

# CLINTON COUNTY BOARD OF COMMISSIONERS

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Robert E. Showers

## Vice-Chairperson

David Pohl

## Members

Jamie Clover Adams

Bruce DeLong

Jack Enderle

Larry Martin

Adam Stacey

COURTHOUSE  
100 E. STATE STREET  
ST. JOHNS, MICHIGAN 48879-1571  
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Administrator  
Ryan L. Wood  
Clerk of the Board  
Diane Zuker

2012-12

## RESOLUTION APPROVING GROUND LEASE FOR CLINTON COUNTY CENTRAL DISPATCH TOWER

This Resolution is made and adopted at a regular meeting of the Clinton County Board of Commissioners, County of Clinton, State of Michigan, held at 100 East State Street, St. Johns, Michigan 48879 on April 24, 2012 at 9:00 o'clock a.m.

PRESENT: Jamie Clover Adams, Bruce DeLong, Jack Enderle, Larry Martin, David Pohl,  
Robert Showers and Adam Stacey

ABSENT: None

The following Resolution was offered by Commissioner Pohl, and seconded by Commissioner Stacey.

WHEREAS, Clinton County (the "County") has adopted an agreement establishing the Clinton County Central Dispatch Authority (the "Authority") pursuant to the Emergency Telephone Enabling Act, 1986, P.A. 32, as amended.

WHEREAS, the Authority has determined that radio coverage is lacking in certain areas of the County, including the southeast quadrant of the County, and has recommended the acquisition of a tower site in said quadrant to improve radio coverage.

WHEREAS, Clinton County voters recently approved an increase to the monthly 911 fee on landline telephones, cell phones, and other devices that can call 911, which surcharge can be used for the construction of a new radio tower in the southeast quadrant of the County.

WHEREAS, representatives of the County have negotiated a favorable long term ground lease from civic minded property owners for property located in the southeast quadrant of the County on the north side of Cutler Road, in the southeast one-quarter of Section 34, T6N, R1W, Victor Township, Clinton County, Michigan, suitable for such a tower;

WHEREAS, the County has investigated the proposed tower site and determined that the permits and approvals necessary to construct said tower should be obtainable, including but not limited to a Tall Structures permit from the Michigan Department of Transportation, a Determination of No-hazard To Air and Navigation from the Federal Aviation Administration, a

Phase I Environmental Site Assessment, and a Phase I Cultural Resources Survey relative to the proposed ground lease site regarding suitability and acceptability of the proposed ground lease location;

WHEREAS, the Board of Commissioners has determined that construction of the Clinton County Central Dispatch Tower in the southeast quadrant of the County is in the best interest of the County and its residents, and promotes the health, safety, and welfare of its residents;

NOW THEREFORE, be it resolved by the Clinton County Board of Commissioners, Clinton County, Michigan as follows:

1. The Clinton County Board of Commissioners hereby approve the Ground Lease between Claude A. Vail and Agnes S. Vail, husband and wife, as Landlord, and the County of Clinton, as Tenant, for certain premises in the southeast one-quarter of Section 34, T6N, R1W, Victor Township, Clinton County, Michigan, in substantially the form attached to this Resolution as Exhibit A.

2. The Clinton County Board of Commissioners hereby authorizes the execution of the Ground Lease by the Clinton County Board Chairperson and the County Clerk (the "Authorized Signatories").

3. The Authorized Signatories are also authorized to execute any other documents deemed necessary or desirable in connection with the Ground Lease, including but not limited to a Memorandum of Lease, or affidavits for title insurance coverage.

4. Any prior resolution or portion of any prior resolution inconsistent with this Resolution are hereby appealed.

ADOPTED:

YEAS: Seven (7)

NAYS: Zero (0)

STATE OF MICHIGAN        )  
  ) ss:  
COUNTY OF CLINTON        )

I, the undersigned duly qualified and acting Secretary of the Clinton County Board of Commissioners, Clinton County, Michigan DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Clinton County Board of Commissioners of said County at a regular meeting held on the 24th day of April, 2012

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Diane Zuker, Clinton County Clerk