



# BOARD OF COMMISSIONERS

1 S. Main St., 9<sup>th</sup> Floor  
Mount Clemens, Michigan 48043  
586.469.5125 ~ Fax: 586.469.5993  
www.macombBOC.com

## BOARD OF COMMISSIONERS

### REGULAR SESSION

THURSDAY, FEBRUARY 19, 2015, 7 P.M.

### FINAL AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Invocation by **Commissioner Marvin Sauger**
5. Adoption of Agenda
6. Approval of Minutes dated January 29 and February 12, 2015 **(previously distributed)**
7. Public Participation (five minutes maximum per speaker, or longer at the discretion of the Chairperson related only to issues contained on the agenda)
8. Correspondence from Executive
9. **COMMITTEE REPORTS:**
  - a) Finance & Infrastructure/Economic Development, February 18 (page 1) **(attached)**
10. **RESOLUTIONS**
  - a) Supporting the Macomb/St. Clair MichiganWorks! Veteran Employability Boot Camp Program and Urging Macomb County Community Leaders to Recognize and Support the Program (offered by Miller; recommended by Finance and Infrastructure/Economic Development Committee meeting on 2-18-15) (page 6) **(attached)**

### MACOMB COUNTY BOARD OF COMMISSIONERS

David J. Flynn – Board Chair  
District 4

Kathy Tocco – Vice Chair  
District 11

Steve Marino – Sergeant-At-Arms  
District 10

Andrey Duzyj – District 1  
Don Brown – District 7

Marvin Sauger – District 2  
Kathy Vosburg – District 8

Veronica Klinefelt – District 3  
Fred Miller – District 9

Robert Mijac - District 5  
Bob Smith – District 12

James Carabelli – District 6  
Joe Sabatini – District 13

- b) Resolution of Intent to Engage Community Stakeholders of the City of Mount Clemens in the Development of External Improvements to County Assets in the City (offered by Miller; recommended by Finance and Infrastructure/Economic Development Committee meeting on 2-18-15) (page 8) **(attached)**
  - c) Authorizing the Insertion of Notice of Intent of the County of Macomb to Issue County of Macomb Capital Improvement Bonds, Series 2015, as Amended (amount not to exceed \$65,000,000) (General Obligation Limited Tax) (offered by Board Chair; recommended by Finance and Infrastructure/Economic Development Committee meeting on 2-18-15) **(roll call vote at committee meeting: Yes-Brown, Carabelli, Duzyj, Flynn, Marino, Mijac, Miller, Sabatini, Sauger, Smith and Tocco; No-Klinefelt and Vosburg) (page 10)** **(attached)**
  - d) Authorizing the County of Macomb to Issue the County of Macomb Capital Improvement Bonds, Series 2015 (General Obligation Limited Tax) (offered by Board Chair; recommended by Finance and Infrastructure/Economic Development Committee meeting on 2-18-15) **(roll call vote at committee meeting: Yes-Brown, Carabelli, Duzyj, Flynn, Marino, Mijac, Miller, Sabatini, Sauger, Smith and Tocco; No-Klinefelt and Vosburg) (page 16)** **(attached)**
  - e) Approving the Undertaking to Provide Continuing Disclosure for the County of Macomb in Connection with the County of Macomb Capital Improvement Bonds, Series 2015 (offered by Board Chair; recommended by Finance and Infrastructure/Economic Development Committee meeting on 2-18-15) **(roll call vote at committee meeting: Yes-Brown, Carabelli, Duzyj, Flynn, Klinefelt, Marino, Mijac, Miller, Sabatini, Sauger, Smith, Tocco and Vosburg) (page 39)** **(attached)**
- 11. Board Chair's Report (page 51) **(attached)**
  - 12. Executive Session to Discuss Attorney/Client Privileged Memorandum from Independent Counsel dated 2-2-15 and 2-17-15
  - 13. New Business
  - 14. Public Participation (five minutes maximum per speaker or longer at the discretion of the Chairperson)
  - 15. Roll Call
  - 16. Adjournment



# BOARD OF COMMISSIONERS

1 S. Main St., 9<sup>th</sup> Floor  
Mount Clemens, Michigan 48043  
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February 18, 2015

**TO: BOARD OF COMMISSIONERS**

**FROM: FRED MILLER, CHAIR, FINANCE COMMITTEE**  
**JIM CARABELLI AND ROB MIJAC, CO-CHAIRS, INFRASTRUCTURE/  
ECONOMIC DEVELOPMENT COMMITTEE**

**RE: RECOMMENDATIONS FROM MEETING OF 2-18-15**

At a joint meeting of the Finance and Infrastructure/Economic Development Committees, held Wednesday, February 18, 2015, the following recommendations were made and are being forwarded to the February 19, 2015 Full Board meeting for approval:

## **1. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Sauger, supported by Duzyj, to recommend that the Board of Commissioners approve the Sheriff’s and Emergency Management Director’s request for the following positions: two additional Dispatch Supervisors to the Sheriff’s budget; the cost of these two positions will be \$200,000 annually; salary increase of \$13,363.13 for the Emergency Program Manager position; and creation of an Emergency Management Administrative Aide non-union position at a cost of \$29,548.33 - \$36,935.43; funds would come from an approved transfer from the general fund capital outlay account (\$200,000), Sheriff’s ETSC E911 account (\$63,243) and grant funding through the Emergency Management Department (\$22,000); the total cost of these positions will be \$285,243; If a contract requires Commission approval under the County’s Contracting Policy or the County’s Procurement Ordinance, such approval must be sought separately; further, a copy of this Board of Commissioners’ action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED WITH VOSBURG VOTING “NO.”**

## **2. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Sabatini, supported by Mijac, to recommend that the Board of Commissioners approve the cost share agreement between Macomb Township and the Department of Roads for the paving of Luchtman between 25 Mile Road and 26 Mile Road for the 2015 construction season; further, a copy of this Board of Commissioners’ action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED.**

### **MACOMB COUNTY BOARD OF COMMISSIONERS**

- |  |   |  |                           |                              |
|--|---|--|---------------------------|------------------------------|
| David J. Flynn – Board Chair<br>District 4 | Kathy Tocco – Vice Chair<br>District 11 | Steve Marino – Sergeant-At-Arms<br>District 10 |                           |                              |
| Andrey Duzyj – District 1                  | Marvin Sauger – District 2              | Veronica Klinefelt – District 3                | Robert Mijac - District 5 | James Carabelli – District 6 |
| Don Brown – District 7                     | Kathy Vosburg – District 8              | Fred Miller – District 9                       | Bob Smith – District 12   | Joe Sabatini – District 13   |

**COMMITTEE RECOMMENDATIONS  
FINANCE AND INFRASTRUCTURE/ECONOMIC  
DEVELOPMENT COMMITTEES  
FEBRUARY 18, 2015**

**PAGE 2**

**3. COMMITTEE RECOMMENDATION – MOTION (SEE ATTACHED)**

A motion was made by Brown, supported by Vosburg, to recommend that the Board of Commissioners approve the Michigan Department of Transportation (MDOT) contract outlining cost and scope of work for the Shelby/Utica bike path; further, a copy of this Board of Commissioners' action is directed to be delivered forthwith to the Office of the County Executive. **THE MOTION CARRIED.**

**A MOTION TO ADOPT THE COMMITTEE REPORT WAS MADE BY CHAIR MILLER, SUPPORTED BY COMMISSIONER CARABELLI.**



# MACOMB COUNTY, MICHIGAN

<b>Resolution Number:</b>	<b>Full Board Meeting Date:</b>

## RESOLUTION

**Resolution to:**

Approve the Sheriff's and Emergency Management Director's request for the following positions.  
 2 additional Dispatch Supervisors to the Sheriff's Budget. The cost of these two positions will be \$200,000 annually.  
 Salary increase of \$13,363.13 for the Emergency Program Manager position.  
 Creation of an Emergency Management Administrative Aide non-union position at a cost of \$29,548.33 - \$36,935.43.  
 Funds would come from an approved transfer from the general fund capital outlay account (\$200,000), Sheriff's ETSC E911 account (\$63,243), and grant funding through the emergency management department (\$22,000).  
 The total cost of these positions will be \$285,243.      \*SEE BELOW

**Introduced By:**

Kathy Vosburg, Chair, Justice and Public Safety Committee

**Additional Background Information (If Needed):**

\*Further, this budget action addresses budgetary issues only. It does not constitute the Commission's approval of any County contract. If a contract requires Commission approval under the County's Contracting Policy or the County's Procurement Ordinance, such approval must be sought separately. FORWARD TO THE FINANCE COMMITTEE.  
 \*(This language was added by Justice and Public Safety Committee Chair Vosburg.)

Committee	Meeting Date
Justice and Public Safety	2-11-15
Finance & Infrastructure/Econ. Dev.	2-18-15
Full Board	2-19-15



# MACOMB COUNTY, MICHIGAN

<b>Resolution Number:</b>	<b>Full Board Meeting Date:</b>

## RESOLUTION

<b>Resolution to:</b>
Approve the Cost Share Agreement between Macomb Township and the Department of Roads for the paving of Luchtman between 25 Mile Road and 26 Mile Road for the 2015 Construction Season.

<b>Introduced By:</b>
Commissioners Robert Mijac & James Carabelli, Econ Dev/Infrastructure Committee

<b>Additional Background Information (If Needed):</b>
Project is estimated at \$1,045,500 and will be paid by Macomb Township (60%) and the Department of Roads (40%). This is budgeted for 2014-2015 FY.

Finance and  
Economic Development/Infrastructure  
Committee

2-18-15

~~02/17/2015~~

Meeting Date

Full Board

2-19-15



# MACOMB COUNTY, MICHIGAN

Resolution Number:	Full Board Meeting Date:

## RESOLUTION

Resolution to:
Approve the MDOT Contract outlining cost and scope of work for the Shelby/Utica Bike Path.

Introduced By:
Commissioners Robert Mijac & James Carabelli, Econ Dev/Infrastructure Committee

Additional Background Information (If Needed):
This bike path project is estimated at \$2,493,200 and is partially covered by Federal funds, as well as participation by Shelby Township and the City of Utica. This is budgeted for 2014-2015 FY.

