

**ALGER COUNTY BOARD OF COMMISSIONERS  
REGULAR BOARD MEETING**

**May 16, 2011**

**Minutes are subject to corrections and approval**

Pursuant to recess, the Alger County Board of Commissioners convened in the conference room of the county building at 4:00 p.m. on the above date.

The meeting was called to order by Chairwoman Pullen with the following Commissioners present: Commissioners Doucette, Mattson, Rondeau, and Pullen. Absent ó Commissioner VanLandschoot.

The board of commissioners said the Pledge of Allegiance.

Public comment session was open. There was no public comment from the floor; thus, public comment was closed.

On a motion by Commissioner Mattson and seconded by Commissioner Rondeau to approve the agenda as presented. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

It was moved by Commissioner Doucette and seconded by Commissioner Mattson to approve the Committee of the Whole minutes of April 11, 2011; the Regular Board of Commissionerø minutes of April 18, 2011; and the Special Board of Commissionerø minutes of April 28, 2011. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

On a motion by Commissioner Doucette and seconded by Commissioner Mattson to authorize the Clerk to sign the following Resolution and Notice of Intent from Miller, Canfield as follows:

**RESOLUTION AUTHORIZING NOTICE OF INTENT TO ISSUE  
CAPITAL IMPROVEMENT BONDS AND DECLARING  
INTENT TO REIMBURSE**

**COUNTY OF ALGER  
STATE OF MICHIGAN**

Minutes of a regular meeting of the Board of Commissioners of the County of Alger, State of Michigan, held on the 16th day of May, 2011, at 4:00 oæclock p.m. prevailing Eastern Time.

PRESENT: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, the County of Alger (the ðCountyö), intends to issue general obligation limited tax bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended (ðAct 34ö), in an aggregate principal amount of not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) (the ðBondsö), in one or more series, for the purpose of paying the cost of acquiring and constructing certain capital improvements, consisting generally of energy conservation improvements to County-owned facilities including the County Building, County Jail facilities and ambulance building, together with all appurtenances and attachments thereto in the County (the ðProjectö); and

WHEREAS, a notice of intent to issue the Bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the County intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the County for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in \_\_\_\_\_, a newspaper of general circulation in the County.
2. Said notice of intent shall be published as a one-quarter (¼) page display advertisement in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS  
OF THE COUNTY OF ALGER OF INTENT  
TO ISSUE BONDS SECURED BY THE TAXING POWER  
POWER OF THE COUNTY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the County of Alger, State of Michigan, intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended (Act 34), in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) in one or more series, for the purpose of paying the cost of acquiring and constructing certain capital improvements, consisting generally of energy conservation improvements and upgrades to County-owned facilities including the County Building, County Jail facilities and ambulance building, together with all appurtenances and attachments thereto in the County.

BOND DETAILS

SAID BONDS shall mature in annual installments not to exceed fifteen (15) in number, with interest rates to be determined at a public or private sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from the general funds of the County lawfully available for such purposes including property taxes levied within applicable constitutional and statutory tax rate limitations.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE COUNTY IS FILED WITH THE COUNTY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE COUNTY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

\_\_\_\_\_  
County Clerk  
County of Alger

3. The Board of Commissioners does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the County taxpayers and electors of the County's intent to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The County makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the County reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the County.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, does not exceed \$1,500,000.
- (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the County's use of the proceeds of the debt to be issued for the Project to reimburse the County for a capital expenditure made pursuant to this resolution.
- (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
- (f) No proceeds of the borrowing paid to the County in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.

- g) Expenditures for the Project to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include (i) costs for the issuance of the debt, (ii) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the borrowing, or (iii) preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Project, but do not include land acquisition, site preparation and similar costs incidental to commencement of construction).

5. The law firm of Miller, Canfield, Paddock and Stone, P.L.C., is retained as bond counsel in connection with the Project and the financing thereof.

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

AYES: Commissioners \_\_\_\_\_

\_\_\_\_\_

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

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of Alger, State of Michigan, at a regular meeting held on May 16, 2011, 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.

\_\_\_\_\_  
County Clerk

19,070,655.1\088888-00161

Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

A proposal for the CRP Contracts with MGT of America, Inc. was next. It was moved by Commissioner Mattson and seconded by Commissioner Rondeau to postpone this until the June Committee of the Whole meeting. The Clerk will call Donna Smigiel and make sure she can make it. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

On a motion by Commissioner Rondeau and seconded by Commissioner Mattson to authorize the Clerk and Treasurer to charge for indirect costs. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

It was moved by Commissioner Mattson and seconded by Commissioner Rondeau to authorize Commissioner Doucette to talk to Rob Ferguson regarding the Honeywell Agreement. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

On a motion by Commissioner Doucette and seconded by Commissioner Rondeau to authorize the Chair to sign the following letter transferring ownership of the NOAA Weather Radio equipment to the National Weather Service (NWS):

