarily a self-liquidating bond, payable, both as to principal and interest, from the Net Revenues of the System. The principal of and interest on this bond are secured by the statutory lien hereinbefore mentioned. As additional security for the payment of the principal of and interest on this bond and the series of bonds of which this is one, the Issuer, pursuant to the provisions of Act 342, and the Ordinances, has pledged its full faith and credit for the prompt payment of the principal of and interest hereon. Pursuant to such pledge, if the Net Revenues of the System are at any time insufficient to pay the principal of and interest on this bond when due, then the Issuer shall advance from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the Issuer, subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay said principal and interest.

The Issuer has covenanted and agreed, and does hereby covenant and agree, to fix and maintain at all times while any bonds payable from the Net Revenues of the System shall be outstanding, such rates for service furnished by the System as shall be sufficient to provide for payment of the interest on and the principal of the bonds of this issue, the Outstanding Bonds and any additional bonds of equal standing as and when the same shall become due and payable, and to create and maintain a bond redemption account therefor, to provide for the payment of expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the bonds of this issue, the Outstanding Bonds and the System as are required by the Ordinances.

This bond is transferable only upon the books of the Issuer kept for that purpose at the office of the Transfer Agent by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the Ordinances, and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law to be done precedent to and in the issuance of this bond and the series of bonds of which this is one have been done and performed in regular and due time and form as required by law.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the Issuer, by its Board of Commissioners, has caused this bond to be executed with the facsimile signatures of its Chairman and the County Clerk and a facsimile of its corporate seal to be printed on this bond, all as of the Date of Original Issue.

COUNTY OF GENESEE

By: _____
Chairman, Board of Commissioners

(Seal)

Countersigned:

By: _____
County Clerk

Certificate of Authentication

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

Transfer Agent

By: _____
Authorized Signatory

Date of Registration:

Section 13. Covenants Regarding Tax-Exempt Status of the Series 2016 Refunding Bonds. The County shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Series 2016 Refunding Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditure and investment of proceeds of the Series 2016 Refunding Bonds and moneys deemed to be proceeds of the Series 2016 Refunding Bonds, and to prevent the Series 2016 Refunding Bonds from being or becoming "private activity bonds" as that term is used in Section 141 of the Code.

Section 14. Negotiated Sale. The County has considered the option of selling the Series 2016 Refunding Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, and based on the recommendation of the County's financial advisor for the Series 2016 Refunding Bonds, determines that a negotiated sale of the Series 2016 Refunding Bonds is in the best interests of the County and will provide the County with greater flexibility in structuring the terms of the Series 2016 Refunding Bonds and in accessing the municipal bond market at the time that is expected to achieve the most advantageous interest rates for the County.

Section 15. Sale and Award of Series 2016 Refunding Bonds. J.P. Morgan Securities LLC is hereby appointed as senior managing underwriter for the Series 2016 Refunding Bonds (the "Underwriter"). The County Agency is authorized to negotiate the sale of the Series 2016 Refunding Bonds to the Underwriter, award the sale of the Series 2016 Refunding Bonds to the Underwriter pursuant to a bond purchase agreement, and execute the Sale Order specifying the final terms of the Series 2016 Refunding Bonds and making such other determinations as provided for in this Ordinance. The County Agency is authorized to execute and deliver the bond purchase agreement on behalf of the County without further approval of this Board of Commissioners, subject to the following terms:

(a) The final terms of the Series 2016 Refunding Bonds shall be within the parameters established by this Ordinance;

(b) The underwriter's discount shall not exceed one-half percent (0.50%) of the principal amount of the Series 2016 Refunding Bonds;

(c) The true interest cost of the Series 2016 Refunding Bonds shall not exceed 5.50%; and

(d) The net present value savings to be realized upon the refunding of the Refunded Bonds shall not be less than three percent (3.00%) of the principal amount of the Refunded Bonds.

Section 16. Approval of Details of Series 2016 Refunding Bonds. The County Agency is hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transactions authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 7a(1)(c) of Act 94 and Section 315(1)(d) of Act 34, including, but not limited to, determinations

regarding interest rates, prices, discounts, serial and term maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, and other matters necessary to effectuate the sale and issuance of the Series 2016 Refunding Bonds authorized herein, within the parameters established by this Ordinance.