Finance and  
Economic Development/Infrastructure

Committee

Full Board

2-18-15

~~02/17/2015~~

Meeting Date

2-19-15

**2015 RESOLUTION NO. \_\_\_\_\_**

*Official Resolution of the Board of Commissioners  
Macomb County, Michigan*

**Resolution Supporting The Macomb/St. Clair MichiganWorks!  
Veteran Employability Boot Camp Program And  
Urging Macomb County Community Leaders To Recognize and Support The Program**

**Commissioner Fred Miller On Behalf of the Board of Commissioners,  
Offers the Following Resolution:**

WHEREAS, according to the Department of Veterans Affairs (VA), as of September 2014, there were approximately 55,391 veterans in Macomb County receiving federal benefits; and

WHEREAS, based on sampling data of office visits and relief fund recipients by the Macomb County Veterans Affairs Department, the total number of veterans in Macomb County is closer to 80,000 which is approximately 10 percent of the county's population; and

WHEREAS, according to the Bureau of Labor Statistics (BLS), the 2013 unemployment rate for veterans in the State of Michigan was 10% compared to 8.5% for nonveterans of the same age group, and the unemployment rate was even higher for Gulf War II veterans (those who were on active duty after September 2001); and

WHEREAS, since the economic recovery, there has been a growing demand for skilled workers in Macomb County and Southeast Michigan and many Macomb County veterans qualify for these available positions; and

WHEREAS, after recognizing this gap, the staff at Macomb/St. Clair MichiganWorks! began a new and innovative job seeker 5-day training session for veterans the spouses of veterans called the Veteran Employability Boot Camp program that help veterans rebuild their resumes, create networking cards, conduct mock job interviews, connect to potential employers, and boost their confidence in the job search process; and

WHEREAS, the Veterans Employability Boot Camp has a tremendous success rate with an employment rate of 77.5% with an average wage of \$15.59; and

WHEREAS, this is not a separately funded workforce development program but rather a standalone initiative established by the MichiganWorks! staff members who recognized the need for a boot camp for veterans; and

WHEREAS, the MichiganWorks! staff members go above and beyond their normal operational responsibilities to conduct this program and sometimes contribute their own personal money to fund lunches, snacks, and graduation parties that are integral to the success of the program; and



WHEREAS, in recognition of this successful program, on February 18, 2014, the Macomb County Board of Commissioners Finance Committee hosted a public presentation to educate and promote the Veteran Employability Boot Camp program to Macomb County veterans, community leaders, and elected officials; and

WHEREAS, MichiganWorks! will be conducting an open house at their Clinton Township facility on March 6, 2015 to celebrate the first year anniversary of the Veteran Employability Boot Camp program.

NOW THEREFORE BE IT RESOLVED that the Macomb County Board of Commissioners strongly supports the Macomb/St. Clair MichiganWorks! Veteran Employability Boot Camp program and strongly urge Macomb County’s community leaders to recognize, promote and support the program by finding opportunities for funding.

BE IT FURTHER RESOLVED that the Macomb County Board of Commissioners urges Governor Rick Snyder and Michigan State Legislatures to provide funding for programs like the Veteran Employability Boot Camp program across the State.

BE IT FURTHER RESOLVED that the Macomb County Board of Commissioners urges other MichiganWorks! offices in Michigan to implement and replicate a similar employability program for veterans.

BE IT FURTHER RESOLVED that the Macomb County Board of Commissioners urges the Macomb County business community to work with Michigan Works! to provide open job opportunities and also provide donations to help fund lunches, snacks, and graduation parties of the program.

BE IT FURTHER RESOLVED that hard copies of this resolution, digital copies if possible, be provided to the Macomb County Federal Legislative Delegation, Governor Rick Snyder, Macomb County State Legislative Delegation, Michigan Veterans Affairs Agency Director Jeff Barnes, Macomb County Executive Mark Hackel, Macomb/St. Clair Michigan Works Executive Director John Bierbusse, Macomb County Veterans Affairs Department Laura Rios, all Macomb County Circuit Court Judges, all Macomb County District Court Judges, Michigan Association of Counties Deputy Director Steve Currie, GCSI Director Kirk Profit, GCSI Associate Gary Owens, members of the Macomb County Veterans Action Collaborative, Wayne County Department of Veterans Affairs, Oakland County Department of Veterans Affairs, Macomb County Chamber of Commerce CEO Grace Shore, and Sterling Heights Area Chamber of Commerce President and CEO Wayne Oehmke,

\_\_\_\_\_  
Dave Flynn  
Macomb County Board Chair

\_\_\_\_\_  
Fred Miller  
Macomb County Commissioner, District 9

\_\_\_\_\_  
Carmella Sabaugh  
Macomb County Clerk/Register of Deeds

*Passed at <Date> Full Board Meeting*

**2015 RESOLUTION NO. \_\_\_\_\_***Official Resolution of the Board of Commissioners  
Macomb County, Michigan***A Resolution of Intent to Engage Community Stakeholders of the City of Mount Clemens  
in the Development of External Improvements to County Assets in the City**

Commissioner Fred Miller, on Behalf of the Board of Commissioners,  
Offers the Following Resolution:

**Whereas**, the government of Macomb County has been centered within the City of Mount Clemens dating back well into the 1800's on property deeded to Macomb County government by City founder Christian Clemens with the stipulation that it be used as the county seat; and

**Whereas**, no less than three different county courthouses were built within the City before construction of the Macomb County Building at the corner of Gratiot and Cass began in 1931; and

**Whereas**, as Mount Clemens and Macomb County have grown over the many decades since, so has the demand for services provided by Macomb County government, resulting in an expansion of the buildings, properties, number of employees, and overall footprint of Macomb County government within the City of Mount Clemens; and

**Whereas**, that the role of County Seat has helped make the City a destination for hundreds of employees and countless others who come to the City for work or to access County services on a daily basis; and

**Whereas**, while there has been an unmeasured economic impact as a result, the presence of Macomb County government has caused challenges as well, not the least of which is the impact on City finances due to the amount of county-owned property no longer on City tax rolls; and

**Whereas**, the historic structure now known as "the Old County Building" suffered a significant fire on April 17, 2013, displacing county employees and departments and touching off a process wherein Macomb County government leaders systematically reassessed the space needs in the area sometimes referred to as the "Macomb County Central Campus"; and

**Whereas**, that process has culminated in an estimated \$64.7 million, 36 month building project on the Macomb County Central Campus including renovations to the County Administration, Old County, Clemens Center, the 16<sup>th</sup> Circuit Court, and the so-called "Talmer Administration" buildings, along with the removal and addition of parking structures downtown; and

**Whereas**, while significant in scope, the proposed improvements to County assets in the City are largely internal; and

**Whereas**, representatives of the Mount Clemens Downtown Development Authority (DDA) authored a proposal to meet the parking needs of the county which included repurposing the 2.3 acre parcel of land to be vacated by the demolition of the existing parking structure for public space with various amenities; and

**Whereas**, that proposal was received favorably by the Macomb County Board of Commissioners and the Mount Clemens City Commission, both of which voiced the sentiment through official resolution; and

**Whereas**, Macomb County government values the City of Mount Clemens and its stakeholders, acknowledges the many benefits as well as unique challenges that come with being the County Seat, and recognizes the County's vested interest in the success of the City and the downtown businesses as well as the obligation to be a good partner to the community.

**Now, Therefore, Be It Resolved As Follows:**

1. The Macomb County Board of Commissioners reaffirms the appreciation to the City of Mount Clemens and its many stakeholders as the County Seat and partnership with the City of Mount Clemens.
2. Recognizing the authority vested by the County Charter in the Office of County Executive to maintain intergovernmental relations, the Macomb County Board of Commissioners encourages the following:
  - a. the County engage stakeholders in the County Seat on the development of external improvements to County-owned assets in Mount Clemens, specifically the development of the space to be vacated by the demolition of the downtown parking structure;
  - b. Establishment of a process, including a timeline for stakeholder engagement, for co-development of a specific vision and budget for this space in anticipation of the demolition of the downtown parking structure in March 2017;
  - c. Active exploration of additional public and private sources of funding for this effort;
  - d. Inclusion of downtown Mount Clemens in the Macomb County Trailways Master Plan; and
  - e. Continued dialogue between the County and the City to explore options for operational shared services.
3. The Macomb County Board of Commissioners pledges its full support to these efforts.
4. Soft copies of this resolution will be sent to the Macomb County Office of County Executive, City of Mount Clemens City Commissioners, City of Mount Clemens Mayor Barb Dempsey, Mount Clemens Community Schools, and the Mount Clemens Downtown Development Authority.

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Dave Flynn  
Macomb County Board Chair

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Fred Miller  
Macomb County Commissioner, District 9

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Carmella Sabaugh  
Macomb County Clerk/Register of Deeds

*Passed at <Date> Full Board Meeting*

COUNTY OF MACOMB

At a \_\_\_\_\_ meeting of the Board of Commissioners of the County of Macomb, Michigan, held on the \_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_:\_\_ .m., Eastern Standard Time, at the County \_\_\_\_\_ Building in Mt. Clemens, Michigan there were:

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

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

The following preambles and resolution were offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:  
\_\_\_\_\_:

**RESOLUTION AUTHORIZING THE INSERTION  
OF NOTICE OF INTENT OF THE COUNTY OF MACOMB  
TO ISSUE COUNTY OF MACOMB CAPITAL IMPROVEMENT BONDS, SERIES 2015  
(GENERAL OBLIGATION LIMIED TAX)**

WHEREAS, the Board of Commissioners (the "Commission") of the County of Macomb, Michigan (the "County"), wishes to issue bonds for the purpose of constructing the capital improvement project as described in EXHIBIT A attached hereto (the "Project"), pursuant to the terms of Section 518 of Act No. 34, Public Acts of Michigan, 2001 as amended ("Act 34"); and

WHEREAS, it has been estimated that the period of usefulness of the Project is not less than 20 years and that the total cost of the Project is estimated to be \$65,000,000 of which not to exceed \$45,000,000 will be paid from bond proceeds which bonds will be issued by the County in one or more series pursuant to Act 34.