Steven Golston  
NOAA Weather Radio Program Office  
National Weather Service  
1325 East West Highway  
Silver Spring, MD 20910  
(301) 713-9478 x129

May 11, 2011

Ms. Cathy Pullen  
Director Alger County Office of Emergency Management  
101 E. Varnum Street  
Munising, Michigan 49862

Re: Grand Marais and Munising NOAA Weather Radio Transmitter Stations' Equipment

Dear Ms. Pullen:

1. The National Weather Service (NWS) acknowledges Alger County, is transferring ownership and responsibility of its NOAA Weather Radio transmitter equipment to the NWS, specifically:

**Grand Marais NWR Station:**

- Transmitter, Crown, WRG300, SN: A900611, \$26,000.00
- Generator, Kohler, MOD8.5KW, SN: 2201647, \$16,000.00

**Munising NWR Station:**

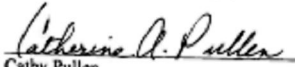
- Transmitter, Crown, WRG300, SN: A900612, \$26,000.00
- Generator, Kohler, MOD8.5KW, SN: 2217077, \$16,000.00

2. Please indicate your agreement with the above statements by signing below and returning this document to me. If you have questions or concerns, please contact me at (301) 713-9478 x129.

Sincerely,

Steven Golston  
Logistics Manager  
NWR Program Office

Alger County agrees with the statements in Paragraph 1 above; and as of the date below, voluntarily abandons said equipment to the National Weather Service.



Cathy Pullen  
Director Alger County Office of Emergency Management  
Chairperson Alger County Board of Commissioners

5-16-11  
Date

Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

Old business was next. There was none.

On a motion by Commissioner Mattson and seconded by Commissioner Doucette to pay the second quarterly payment to Pathways in the amount of \$8,305. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

It was moved by Commissioner Doucette and seconded by Commissioner Rondeau to pay the convention facility tax payment to NorthCare in the amount of \$8,644. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

On a motion by Commissioner Doucette and seconded by Commissioner Mattson to approve payment of all of the board bills as recommended by the Committee of the Whole. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

It was moved by Commissioner Mattson and seconded by Commissioner Doucette to approve the financial reports for all funds. A full 30-page report is available upon request with the treasurer. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

On a motion by Commissioner Mattson and seconded by Commissioner Doucette to by-pass the bidding process for a government bid price with WorkSquared for five dispatch chairs. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

On a motion by Commissioner Doucette and seconded by Commissioner Mattson to authorize the Sheriff to purchase five dispatch chairs from WorkSquared in the amount of \$3,715.40. The monies for four of the chairs are to come from 911 and the monies for the other one chair is to come from the ambulance fund. Motion carried by the following vote: Ayes ó Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays ó none. Absent ó Commissioner VanLandschoot.

There were no miscellaneous matters. Undersheriff Grahovac said that the deficit in the snowmobile fund closes out May 31, 2011 and that it shall be reimbursed.

There were no resolutions.

Committee reports were next. Commissioner Pullen said that she received a bill from Alger Title for the airport in the amount of \$190. She said that she forwarded it to John Madigan to be paid, but that she would check with John to see if that is how it was supposed to be paid. Commissioner Doucette discussed the notes he wrote regarding Honeywell. He said that if anyone had any questions to just contact him. Some of the unexpected things were the asbestos in the jail and that the fire panel in the jail is not adequate for today. Some bids will be coming in for that. He also said that the hot water tank is too small in the jail. The Department of Human Services lease was discussed and that the rent could be adjusted for the Honeywell system. He said that he would like to put out a news release about the contract with Honeywell. Commissioner Doucette said that the local contractors declined from the Honeywell project. He also talked about the power outage on May 10<sup>th</sup> and that the generator could not handle at full capacity. He talked about a NACo Prescription Discount Card Program for Alger County.

New correspondence was read and will be placed in the file.

Board comments were next. There were none.

Public comment session was open. The Sheriff wanted the board to know that the smoke alarms are being put in and welcomed them to go and see the work being done. A jail inspection is scheduled for May 25<sup>th</sup>. He said that the boat is in need of some equipment for safety issues. They received a radar, some navigation equipment, and radios and that they are being put on the boat. He also said that he and the Undersheriff will be attending an Incident Command Training. There was no other public comment; thus, the public comment session was closed.

On a motion by Commissioner Rondeau seconded by Commissioner Doucette to adjourn the meeting. Motion carried by the following vote: Ayes 6 Commissioners Doucette, Mattson, Rondeau, and Pullen. Nays 0 none. Absent 0 Commissioner VanLandschoot.

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Catherine A. Pullen, Chairwoman  
Alger County Board of Commissioners

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Mary Ann Froberg  
Alger County Clerk