

RESOLUTION 95-11

RESOLUTION TO INITIATE PROJECT

At a regular meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held in the Township Hall on Sept. 12, 1995 at 7:00 p.m., Eastern Daylight Savings Time, there were

PRESENT: Edward Magnus, Sheila DiBerardino, Nancy Henige, Larry Russell, Gary St. Charles, David Stewart, Joanne Strahm

ABSENT: None

The following resolution was offered by St. Charles and seconded by Stewart:

WHEREAS, the Township of Birch Run (the "Township"), desires to acquire the rights to connect to the Genesee County Sewage Disposal System to provide capacity for its sewer system to serve parts of the Township as described in Appendix A (the "Project"); and

WHEREAS, it appears to be most advantageous and feasible that the County of Saginaw (the "County"), through its Department of Public Works (the "DPW"), provide such expansion and acquire and finance such by the issuance of bonds in anticipation of the collection of amounts to become due under a contract between the County and the Township; and

WHEREAS, the Township will agree to pay the cost of the acquisition of said additional treatment capacity, all pursuant to Act No. 185, Michigan Public Acts of 1957, as amended ("Act 185").

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Township of Birch Run, Saginaw County, Michigan, as follows:

1. The County is hereby requested to construct the Project in accordance with plans and specifications prepared by Bartow & King, Engineers, Bay City, Michigan, all as described in Appendix A. Such Project is to be financed pursuant to the provisions of Act 185.

2. The County and the Township shall hereafter enter into an appropriate contract with respect to the establishment, construction, operation and financing of such Township sewer improvements.

3. The Township hereby agrees to reimburse the County for all reasonable engineering and administrative costs hereafter actually incurred by the DPW in connection with the study, planning and acquisition of said sewer in the event that, for

some reason beyond the control of the County, the County system is not completed or the bonds to finance the same are not sold.

4. The Township hereby authorizes the DPW, or its Bond Counsel, to notify the Michigan Department of Treasury of the County's intent to issue the bonds described herein, to pay the related fee and to request an order, if applicable, providing an exception for the bonds from prior approval by the Department of Treasury. The County's Bond Counsel is hereby authorized to execute a similar request on behalf of the Township.

5. The Township also requests that Municipal Financial Consultants Incorporated shall act as the financial consultants for the Project and John R. Axe and Associates shall act as bond counsel for the Project.

A vote on the foregoing resolution was taken and was as follows:

YES: Magnus, DiBerardino, Henige, Russell, St. Charles
Stewart, Strahm

NO: None

ABSTAIN: _____

STATE OF MICHIGAN)
) SS
COUNTY OF SAGINAW)

The undersigned, being the duly qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on Sept. 12, 1995, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

DATED: September 13, 1995

Sheila DiBerardino
Sheila DiBerardino
Clerk

[SEAL]

APPENDIX A

DESCRIPTION OF THE PROJECT

The proposed project involves the purchase of capacity in the Genesee County Sewage Disposal System and the rights to use its Sanitary Sewage Transmission lines.

The cost are estimated as follows:

Cost of Purchase and Capacity	\$272,000
Financing Costs	17,000
Contingency	<u>11,000</u>
TOTAL	<u>\$300,000</u>

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