WHEREAS, in order to authorize the issuance of the not to exceed \$45,000,000 County of Macomb Capital Improvement Bonds, Series 2015 (General Obligation Limited Tax) (the "Bonds"), it is necessary to insert a Notice of Intent of the County of Macomb to Issue Capital Improvement Bonds pursuant to Act 34 in the *Macomb Daily*, Mt. Clemens, Michigan; and

WHEREAS, there has been prepared and attached hereto as APPENDIX I a form of notice entitled "NOTICE OF INTENT OF THE COUNTY OF MACOMB TO ISSUE CAPITAL IMPROVEMENT BONDS AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intent"); and

WHEREAS, the Macomb County Clerk shall be authorized to insert the attached form of Notice of Intent in the *Macomb Daily*, Mt. Clemens, Michigan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MACOMB, MICHIGAN, as follows:

1. **Approval of Plans:** The preliminary plans and estimates relating to the Project and identified in EXHIBIT A attached hereto are hereby approved and ordered filed with the County Clerk.

2. **Insertion of Notice of Intent:** It is hereby determined that the Notice of Intent provides information sufficient to adequately inform the electors and taxpayers of the County of the nature of the obligations to be undertaken by the County by the issuance of the Capital Improvement Bonds and of their right under Act 34 to file a petition requesting a referendum election on the issuance of the Capital Improvement Bonds.

3. **Form of Notice of Intent:** The form and content of the Notice of Intent as set forth in Appendix I, are hereby approved, and the Macomb County Clerk is hereby authorized and directed to cause the Notice of Intent to be published once in the *Macomb Daily*, Mt. Clemens, Michigan, a newspaper of general circulation within the County which is hereby determined to be the newspaper reaching the largest number of electors and taxpayers of the County. The notice shall be inserted in an advertisement at least one-quarter of a page in size.

4. **Retention of Bond Counsel.** The firm of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the County in connection with the issuance, sale and delivery of the Bonds.

5. **Retention of Financial Consultants.** Public Financial Management, Inc., Ann Arbor, Michigan, is hereby retained to act as Financial Advisor to the County in connection with the sale and delivery of the Bonds.

6. **Referendum Period:** The referendum period within which voters and taxpayers shall have the right to circulate petitions is 45 days after publication of the notice of Intent authorized in paragraph 2.

7. **Conflicting Resolutions.** All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

8. **Effective Date.** This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the County as soon as practicable after adoption.

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A roll call vote on the foregoing resolution was then taken, and was as follows:

YES: \_\_\_\_\_  
 \_\_\_\_\_

NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

The resolution was declared adopted.

STATE OF MICHIGAN    )  
                                   )ss.  
 COUNTY OF MACOMB )

**CERTIFICATION**

The undersigned, being the Clerk of the County of Macomb, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the County of Macomb Board of Commissioners at its \_\_\_\_\_ meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
 COUNTY CLERK

DATED: \_\_\_\_\_, 2015

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**EXHIBIT A****Project Description**

The Project will consist of various repairs, upgrades, modernizations, and other improvements to County Administration Building, Old County Building, Circuit Court Building, "Talmer" Building, Clemens Center Building and possible parking improvements in downtown Mt. Clemens which are also further described in the 2013 "Macomb County Central Campus Long Term Assessment Program/Facility Assessment" dated October 30, 2013, prepared by Plante Moran Cresa.

**Cost Estimates**

Funds to Finance the Project & Financing Costs (Including Bond Discount, and Contingency)	<b>Not to exceed \$65,000,000</b>
<b>Maximum amount of Bonds to be Issued in One or More Series:</b>	<b>\$45,000,000</b>
<b>Maximum term of bond issue:</b>	<b>16 years</b>

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**APPENDIX I**

NOTICE OF INTENT OF THE COUNTY OF MACOMB  
TO ISSUE NOT TO EXCEED \$45,000,000 IN  
CAPITAL IMPROVEMENT BONDS AND  
NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO ALL ELECTORS AND TAXPAYERS OF  
THE COUNTY OF MACOMB:

NOTICE IS HEREBY GIVEN that the Board of Commissioners of the County of Macomb, Michigan (the "County"), will authorize the issuance of not to exceed \$45,000,000 in Capital Improvement Bonds to provide funds for part of the capital improvement project as described in Exhibit A below (the "Project"). The Bond Resolution will provide further that the issuance of the one or more series of Capital Improvement Bonds (the "Bonds") pursuant to the provisions of Section 518 of Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"). The maximum amount of Bonds to be issued in one or more series shall not exceed \$45,000,000, the term of the Bonds shall not exceed 16 years and the Bonds shall bear interest at a rate or rates that will result in a maximum net interest rate of not more than 6% per annum. The maximum Project cost is estimated at not to exceed \$65,000,000 and the maximum amount of bonds to be issued for the project are not to exceed \$45,000,000.

FULL FAITH AND CREDIT AND TAXING POWER OF  
THE COUNTY OF MACOMB WILL BE PLEDGED

NOTICE IS FURTHER GIVEN that in the Bond Resolution the County will obligate itself to make payments to the bond holders in amounts sufficient to pay the principal of and interest on the Bonds. The limited tax full faith and credit of the County will be pledged for the making of such bond payments. Pursuant to such pledge of its full faith and credit, the County will be obligated to levy such ad valorem taxes upon all taxable property in the County as shall be necessary to make bond payments, which taxes, however, will be subject to applicable statutory and constitutional limitations on the taxing power of the County. In addition to its obligation to make payments on the Bonds, the County will agree in the Bond Resolution to pay all costs and expenses of operation and maintenance of the Project and all expenses of the County incidental to the issuance and payment of the Bonds, to the extent such expenses are not payable from the proceeds of the Bonds.

RIGHT TO PETITION FOR REFERENDUM

NOTICE IS FURTHER GIVEN to the electors and taxpayers of the County to inform them of the right to petition for a referendum on the question of issuing the Bonds. The County intends to issue the Bonds without a vote of the electors thereon. If, within 45-days after publication of this notice, a petition for referendum requesting an election on the Bonds,



signed by not less than 10% or 15,000 of the registered electors of the County, whichever is less, has been filed with the County Clerk, the Bonds shall not be issued unless and until approved by a majority of the electors of the County voting thereon at a general or special election.

This notice is given by order of the Board of Commissioners pursuant to Act 34. Further information may be obtained at the office of the Macomb County Clerk, 200 N. Main, Mt. Clemens, Michigan 48107.

#### **EXHIBIT A**

#### **Project Description**

The Project will consist of various repairs, upgrades, modernizations, and other improvements to County Administration Building, Old County Building, Circuit Court Building, "Talmer" Building, Clemens Center Building and possible parking improvements in downtown Mt. Clemens which are also further described in the 2013 "Macomb County Central Campus Long Term Assessment Program/Facility Assessment" dated October 30, 2013, prepared by Plante Moran Cresa.

#### **Cost Estimates**

Funds to Finance the Project & Financing Costs (Including Bond Discount, and Contingency)	<b>Not to exceed \$65,000,000</b>
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<b>Maximum amount of Bonds to be Issued in One or More Series:</b>	<b>\$45,000,000</b>
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<b>Maximum term of bond issue:</b>	<b>16 years</b>
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**CARMELLA SABAUGH  
COUNTY CLERK**

DATED: [Date of Publication]

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COUNTY OF MACOMB

At a \_\_\_\_\_ meeting of the Board of Commissioners of the County of Macomb, Michigan, held on the \_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_:\_\_ .m., Eastern Standard Time, at the County \_\_\_\_\_ Building in Mt. Clemens, Michigan there were:

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

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

The following preambles and resolution were offered by \_\_\_\_\_ and \_\_\_\_\_ seconded by \_\_\_\_\_:

**BOND RESOLUTION AUTHORIZING THE COUNTY OF MACOMB TO ISSUE THE COUNTY OF MACOMB CAPITAL IMPROVEMENT BONDS, SERIES 2015 (GENERAL OBLIGATION LIMITED TAX)**

WHEREAS, there have been prepared and presented to the Board of Commissioners (the "Board") of the County of Macomb (the "County"), a description of a capital improvement project in the County (the "Project"), all as more fully described in EXHIBIT A attached hereto, pursuant to the terms of Section 518 of Act No. 34, Public Acts of Michigan, 2001 as amended ("Act 34"); and

WHEREAS, it has been estimated that the period of usefulness of the Project is not less than 20 years and that the total cost of the Project is estimated to be \$65,000,000 of which not to exceed \$45,000,000 will be paid from bond proceeds which bonds will be issued by the County in one or more series pursuant to Act 34.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MACOMB, MICHIGAN, AS FOLLOWS:

1. **Bond Details:** Pursuant to Section 518 of Act 34, the Bonds of the County, aggregating not to exceed the principal sum of \$45,000,000 shall be issued in one or more series for the purpose of defraying part of the cost of the Project. The Bonds shall be known as "County of Macomb Capital Improvement Bonds, Series 2015 [and if more than one series is issued the additional series shall be designated by the date 2015 and the letter of the alphabet starting with "A"] (General Obligation Limited Tax)" (the "Bonds") and shall be dated April 1, 2015 or such later date not more than eighteen calendar months thereafter as the Finance Director or his designee shall provide by order. The Bonds shall be fully registered Bonds, both as to principal and interest, in any one or more denominations of \$5,000 or a multiple of \$5,000 numbered from 1 upwards as

determined by the Finance Director, regardless of rate and maturity date. The Bonds of each series shall mature as directed by the Finance Director or his designee in his signed order. There shall not be more than 15 maturities.

The Bonds shall be in substantially the form attached hereto as Appendix A with such changes, additions, or deletions as are not inconsistent with this resolution.

2. **Discount or Premium:** The Bonds may be offered for sale at a price of not less than 98% or more than 102% of the face amount thereof.

3. **Interest Payment and Date of Record:** The Bonds shall bear interest payable as set forth in the order signed by the Finance Director in accordance with paragraph 1 of this resolution, which interest shall not exceed 6% per annum. Interest shall be paid by check or draft mailed to the registered owner of each Bond as of the applicable date of record, provided, however, that the County Treasurer may agree with the bond registrar on a different method of payment. If interest is paid differently, the Bond form attached as Appendix A shall be changed accordingly.

The date of record for each interest payment shall be the 15th day of the calendar month preceding the date such payment is due.