Section 17. Official Statement; Bond Insurance; Ratings. The County Agency and the County Controller are authorized and directed to: (a) cause the preparation and circulation of a Preliminary Official Statement with respect to the Series 2016 Refunding Bonds and to deem the Preliminary Official Statement "final" for purposes of Rule 15c2-12 of the U.S. Securities and Exchange Commission, and to approve circulation of a final Official Statement with respect to the Series 2016 Refunding Bonds; (b) solicit bids for and approve the purchase of a municipal bond insurance policy for the Series 2016 Refunding Bonds if deemed economically advantageous to the County based on the advice of the County's financial advisor for the Series 2016 Refunding Bonds; and (c) obtain ratings on the Series 2016 Refunding Bonds.

Section 18. Authorization of Other Actions. The County Agency, Chairman of the Board and County Clerk are each hereby individually authorized to complete, execute and file any and all applications or requests for waivers with the Michigan Department of Treasury necessary to effectuate the sale and delivery of the Series 2016 Refunding Bonds as contemplated by this Ordinance, including, if necessary, an Application for State Treasurer's Approval to Issue Long-Term Securities, in such form as shall be approved by any of such officers. The County Agency and County Treasurer are further authorized to pay any necessary fees in connection with any such applications or waivers. The County Agency, County Treasurer, County Clerk and County Controller are each hereby individually authorized and directed to execute and deliver all other documents and certificates and to take all other actions and to make such other filings with any parties necessary or advisable to enable the sale and delivery of the Series 2016 Refunding Bonds as contemplated herein.

Section 19. Continuing Disclosure. The County hereby agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Series 2016 Refunding Bonds pursuant to Rule 15c2-12 of the U.S. Securities and Exchange Commission, and the County Agency and the County Controller are each hereby authorized to execute such undertaking prior to delivery of the Series 2016 Refunding Bonds.

Section 20. Severability; Paragraph Headings; and Conflict. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be part of this Ordinance.

Section 21. Publication and Recordation. This Ordinance shall be published in full in *The Flint Journal*, a newspaper of general circulation in the County qualified under Michigan law to publish legal notices, promptly after its adoption, and shall be recorded in the Ordinance Book of the County and such recording authenticated by the signatures of the Chairman of the Board of Commissioners and the County Clerk.

Section 22. Effective Date. This Ordinance shall be effective immediately upon its adoption.

Adopted and signed this 8th day of August, 2016.

Signed: _____
Chairman, Board of Commissioners

Signed: _____
County Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the Board of Commissioners of the County of Genesee, Michigan, at a regular meeting held on the 8th day of August, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Commissioners were present at said meeting: _____, and that the following Commissioners were absent: _____.

I further certify that Commissioner _____ moved adoption of said Ordinance, and that said motion was supported by Commissioner _____.

I further certify that the following Commissioners voted for adoption of said Ordinance: _____, and that the following Commissioners voted against adoption of said Ordinance: _____.

I further certify that said Ordinance has been recorded in the Ordinance Book and that such recording has been authenticated by the signatures of the Chairman of the Board of Commissioners and County Clerk.

County Clerk

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE
COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADIES AND GENTLEMEN:

BE IT RESOLVED, by this Board of County Commissioners of Genesee County, Michigan, that the request by the Purchasing Manager, on behalf of the County Surveyor, to authorize the following Professional Services Contracts with Genesee County: Fleis & VandenBrink Engineering, Inc.; Meridian Land Surveying, Inc.; Rowe Professional Services Company; and Wade Trim, said contracts being for the purpose of providing surveying services to the County for the 2016 Genesee County Remonumentation Grant, all contracts commencing on August 8, 2016, and continuing through December 31, 2016, is approved (a copy of the memorandum request dated July 18, 2016, and four Professional Services Contracts being on file with the official records of the July 25, 2016, meeting of the Public Works Committee of this Board), and the Chairperson of this Board is authorized to execute the contracts on behalf of Genesee County.

PUBLIC WORKS COMMITTEE

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BDM:bdm
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