

# CLINTON COUNTY BOARD OF COMMISSIONERS

**Chairperson**

John Arehart

**Vice-Chairperson**

Larry Martin

**Members**

David Pohl

Mary L. Rademacher

Robert Showers

Virginia Zeeb

Claude A. Vail

**COURTHOUSE  
100 E. STATE STREET  
ST. JOHNS, MICHIGAN 48879-1571  
989-224-5120**



**Administrator**  
Ryan L. Wood  
**Clerk of the Board**  
Diane Zuker

At a regular meeting of the Board of Commissioners of the County of Clinton held in the City of St. Johns, Michigan, on October 25, 2005, at 9:00 o'clock A.M., Michigan time.

PRESENT: David Pohl, Larry E. Martin, John W. Arehart, Mary L. Rademacher,  
Virginia Zeeb, Claude A. Vail

ABSENT: Robert Showers

The following resolution was offered by Commissioner Rademacher and seconded by Commissioner Vail:

## **RESOLUTION 2005-26**

**RE: Laingsburg Branch No. 1 Intercounty Drain Notes, Series 2005**

WHEREAS, proceedings have been taken by the Drainage Board for the Laingsburg Branch No. 1 Intercounty Drain for constructing the Laingsburg Branch No. 1 Intercounty Drain (the "Project") under the provisions of Chapter 6 of the Drain Code of 1956, as amended, pursuant to a petition filed with the Clinton County Drain Commissioner; and

WHEREAS, in order to pay for part of the costs of the Project, the Drainage Board is expected to authorize and provide for the issuance by the Laingsburg Branch No. 1 Intercounty Drain Drainage District (the "Drainage District") of notes designated "Laingsburg Branch No. 1 Intercounty Drain Notes, Series 2005" (the Notes") in the aggregate principal amount of not to exceed \$227,000 and bearing interest at a rate not to exceed 7% per annum, in anticipation of the collection of an equal amount of special assessments against property and public corporations (including the County of Clinton) in the County of Clinton in the Drainage District, said special assessments to be duly confirmed as provided in the Drain Code; and

WHEREAS, 98% of the cost of the Project has been apportioned by the Drainage Board to Clinton County, and 2% of the cost of the Project has been apportioned by the Drainage Board to Shiawassee County; and

WHEREAS, the Drainage Board deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County of Clinton on the Notes; and

WHEREAS, the Project is necessary to protect and preserve the public health and it is in the best interest of the County of Clinton that the Notes be sold.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLINTON:**

1. Pursuant to the authorization provided in Section 132 and 276 of the Drain Code of 1956, as amended, and provided that the Drainage Board authorizes and provides for the issuance of the Notes within the parameters set forth above, the Clinton County Board of Commissioners, by a majority vote of two-thirds of its members elect, does hereby irrevocably pledge the full faith and credit of the County of Clinton for the prompt payment of the principal of and interest on the Notes, and does agree that in the event that property owners or public corporations in the County shall fail or neglect to account to the County Treasurer of the County of Clinton for the amount of any special assessment installment and interest (in anticipation of which the Notes are issued) when due, then the amount thereof shall be immediately advanced

from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

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

3. All resolutions and part of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

ADOPTED: Yeas: David Pohl, Larry E. Martin, John W. Arehart, Mary L. Rademacher,  
Virginia Zeeb, Claude A. Vail

Nays: None

STATE OF MICHIGAN    )  
                                  ) SS  
COUNTY OF CLINTON    )

I, the undersigned, the duly qualified and acting County Clerk of the County of Clinton, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by a majority vote of the members elect at a regular meeting of the Clinton County Board of Commissioners, held on October 25, 2005, the original of which is on file in my office.

I further certify that notice of the meeting was given pursuant to and in compliance with the Open Meetings Act.

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County Clerk