4. **Prior Redemption:** The Bonds shall be subject to redemption prior to maturity upon such terms and conditions as shall be determined by order signed by the Finance Director at the time of sale.

5. **Reduction in Aggregate Amount of Bonds:** In the event the cost of the Project and of issuing the Bonds shall be less than the current projections and after this bond resolution has been adopted it shall be determined by the Finance Director that the Project cost to be financed by the Bonds shall be less than current estimates, the Finance Director shall reduce the principal amount of the Bonds by \$5,000 denominations, one such denomination for each maturity in any order of maturity and the Notice of Sale, if necessary, shall be correspondingly altered.

6. **Bond Registrar and Paying Agent/Book Entry Depository Trust:** The County shall enter into an agreement with Huntington National Bank, or such other bond registrar as ordered by the Finance Director, to serve as bond registrar and paying agent for the Bonds (sometimes referred to as the "Bond Registrar") which is or shall be a bank located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Finance Director from time to time as required may designate a similarly qualified trustee, bond registrar and paying agent. The Bonds shall be deposited with The Depository Trust Company, New York, N.Y. who shall transfer ownership of interests in the

Bonds by book entry and who shall issue depository trust receipts or acknowledgments to owners of interests in the Bonds. Such book entry depository trust arrangement, and the form of depository trust receipts or acknowledgments, shall be as determined by the County Finance Director after consultation with the depository trustee.

7. **Transfer or Exchange of Bonds:** Any bond shall be transferable on the bond register maintained by the Bond Registrar with respect to the Bonds upon the surrender of the Bond to the Bond Registrar together with an assignment executed by the registered owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned Bond the Bond Registrar shall authenticate and deliver a new Bond or Bonds in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

Bonds may likewise be exchanged for one or more other Bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the registered owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions the Bond Registrar shall authenticate and deliver a new Bond or Bonds to the registered owner of the Bond or his or her properly designated transferee or transferees or attorney.

Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid for by the County, unless otherwise agreed by the County and the Bond Registrar. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

8. **Mutilated, Lost, Stolen or Destroyed Bonds:** In the event any Bond is mutilated, lost, stolen or destroyed, the Chairperson of the Board of Commissioners and the Clerk of the County may, on behalf of the County, execute and deliver, a new Bond having a number not then outstanding, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Bond Registrar. In the case of a lost, stolen or destroyed Bond, a replacement Bond shall not be delivered unless and until the County and the Bond Registrar shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument Bond for principal and interest remaining unpaid on the lost, stolen or destroyed Bond;

(ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the County and the Bond Registrar against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the County and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the County.

9. **Execution and Delivery:** The Chairperson of the Board of Commissioners and the Clerk of the County are hereby authorized and directed to execute the Bonds for and on behalf of the County by manually executing the same or by causing their facsimile signatures to be affixed. If facsimile signatures are used, the Bonds shall be authenticated by the Bond Registrar before delivery. The Bonds shall be sealed with the County's seal or a facsimile thereof shall be imprinted thereon. When so executed and (if facsimile signatures are used) authenticated, the Bonds shall be delivered to the Finance Director, who is hereby authorized and directed to deliver the Bonds to the purchaser upon receipt in full of the purchase price for the Bonds.

10. **Source of Repayment:** The County agrees to pledge for the repayment of the Bonds sufficient amounts of County taxes levied each year provided that the amount of taxes necessary to pay the principal and interest on the Bonds, together with the other taxes levied for the same year, shall not exceed the limit authorized by law. In addition, the Bonds shall be secured by the limited tax full faith and credit of the County and shall be known as "General Obligation Limited Tax Bonds."

11. **Principal and Interest Fund:** All monies set aside by the County toward the cost of the Project shall be kept by the County in a separate fund hereby established, to be known as the "Principal and Interest Fund." All moneys in the Principal and Interest Fund shall be kept in a separate depository account with one or more banks or trust companies where the principal of and interest on the Bonds are payable, and such moneys shall be used solely for the payment of the principal of and interest on the Bonds and expenses incidental thereto. All accrued interest and the premium, if any, received from the purchaser of the Bonds shall be deposited in the Principal and Interest Fund upon receipt.

12. **Project Fund:** There is hereby established a Project Fund and Principal and Interest Fund into which all proceeds of the borrowing shall be deposited, except the accrued interest on the Bonds and premium, if any, received from the purchaser of the Bonds and any capitalized interest. All moneys in the Project Fund shall be used solely for the payment in full of costs of the Project, including the costs of issuing the Bonds.

Simultaneously with the transfer of bond proceeds into the Project Fund, sufficient moneys from bond proceeds shall be transferred to the Paying Agent and used to pay all of the costs of issuance for the Bonds including, but not limited to, financial costs, consultant fees, counsel fees, printing costs, application fees, rating fees and expenses and any other fees or costs incurred in connection with the financing. All such costs shall be authorized by the County Finance Director. At the time of delivery of any series of Bonds, sufficient proceeds will be deposited with the Paying Agent who will distribute the amounts to pay the costs of issuance. Surplus moneys remaining in the Project Fund after completion of the Project and payment in full of the costs of the Project (or provision for such payment) shall be deposited in the Principal and Interest Fund or used to redeem Bonds prior to maturity.

13. **Investments:** Moneys in the Principal and Interest Fund and the Project Fund may be continuously invested and reinvested in the United States government obligations, obligations the principal of and interest on which are unconditionally guaranteed by the United States government which are permissible investments for surplus funds under Act No. 20 of the Public Acts of 1943, as amended. Such investments shall mature, or be subject to redemption at the option of the holder, not later than (a) in the case of the Principal and Interest Fund, the dates moneys in such fund will be required to pay the principal of and interest on the Bonds, and (b) in the case of the Project Fund, the estimated dates when moneys in such fund will be required to pay costs of the Project. Obligations purchased as an investment of moneys in the Principal and Interest Fund or the Project Fund, as the case may be, shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

14. **Defeasance or Redemption of Bonds:** If at any time,

- (a) the whole amount of the principal of and interest on all outstanding Bonds shall be paid, or
- (b) (i) sufficient moneys, or Government Obligations (as defined in this Section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys, to pay the whole amount of the principal of and premium, if any, and interest on all outstanding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding Bonds shall have been duly called for redemption

(or irrevocable instructions to call such Bonds for redemption shall have been given)

then, at the time of the payment referred to in clause (a) of this Section or of the deposit referred to in clause (b) of this Section, the County shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest on the Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the County and considered excess proceeds of the Bonds. In the event moneys or Government Obligations shall be so deposited and held, the trustee or escrow agent holding such moneys or Government Obligations shall, within 30 days after such moneys or Government Obligations shall have been so deposited, cause a notice signed by it to be given to the registered holders thereof not more than sixty (60) days and nor less than forty-five (45) days prior to the redemption setting forth (x) the date or dates, if any, designated for the redemption of the Bonds, (y) a description of the moneys or Government Obligations so held by it and (z) that the County has been released from its obligations under this resolution. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of and premium, if any, and interest on the Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by resolution of the County, and (c) at the time of its appointment and so long as it is serving as such, have at least \$25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

15. **Filing with Municipal Finance Division:** The Chief Administrative Officer of the County is authorized and directed to, if necessary:

- (a) apply to the Municipal Finance Division of the Michigan Department of Treasury for approval of the sale of the Bonds;
- (b) file with such application all required supporting material; and

(c) pay all fees required in connection therewith.

16. **Not Qualified Tax-Exempt Obligations.** The Bonds are not designated as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, unless at the time the Bonds are issued, it is determined that the Bonds are eligible to be so designated, in which case the Notice of Sale, if necessary, shall thereby reflect such change in designation.

17. **Retention of Bond Counsel.** The firm Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan, is hereby retained to act as bond counsel for the County in connection with the issuance, sale and delivery of the Bonds.

18. **Retention of Financial Consultants.** Public Financial Management, Inc., Ann Arbor, Michigan, is hereby retained to act as Financial Advisor to the County in connection with the sale and delivery of the Bonds.

19. **Sale of Bonds.**

- (a) The Finance Director or his designee shall order the sale of bonds in accordance with either subparagraph (b) or subparagraph (c) of this Paragraph.
- (b) If the Finance Director determines to sell the Bonds at a competitive sale, sealed bids for the purchase of the Bonds shall be accepted up to a time to be later determined by the Finance Director. Notice of the Sale shall be published once in accordance with law in the Bond Buyer in substantially the form attached as Appendix B to this Resolution. The Finance Director, after conferring with Bond Counsel, may make such changes to the attached Notice of Sale, or cause it to be published in additional publications, as he deems appropriate.
- (c) If the Finance Director determines to sell the Bonds at a negotiated sale instead of a competitive sale for the reason that a negotiated sale will permit the County to enter the market on short notice at a point in time which appears to be advantageous, and thereby possibly obtain a lower rate of interest on the Bonds, then the County will sell the bonds to an underwriter at a negotiated sale to the underwriter designated by an order of the Finance Director substantially in the form attached hereto as Appendix C and the Finance Director is authorized to make such changes in and complete the blanks in both the



Order and the Bond Purchase Agreement which is approved by the Order as may be necessary to complete the transaction.

20. **Award of the Bonds.** Once the Underwriter is selected in the case of a negotiated sale, or once the bids are received on a competitive sale, the Finance Director is authorized to award the Bonds to the Underwriter in accordance with an order to be signed by the Finance Director.

21. **Approval of Expenditures.** The Finance Director or his designee shall have the authority to approve all expenditures relating to the Project.

22. **Conflicting Resolutions.** All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

23. **Effective Date.** This Resolution shall become effective upon its adoption by the Macomb County Board of Commissioners.

A roll call vote on the foregoing resolution was then taken, and was as follows:

YES: \_\_\_\_\_  
 \_\_\_\_\_

NO: \_\_\_\_\_  
 \_\_\_\_\_

ABSTAIN: \_\_\_\_\_  
 \_\_\_\_\_

The resolution was declared adopted.

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STATE OF MICHIGAN     )  
                                  )ss.  
COUNTY OF MACOMB )

**CERTIFICATION**

The undersigned, being the Clerk of the County of Macomb, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the County of Macomb Board of Commissioners at its \_\_\_\_\_ meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that minutes of such meeting were kept and will be or have been made available as required thereby.

\_\_\_\_\_  
**COUNTY CLERK**

DATED: \_\_\_\_\_, 2015

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**EXHIBIT A****Project Description**

The Project will consist of various repairs, upgrades, modernizations, and other improvements to County Administration Building, Old County Building, Circuit Court Building, "Talmer" Building, Clemens Center Building and possible parking improvements in downtown Mt. Clemens which are also further described in the 2013 "Macomb County Central Campus Long Term Assessment Program/Facility Assessment" dated October 30, 2013, prepared by Plante Moran Cresa.

**Cost Estimates**

Funds to Finance the Project & Financing Costs (Including Bond Discount, and Contingency)	<b>Not to exceed \$65,000,000</b>
<b>Maximum amount of Bonds to be Issued in One or More Series:</b>	<b>\$45,000,000</b>
<b>Maximum term of bond issue:</b>	<b>16 years</b>

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APPENDIX A

[FORM OF BOND]

UNITED STATES OF AMERICA - STATE OF MICHIGAN - COUNTY OF MACOMB

COUNTY OF MACOMB  
CAPITAL IMPROVEMENT BOND, SERIES 20\_\_  
(GENERAL OBLIGATION LIMITED TAX)

No. \_\_\_\_

RATE                      MATURITY DATE                      DATE OF ISSUANCE                      CUSIP

\_\_\_\_\_ 1, \_\_\_\_\_

=====

REGISTERED OWNER:

PRINCIPAL AMOUNT:

=====

FOR VALUE RECEIVED, the County of Macomb, (the "County"), State of Michigan, hereby acknowledges itself indebted and promises to pay (but only from the sources referred to herein) on the Maturity Date specified above, unless paid prior thereto as hereinafter provided, to the Registered Owner specified above, or its registered assigns, the Principal Amount specified above upon presentation and surrender of this Bond at the principal corporate trust office of \_\_\_\_\_, \_\_\_\_\_, Michigan, as paying agent and bond registrar (the "Bond Registrar"), together with interest thereon to the Registered Owner of this Bond, as shown on the books of the County maintained by the Bond Registrar, on the applicable date of record from the Date of Issuance specified above, or such later date through which interest has been paid, at the Rate per annum specified above, commencing \_\_\_\_\_ 1, \_\_\_\_\_, and semiannually thereafter on the first day of \_\_\_\_\_ and \_\_\_\_\_ in each year to and including the Maturity Date or earlier redemption of this Bond. The date of record for each payment of interest shall be the 15th day of the month preceding the date such payment is due. Interest is payable by check or draft mailed by the Bond Registrar to the Registered Owner at the address shown on the books of the County maintained by the Bond Registrar on the applicable date of record and shall be calculated on the basis of a 360-day year consisting of twelve (12) thirty (30) day months.

This Bond is one of a series of Bonds of like date and tenor except as to denomination, date of maturity and interest rate, numbered from 1 upwards, aggregating the principal sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), issued by the County, pursuant to and in full conformity with the Constitution and Statutes of the State of Michigan and especially Section 518 of Act No. 34, Public Acts of Michigan,

2001, as amended (the "Act"), for the purpose of

\_\_\_\_\_

which is located in \_\_\_\_\_, Michigan (the "Project").

This Bond and the series of which this is one are payable as follows: \_\_\_\_\_

\_\_\_\_\_

which are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Bonds. To secure payment of the principal of, premium, if any, and interest on the Bonds. The \_\_\_\_\_ pledged to the payment of the principal of, premium, if any, and interest on the Bonds shall be and remain subject to the statutory lien until the principal of, premium, if any, and interest on the Bonds have been paid in full. The limited tax full faith and credit of the County has been pledged for the making of such payments, and the County is obligated to levy ad valorem taxes in such amounts as shall be necessary for the making of such cash rental payments. HOWEVER, NO TAXES MAY BE LEVIED IN EXCESS OF CONSTITUTIONAL AND STATUTORY LIMITS. In addition, the Bonds shall be secured by the limited tax full faith and credit of the County and shall be known as "General Obligation Limited Tax Bonds."

{The Bond shall be subject to redemption prior to maturity upon such terms and conditions as shall be determined by the Finance Director at the time of sale.}

This Bond and the other bonds of this series have \_\_\_\_ been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond shall be transferable on the books of the County maintained by the Bond Registrar upon surrender of this Bond to the Bond Registrar together with an assignment executed by the Registered Owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned bond, the Bond Registrar shall authenticate and deliver a new Bond or Bonds in authorized denominations in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

This Bond may likewise be exchanged for one or more other Bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the Registered Owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions the Bond Registrar shall authenticate and deliver a

new Bond or Bonds to the Registered Owner of the Bond or his or her properly designated transferee or transferees or attorney.

The Bond Registrar is not required to honor any transfer or exchange of Bonds during the fifteen (15) days preceding an interest payment date. Any service charge made by the Bond Registrar for any such registration, transfer or exchange shall be paid for by the County (subject, however, to reimbursement by the County pursuant to the Lease), unless otherwise agreed upon by the County and the Bond Registrar. The Bond Registrar may, however, require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit until the certificate of authentication hereon has been duly executed by the Bond Registrar, as authenticating agent.

It is hereby certified, recited and declared that all things, conditions and acts required to exist, happen and be performed precedent to and in connection with the issuance of this Bond and the other Bonds of this series, existed, have happened and have been performed in due time, form and manner as required by the Constitution and Statutes of the State of Michigan, and that the total indebtedness of the County, including this series of Bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the County of Macomb, State of Michigan by its Board of Commissioners has caused this Bond to be executed in its name with the facsimile signatures of its Chairperson of the Board of Commissioners and its Clerk and has caused a facsimile of its seal to be affixed hereto, and has caused this Bond to be authenticated by the Bond Registrar, as the County's authenticating agent, all as of the Date of Issuance set forth above.

COUNTY OF MACOMB

By:

Chairperson of the Board of Commissioners

[SEAL]

By:

Clerk

DATE OF AUTHENTICATION:

**BOND REGISTRAR'S CERTIFICATE OF AUTHENTICATION**

This Bond is one of the series of Bonds designated "County of Macomb Capital Improvement Bonds, Series 20\_\_ (General Obligation Limited Tax)."

\_\_\_\_\_  
\_\_\_\_\_, Michigan  
as Bond Registrar and Authenticating Agent

By:

Authorized Representative

**CERTIFICATE**

The above is a true copy of the legal opinion of Axe & Ecklund, P.C., a true copy of which was delivered on the date of delivery of the Bonds to which it relates.

BY:

Clerk

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ this Bond and all rights hereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer this Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature:

\_\_\_\_\_  
Notice: The signature(s) to this assignment must correspond with the name as it appears upon the face of this Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

\_\_\_\_\_  
Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

The transfer agent will not effect transfer of this Bond unless the information concerning the transferee requested below is provided:

Name and Address: \_\_\_\_\_

\_\_\_\_\_  
(Include information for all joint owners if bond is held by joint account)

PLEASE INSERT SOCIAL SECURITY NUMBER OR OTHER IDENTIFYING NUMBER  
OF TRANSFEREE  
(Insert number for first named transferee if held by joint  
account)

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APPENDIX B  
OFFICIAL NOTICE OF SALE  
\$ \_\_\_\_\_  
COUNTY OF MACOMB  
State of Michigan  
COUNTY OF MACOMB CAPITAL IMPROVEMENT BONDS, SERIES 2015  
(GENERAL OBLIGATION LIMITED TAX)

**SEALED OR ELECTRONIC BIDS:** Sealed Bids for the purchase of the bonds described herein (the "Bonds") will be received by the undersigned for and on behalf of the County of Macomb (the "County"), at the Office of the County \_\_\_\_\_, \_\_\_\_\_, Mt. Clemens, Michigan \_\_\_\_\_, on \_\_\_\_\_, \_\_\_\_\_ until \_\_:\_\_ \_\_.m., Eastern \_\_\_\_\_ Time, at which time and place said bids will be publicly opened and read.

In the alternative, sealed written Bids will also be received on the same date and until the same time by an agent of the undersigned at the Municipal Advisory Council of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226, where they will be publicly opened simultaneously. Bids received at Mt. Clemens, Michigan will be read first, followed by the bids received at the alternate location. Bidders may choose either location to present bids and good faith checks, but not both locations.

Any bidder may submit a bid in person to either proposing location. However, no bidder is authorized to submit a fax bid to Mt. Clemens, Michigan.

Also in the alternative, electronic bids will also be received on the same date and until the same time by an agent of the undersigned Bidcomp/Parity. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Eric Washington, 1359 Broadway, 2<sup>nd</sup> Floor, New York, NY, 10018, (212) 849-5021.

If any provision of this Notice of Sale shall conflict with information provided by Bidcomp/Parity as the approved provider of electronic proposing services, this Notice of Sale shall control.

**The Bonds will be awarded or all bids will be rejected by the Finance Director or his designee at a proceeding to be held within twenty-four hours of the sale.**

**BOND DETAILS:** The Bonds will be dated \_\_\_\_\_ 1, \_\_\_\_\_ and will be known as "County of Macomb Capital Improvement Bonds, Series 2015". The Bonds will be fully registered Bonds, both as to principal and interest, in any one or more denominations of \$5,000 or a multiple of \$5,000, numbered from 1 upwards and will bear interest from their date of issuance payable \_\_\_\_\_ 1, \_\_\_\_\_ and semi-annually thereafter on each \_\_\_\_\_ 1 and \_\_\_\_\_

1 until maturity. The Bonds will mature on \_\_\_\_\_ 1 of each year as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
-------------	---------------	-------------	---------------	-------------	---------------

**PRIOR REDEMPTION:** The Bonds maturing prior to \_\_\_\_\_ 1, \_\_\_\_\_ shall not be subject to redemption prior to maturity. Bonds on or after \_\_\_\_\_ 1, \_\_\_\_\_ shall be subject to redemption prior to maturity at the option of the County, in any order, in whole or in part on any date on or after \_\_\_\_\_ 1, \_\_\_\_\_. Bonds called for redemption shall be redeemed at par, plus accrued interest to the date fixed for redemption.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion as well as the amount not being redeemed each constitute an authorized denomination. In the event that less than the entire principal amount of a bond is called for redemption, upon surrender of the Bond to the bond registrar, the bond registrar shall authenticate and deliver to the registered owner of the Bond a new bond in the principal amount of the principal portion not redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class mail at least thirty (30) days prior to the date fixed for redemption, which notice shall fix the date of record with respect to the redemption if different than otherwise provided in the resolution authorizing the issuance of the bonds. Any defect in such notice shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the redemption date, provided funds are on hand with the bond registrar to redeem the same.

**INTEREST RATE AND PROPOSING DETAILS:** The Bonds shall bear interest at a rate or rates not exceeding 6% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only. All bonds maturing in any one year must carry the same interest rate. THE INTEREST RATE BORNE BY BONDS MATURING IN ANY YEAR SHALL NOT BE AT A RATE LOWER THAN THE RATE BORNE BY BONDS MATURING IN ANY PRECEDING YEAR. No bid for the purchase of less than all of the Bonds, at a price less than \_\_\_\_% of their par value or at an interest rate or rates that will result in a net interest cost exceeding 6%, will be considered.

**TERM BOND OPTION:** Bonds maturing in the years \_\_\_\_-\_\_\_\_, inclusive, are eligible for designation by the original purchaser at the time of sale as serial bonds or term bonds, or

both. There may be more than one term bond maturity. However, principal maturities designated as term bonds shall be subject to mandatory redemption, in part, by lot, at par and accrued interest on \_\_\_\_\_ 1st of the year in which the Bonds are presently scheduled to mature. Each maturity of term bonds and serial bonds must carry the same interest rate. Any such designation must be made at the time the bids are submitted.

**BOOK-ENTRY-ONLY:** The Bonds will be issued in book-entry-only form as one fully-registered bond per maturity and will be registered in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Bonds. Purchase of the Bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in Bonds purchased. The book-entry-only system is described further in the preliminary official statement for the Bonds.

**BOND REGISTRAR, PAYING AGENT AND DATE OF RECORD:** \_\_\_\_\_, \_\_\_\_\_, Michigan has been selected as paying agent and bond registrar (the "Bond Registrar") for the Bonds. The Bond Registrar will keep records of the registered holders of the Bonds, serve as transfer agent for the Bonds, authenticate the original and any re-issued bonds and pay interest by check or draft mailed to the registered holders of the Bonds as shown on the registration books of the County kept by the Bond Registrar on the applicable date of record. The date of record for each interest payment shall be the 15th day of the month before such payment is due. The principal of and redemption premium, if any, on the Bonds will be paid when due upon presentation and surrender thereof to the Bond Registrar. As long as DTC, or its nominee Cede & Co., is the registered owner of the Bonds, payments will be made directly to such registered owner. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the Bonds is the responsibility of DTC participants and indirect participants as described in the preliminary official statement for the Bonds. The County may from time to time as required designate a successor bond registrar and paying agent.

**PURPOSE AND SECURITY:** The Bonds are being issued pursuant to Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"); and the County's Resolution for the purpose constructing the Project described as \_\_\_\_\_. The County agrees to pledge for the repayment of the Bonds sufficient amounts of County taxes levied each year provided that the amount of taxes necessary to pay the principal and interest on the Bonds, together with the other taxes levied for the same year, shall not exceed the limit authorized by law. In addition, the Bonds shall be secured by the limited tax full faith and credit of the County and shall be known as "General Obligation Limited Tax Bonds."

**BOND INSURANCE AT PURCHASER'S OPTION:** If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser. Any additional rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE COUNTY.

**GOOD FAITH:** A certified or cashier's check drawn upon an incorporated bank or trust company or a wire transfer in an amount equal to 2% (\$\_\_\_\_\_) of the face amount of the Bonds, and payable to the order of the County will be required of the successful bidder as a guarantee of good faith on the part of the bidder, to be forfeited as liquidated damages if such bid be accepted and the bidder fails to take up and pay for the Bonds. If a check is used, it must accompany each bid. If a wire transfer is used, the successful bidder is required to wire the good faith deposit not later than Noon, prevailing Eastern Time, on the next business day following the sale using the wire instructions provided by Public Financial Management, Inc. The good faith deposit will be applied to the purchase price of the Bonds. No interest shall be allowed on the good faith checks, and checks of each unsuccessful bidder will be promptly returned to such bidder's representative or by registered mail. The good faith check of the successful bidder will be cashed immediately, in which event, payment of the balance of the purchase price of the Bonds shall be made at the closing.

**AWARD OF THE BONDS - TRUE INTEREST COST:** The Bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on \_\_\_\_\_ and semi-annually thereafter) necessary to discount the debt service payments from their respective payment dates to \_\_\_\_\_ in an amount equal to the price bid, excluding accrued interest. \_\_\_\_\_ is the anticipated date of delivery of the Bonds.

**LEGAL OPINION:** Bids shall be conditioned upon the approving opinion of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan (the "Bond Counsel") a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The fees of Bond Counsel for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue such opinion and as described in the official statement, Bond Counsel has not been

requested to examine or review and has not examined or reviewed any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, issuance or marketing of the Bonds, and therefore, has not expressed and will not express an opinion with respect to the accuracy or completeness of the official statement or any such financial documents, statements or materials.

**TAX MATTERS:** In the opinion of Bond Counsel, subject, however to certain qualifications described herein, under existing law, the interest on the Bonds is excluded from gross income for federal income tax purposes, such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for the purpose of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, the Bonds and interest thereon are exempt from all taxation in the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof.

**"QUALIFIED TAX EXEMPT OBLIGATIONS":** The Bonds have \_\_\_\_ been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986.

**CERTIFICATE REGARDING "ISSUE PRICE":** The Purchaser will be required, as a condition of delivery of the Bonds, to certify the "issue price" of the Bonds within the meaning of Section 1273 of the Code, which will include a representation that at least 10 percent of each maturity of the Bonds has been sold to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at a price not exceeding the stated initial offering price. In addition, if the successful bidder will obtain a municipal bond insurance policy or other credit enhancement for the Bonds in connection with their original issuance, the successful bidder will be required, as a condition of delivery of the Bonds, to certify that the premium therefor will be less than the present value of the interest expected to be saved as a result of such insurance or other credit enhancement. The form of an acceptable certificate will be provided by bond counsel.

**DELIVERY OF BONDS:** The County will furnish Bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of delivery of the Bonds. If the Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder

may on that day, or any time thereafter until delivery of the Bonds, withdraw its bid by serving written notice of cancellation on the undersigned, in which event the County shall promptly return the good faith deposit. Payment for the Bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the Bonds shall be paid by the purchaser at the time of delivery.

**UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE:** In order to assist bidders in complying with SEC Rule 15c2-12, as amended, the County will covenant to undertake (pursuant to a resolution adopted or to be adopted by its governing body), to provide annual reports and timely notice of certain events for the benefit of beneficial owners of the Bonds. The details and terms of the undertaking are set forth in a Continuing Disclosure Certificate to be executed and delivered by the County, a form of which is included in the preliminary official statement and in the final official statement.

**OFFICIAL STATEMENT:**

**Hard Copy**

A copy of the preliminary official statement (the "Preliminary official Statement") may be obtained by contacting Public Financial Management, Inc. at the address listed below. The Preliminary official Statement is in a form deemed final as of its date by the County for purposes of SEC Rule 15c2-12(b)(1), but is subject to revision, amendment and completion of a final official statement (the "Final Official Statement"). The successful bidder shall supply to the County, within twenty-four (24) hours after the award of the Bonds, all pricing information and any underwriter identification determined by Bond Counsel to be necessary to complete the Final Official Statement.

**Internet**

In addition, the County has authorized the preparation and distribution of a Preliminary official Statement containing information relating to the Bonds via the Internet. The Preliminary official Statement can be viewed and downloaded at [www.i-dealprospectus.com/PDF.asp?doc=\\_\\_\\_\\_\\_](http://www.i-dealprospectus.com/PDF.asp?doc=_____) or at [www.tm3.com](http://www.tm3.com).

The County will furnish to the successful bidder, at no cost, \_\_\_ copies of the Final Official Statement within seven (7) business days after the award of the Bonds. Additional copies will be supplied upon the bidder's agreement to pay the cost incurred by the County for those additional copies.

The County shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Final Official Statement, including revisions, amendments and completions as necessary, relating to

the County and the Bonds is true and correct in all material respects, and that such Final Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

**CUSIP NUMBERS:** It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such numbers nor any improperly printed number shall constitute cause for the purchaser to refuse to accept delivery of or to pay for the Bonds. All expenses for printing CUSIP numbers on the Bonds shall be paid for by the County, except that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

**FURTHER INFORMATION:** Additional information may be obtained from Public Financial Management, Inc., 305 East Eisenhower Parkway, Suite 112, Ann Arbor, Michigan, 48108 telephone (734) 994-9700.

**THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.**

**ENVELOPES:** Envelopes containing the bids should be plainly marked "Bid for County of Macomb Capital Improvement Bonds, Series 2015"

\_\_\_\_\_  
County of Macomb

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APPENDIX C

FORM OF FINANCE DIRECTOR'S ORDER TO PERMIT COUNTY EXECUTIVE  
TO SIGN THE BOND PURCHASE AGREEMENT

Pursuant to paragraph 17(b) of the Bond Resolution, as amended, in connection with the County of Macomb Capital Improvement Bonds, Series 2015.

Pursuant to \_\_\_\_\_, I as Finance Director of the County of Macomb have been authorized by the Macomb County Board of Commissioners to execute a Bond Purchase Agreement substantially in the form attached hereto as Appendix \_\_ with \_\_\_\_\_ to purchase \$\_\_\_\_\_ of the captioned Bonds.

In witness whereof, I have executed this Order as of \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_,  
Finance Director on Behalf  
of the County of Macomb

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**COUNTY OF MACOMB**

At a \_\_\_\_\_ meeting of the Board of Commissioners of the County of Macomb, Michigan, held on the \_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_:\_\_ .m., Eastern Standard Time, at the County \_\_\_\_\_ Building in Mt. Clemens, Michigan there were:

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

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

The following preambles and resolution were offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION APPROVING THE UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE FOR THE COUNTY OF MACOMB IN CONNECTION WITH THE COUNTY OF MACOMB CAPITAL IMPROVEMENT BONDS, SERIES 2015**

WHEREAS, the County of Macomb (the "County") by resolution of its Board of Commissioners has approved the issuance of the "County of Macomb Capital Improvement Bonds, Series 2015 (General Obligation Limited Tax)" in one or more series, in the total principal amount of not to exceed \$45,000,000 (the "Bonds"); and

WHEREAS, Bond Counsel has prepared this resolution and Continuing Disclosure Certificate (the "Disclosure Certificate") which Disclosure Certificate is attached as Appendix A.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MACOMB as follows:

1. This Board of Commissioners, for and on behalf of the County of Macomb, hereby covenants and agrees, for the benefit of the beneficial owners of the Bonds to be issued by the County of Macomb, to enter into a written undertaking (the "Undertaking") required by Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be substantially in the form attached hereto as Appendix A. The Undertaking shall be enforceable by the beneficial owners of the Bonds or by the Underwriter on behalf of such beneficial owners (provided that the Underwriter's right to enforce the provisions of the Undertaking shall be limited to a right to obtain specific enforcement of the County's

obligations hereunder and under the Undertaking), and any failure by the County to comply with the provisions of the Undertaking shall not be deemed a default with respect to the Bonds.

The Chairperson of the Board of Commissioners, the Finance Director, the County Treasurer or County Clerk shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the terms of the County's Undertaking.

2. The Disclosure Certificate attached as Appendix A is hereby approved as is the execution thereof by the designated officials.

3. All resolutions, or portions thereof, insofar as they may be in conflict with the foregoing, are hereby rescinded.

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

YES: \_\_\_\_\_  
\_\_\_\_\_

NO: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

The Resolution was declared adopted.

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**CERTIFICATION**

The undersigned, being the duly qualified and acting Clerk of the County of Macomb, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County at a \_\_\_\_\_ meeting held on \_\_\_\_\_, 2015, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the County, (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.

---

Macomb County Clerk

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## APPENDIX A

### FORM OF CONTINUING DISCLOSURE CERTIFICATE

#### COUNTY OF MACOMB

\$ \_\_\_\_\_

County of Macomb Capital Improvement Bonds, Series 2015\_\_  
(General Obligation Limited Tax)

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the County of Macomb (the "County") in connection with the issuance of its \$\_\_\_\_\_ County of Macomb Capital Improvement Bonds, Series 2015\_\_ (General Obligation Limited Tax) (the "Bonds"). This Disclosure Certificate is being executed and delivered pursuant to a resolution adopted by the Board of Commissioners of the County on \_\_\_\_\_, 2015 (the "Resolution"). The County covenants and agrees as follows:

#### Purpose of the Disclosure Certificate.

This Disclosure Certificate is being executed and delivered by the County for the benefit of the Bondholders and the Beneficial Owners and in order to assist the Participating Underwriters in complying with subsection (b)(5) of the Rule.

In consideration of the purchase and acceptance of any and all of the Bonds by those who shall hold the same or shall own beneficial ownership interests therein from time to time, this Disclosure Certificate shall be deemed to be and shall constitute a contract between the County and the Bondholders and Beneficial Owners from time to time of the Bonds, and the covenants and agreements herein set forth to be performed on behalf of the County shall be for the benefit of the Bondholders and Beneficial Owners of any and all of the Bonds.

Definitions. The following capitalized terms shall have the following meanings in this Disclosure Certificate:

"Annual Report" shall mean any Annual Report provided by the County pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Beneficial Owner" shall mean any person which has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries).

"Dissemination Agent" shall mean the County, or any successor Dissemination Agent appointed in writing by the County and which has filed with the County a written acceptance of such designation.

"EMMA" shall mean the Electronic Municipal Market Access system of the MSRB. As of the date of this Disclosure Certificate, the EMMA Internet Web site address is <http://www.emma.msrb.org>.

"GAAP" shall mean generally accepted accounting principles, as such principles are prescribed, in part, by the Financial Accounting Standards Board and modified by the Government Accounting Standards Board and in effect from time to time.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board.

"Official Statement" shall mean the Official Statement for the Bonds dated \_\_\_\_\_.

"Participating Underwriter" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with the offering of the Bonds.

"Rule" shall mean Rule 15c2-12 promulgated by the SEC pursuant to the 1934 Act, as the same may be amended from time to time, together with all interpretive guidances or other official interpretations or explanations thereof that are promulgated by the SEC.

"SEC" shall mean the Securities and Exchange Commission.

"Securities Counsel" shall mean legal counsel expert in federal securities law.

"State" shall mean the State of Michigan.

"1934 Act" shall mean the Securities Exchange Act of 1934, as amended.

#### Provision of Annual Reports.

Each year, the County shall provide, or shall cause the Dissemination Agent to provide, not later than nine months after the first day of the County's fiscal year, commencing with the County's Annual Report for the fiscal year ending December 30, \_\_\_\_, to the MSRB an Annual Report for the preceding fiscal year which is consistent with the requirements of Section 4 of this Disclosure Certificate. Currently, the County's fiscal year commences October 1. Not later than fifteen (15) business days prior to said date, the County shall provide the Annual Report to the Dissemination Agent (if other than the County). In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided, however, that if the audited financial statements of the County are not available by the deadline for filing the Annual Report, they shall be provided when and if available, and unaudited financial statements in a format similar to the audited financial statements most recently prepared for the County shall be included in the Annual Report.

If the County is unable to provide to the MSRB an Annual Report by the date required in subsection (a), the County shall send a notice, in a timely manner, to the MSRB in substantially the form attached as Exhibit A.

If the County's fiscal year changes, the County shall send written notice of such change to MSRB, in substantially the form attached as Exhibit B.

Whenever any Annual Report or portion thereof is filed as described above.

If the Dissemination Agent is other than the County, file a report with the County certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided.

(f) In connection with providing the Annual Report, the Dissemination Agent (if other than the County) is not obligated or responsible under this Disclosure Certificate to determine the sufficiency of the content of the Annual Report for purposes of the Rule or any other state or federal securities law, rule, regulation or administrative order.

Content of Annual Reports. The County's Annual Report shall contain or incorporate by reference the following:

(a) The audited financial statements of the County for its fiscal year immediately preceding the due date of the Annual Report.

(b) An update of the financial information and operating data relating to the County of the same nature as that contained in the following tables in the Official Statement: "County Tax Rates & Levies," "Tax Collection Record," "Largest Taxpayers," "State Equalized Valuation," "Taxable Valuation," "Largest Employers," "General Fund Revenues and Expenditures," and "Debt Statement".

The County's financial statements shall be audited and prepared in accordance with GAAP with such changes as may be required from time to time in accordance with State law.

Any or all of the items listed above may be included by specific reference to other documents available to the public on the MSRB's Internet Web site or filed with the SEC. The County shall clearly identify each such other document so included by reference.

Reporting of Significant Events.

The County covenants to provide, or cause to be provided, notice of any of the following events with respect to the Bonds, if material, within 10 days of the event and in accordance with the Rule:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;

- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
- (11) Rating changes.
- (12) Failure to Provide Event Filing Information as Required;
- (13) Tender Offer/Secondary Market Purchase;
- (14) Merger/Consolidation/Acquisition and Sale of All or Substantially All Assets;
- (15) Bankruptcy, Insolvency, Receivership or Similar Event; and
- (16) Successor, Additional or Change in Trustee.

Whenever the County obtains knowledge of the occurrence of a Listed Event, the County shall as soon as possible determine if such event would be material under applicable federal securities laws. The County covenants that its determination of materiality will be in conformance with federal securities laws.

If the County determines that the occurrence of a Listed Event would be material under applicable federal securities laws, the County shall promptly cause a notice of such occurrence to be filed with the MSRB. In connection with providing a notice of the occurrence of a Listed Event described in subsection (a)(9), the County shall include in the notice explicit disclosure as to whether the Bonds have been escrowed to maturity or escrowed to call, as well as appropriate disclosure of the timing of maturity or call.

In connection with providing a notice of the occurrence of a Listed Event, the Dissemination Agent (if other than the County), solely in its capacity as such, is not obligated or responsible under this Disclosure Certificate to determine the sufficiency of the content of the

notice for purposes of the Rule or any other state or federal securities law, rule, regulation or administrative order.

The County acknowledges that the "rating changes" referred to above in Section 5(a)(11) of this Disclosure Certificate may include, without limitation, any change in any rating on the Bonds or other indebtedness for which the County is liable.

The County acknowledges that it is not required to provide a notice of a Listed Event with respect to credit enhancement when the credit enhancement is added after the primary offering of the Bonds, the County does not apply for or participate in obtaining such credit enhancement, and such credit enhancement is not described in the Official Statement.

Mandatory Electronic Filing with EMMA: All filings with the MSRB under this Disclosure Certificate shall be made by electronically transmitting such filings through the EMMA Dataport at <http://www.emma.msrb.org> as provided by the amendments to the Rule adopted by the SEC in Securities Exchange Act Release No. 59062 on December 5, 2008.

Termination of Reporting Obligation.

The County's obligations under this Disclosure Certificate shall terminate upon the legal defeasance of the Resolution or the prior redemption or payment in full of all of the Bonds. If the County's obligation to pay the principal of and interest on the Bonds is assumed in full by some other entity, such entity shall be responsible for compliance with the Disclosure Certificate in the same manner as if it were the County, and the County shall have no further responsibility hereunder.

This Disclosure Certificate, or any provision hereof, shall be null and void in the event that the County (i) receives an opinion of Securities Counsel, addressed to the County, to the effect that those portions of the Rule, which require such provisions of this Disclosure Certificate, do not or no longer apply to the Bonds, whether because such portions of the Rule are invalid, have been repealed, amended or modified, or are otherwise deemed to be inapplicable to the Bonds, as shall be specified in such opinion, and (ii) delivers notice to such effect to the MSRB.

Dissemination Agent. The County, from time to time, may appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Disseminating Agent. The initial Dissemination Agent shall be the County. Except as otherwise provided in this Disclosure Certificate, the Dissemination Agent (if other than the County) shall not be responsible in any manner for the content of any notice or report prepared by the County pursuant to this Disclosure Certificate.

Amendment; Waiver. (a) Notwithstanding any other provision of this Disclosure Certificate, this Disclosure Certificate may be amended, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

If the amendment relates to the provisions of Section 3(a), (b), (c), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change



in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

This Disclosure Certificate, as so amended or taking into account such waiver, would, in the opinion of Securities Counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Bondholders.

In the event of any amendment to, or waiver of a provision of, this Disclosure Certificate, the County shall describe such amendment or waiver in the next Annual Report, and shall include a narrative explanation of the reason for the amendment or waiver. In particular, if the amendment results in a change to the annual financial information required to be included in the Annual Report pursuant to Section 4 of this Disclosure Certificate, the first Annual Report that contains the amended operating data or financial information shall explain, in narrative form, the reasons for the amendment and the impact of such change in the type of operating data or financial information being provided. Further, if the annual financial information required to be provided in the Annual Report can no longer be generated because the operations to which it related have been materially changed or discontinued, a statement to that effect shall be included in the first Annual Report that does not include such information.

If the amendment results in a change to the accounting principles to be followed in preparing financial statements as set forth in Section 4 of this Disclosure Certificate, the Annual Report for the year in which the change is made shall include a comparison between the financial statements or information prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles. The comparison shall include a qualitative discussion of such differences and the impact of the changes on the presentation of the financial information. To the extent reasonably feasible, the comparison shall also be quantitative. A notice of the change in accounting principles shall be sent by the County, or the Dissemination Agent (if other than the County) at the written direction of the County, to the MSRB.

Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the County from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the County chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the County shall have no obligation under this Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Failure to Comply. In the event of a failure of the County or the Dissemination Agent (if other than the County) to comply with any provision of this Disclosure Certificate, any Bondholder or Beneficial Owner may bring an action to obtain specific performance of the

obligations of the County or the Dissemination Agent (if other than the County) under this Disclosure Certificate, but no person or entity shall be entitled to recover monetary damages under any circumstances, and any failure to comply with the obligations under this Disclosure Certificate shall not constitute a default with respect to the Bonds or under the Resolution.

Duties of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate.

Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the County, the Dissemination Agent, the Participating Underwriters, the Bondholders and the Beneficial Owners, and shall create no rights in any other person or entity.

Transmission of Information and Notices. Unless otherwise required by law or this Disclosure Certificate, and, in the sole determination of the County or the Dissemination Agent, as applicable, subject to technical and economic feasibility, the County or the Dissemination Agent, as applicable, shall employ such methods of information and notice transmission as shall be requested or recommended by the herein designated recipients of such information and notices.

Additional Disclosure Obligations. The County acknowledges and understands that other State and federal laws, including, without limitation, the Securities Act of 1933, as amended, and Rule 10b-5 promulgated by the SEC pursuant to the 1934 Act, may apply to the County, and that under some circumstances, compliance with this Disclosure Certificate, without additional disclosures or other action, may not fully discharge all duties and obligations of the County under such laws.

Governing Law. This Disclosure Certificate shall be construed and interpreted in accordance with the laws of the State, and any suits and actions arising out of this Disclosure Certificate shall be instituted in a court of competent jurisdiction in the State. Notwithstanding the foregoing, to the extent this Disclosure Certificate addresses matters of federal securities laws, including the Rule, this Disclosure Certificate shall be construed and interpreted in accordance with such federal securities laws and official interpretations thereof.

COUNTY OF MACOMB

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_, 2015

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EXHIBIT A

NOTICE TO  
THE MSRB  
OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: County of Macomb, Michigan

Name of Bond Issue: \$\_\_\_\_\_ County of Macomb Capital Improvement  
Bonds, Series 2015\_\_ (General Obligation Limited Tax)

Date of Bonds: \_\_\_\_\_

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by Section 3 of its Continuing Disclosure Certificate with respect to the Bonds. The Issuer anticipates that the Annual Report will be filed by \_\_\_\_\_, \_\_\_\_.

COUNTY OF MACOMB

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_

EXHIBIT B

NOTICE TO  
THE MSRB  
OF CHANGE IN ISSUER'S FISCAL YEAR

Name of Issuer: County of Macomb, Michigan

Name of Bond Issue: \$\_\_\_\_\_ County of Macomb Capital Improvement  
Bonds, Series 2015\_\_ (General Obligation Limited Tax)

Date of Bonds: \_\_\_\_\_

NOTICE IS HEREBY GIVEN that the Issuer's fiscal year has changed. Previously, the Issuer's fiscal year ended on \_\_\_\_\_, \_\_\_\_\_. It now ends on \_\_\_\_\_, \_\_\_\_\_.

COUNTY OF MACOMB

By: \_\_\_\_\_  
\_\_\_\_\_  
Its: \_\_\_\_\_

Dated: \_\_\_\_\_, 20\_\_

las.rc-mac125

**MACOMB COUNTY, MICHIGAN**RESOLUTION TO receive and file report from Board Chair for February 2015INTRODUCED BY: Dave Flynn, Full Board

- The following is a report on activities within the Board Office which do not usually appear on committee agendas.

**Current Issues**

- Martha T. Berry Medical Facility
- Campus Renovations
- RHC Interim Trust
- Jail Needs Meeting (Flynn, Vosburg, Sheriff, OCE)
- Presentation to Bond Rating Issuers, Moody's and Standard & Poor's (Flynn, Wahby, Deldin, Smigiel)

**Office**

- Finance Director Needs communicated to Exec Search Firm (see attached)
- Contract Review Checklist
- Green Schools Program – Applications from schools due March 1; Ceremony at MISD April 1<sup>st</sup>
- April is National County Government Month (NACo)
- Volunteer Recognition in planning stages – targeting April for nominations, June for recognition
- #FactSnack Book Drive – Schools have been contacted

**Regional Events**

- Build Transit Build Business Info Session Feb. 24<sup>th</sup> 12pm – 1pm; see Commissioner Calendar

**Upcoming Items**

- Feb. 21<sup>st</sup>: 24<sup>th</sup> NACo Conference, Washington DC
- Feb. 24<sup>th</sup>: Tribute to Macomb County's Black History; Bobby Hill Event (Lobby, 6-7:30pm)
- Feb 26<sup>th</sup> : Detroit Policy Conference, 1 day
- CMH Board appointments in March (4 terms expiring 03-31-15)
- "March is Reading Month" HeadStart program is looking for commissioners to read to classrooms
- "March for Meals" – Meals on Wheels, commissioners can volunteer to deliver during March
- Roads Town Hall Meetings

**Correspondence:**

- RFI 01-27-15 JPS Civil Service Commission OCE and Response
- RFI 01-20-15 FIN Budget Posting FIN – published, see website
- RFI 01-27-15 GOPS Freedom Hill OCE-FIN and Response
- Open RFIs, waiting for response:
  - RFI 01-20-15 FIN Lawsuit Settlement Fund RSK
  - RFI 01-21-15 FIN Participants in FSA HRLR

**Media:**

- (No articles this month.)

**BOC – Independent Counsel:** Expenditures for Outside Legal Counsel Professional Services

Litigation	Legal Svcs	Legal Services	Budget	
<u>InvoiceCharges:</u>	<u>Budget Amount:</u>	<u>Invoice Totals:</u>	<u>Remaining:</u>	<u>%Utilized:</u>
	\$72,500 (2014)			
		\$ 161.00 (Clark Hill final)		
		<u>3,174.00</u> (January, Dickinson Wright)		
		\$ 3,335.00	\$ 69,165.00	.046
		<u>2,377.00</u> (February)		
		\$ 5,712.00	\$ 66,788.00	.078
		<u>3,013.00</u> (March)		
		\$ 8,725.00	\$ 63,775.00	.120
		<u>3,887.00</u> (April)		
		\$12,612.00	\$ 59,888.00	.173
		<u>5,405.00</u> (May)		
		\$18,017.00	\$ 54,483.00	.248
		<u>3,775.00</u> (June)		
		\$21,792.00	\$ 50,708.00	.300
		<u>4,807.00</u> (July)		
		\$26,599.00	\$ 45,901.00	.366
		<u>4,220.00</u> (August)		
		\$30,819.00	\$ 41,681.00	.425
		<u>6,923.00</u> (Clark Hill Sept)		
		\$37,742.00	\$ 34,758.00	.520
		<u>10,225.00</u> (Sept.)		
		\$47,967.00	\$ 24,533.00	.661
		<u>3,541.00</u> (Clark Hill Oct)		
		\$51,508.00	\$ 20,992.00	.710
		<u>12,015.00</u> (October)		
		\$63,523.00	\$ 8,977.00	.876
		<u>11,039.00</u> (November)		
		\$74,562.00	\$ - 2,062.00	1.02
		<u>3,658.00</u> (December)		
		\$78,220.00	\$ - 5,720.00	1.07

(overage paid from Professional Svcs account 80142)

**COMMITTEE/MEETING DATE**

Full Board 02-19-15

###

## **Finance Director – BOC Requirements**

- **Collaboration**
  - Ability to understand and articulate the provisions of the Macomb County Home Rule Charter, with emphasis on the fiduciary responsibilities of the County Commission and finance related provisions outlined in Article VIII
  - Experienced working in jurisdictions with both legislative and executive branches of government
    - Ability to understand the differing legislative priorities of both branches of government
    - Well-versed in recognizing balance of power between both branches of government
    - Ability to maintain objectivity under extreme political pressure
    - Experienced facilitating collaborative work sessions between branches of government to promote compromise
  
- **Communication**
  - Ability to present, educate, and articulate complex financial issues and solutions to a 13-member legislative body where the finance acumen of each member may vary
  - Ability to anticipate questions from a 13-member legislative body and formulate methodical responses regarding financial issues and solutions during public meetings
  - Ability to present, educate, and articulate complex financial issues and solutions for the general public
  - Ability to formulate communication strategy to ensure that the legislative body and the general public are aware of all aspects of county finance
  
- **Innovation and Best Practices**
  - Experienced in researching and adopting best practices instituted by high-performing local municipalities and/or organizations
  - Adept with new technology and/or have the ability to explore and adopt new technologies to create operational efficiencies
  - Experienced implementing performance-based (or evidence-based) budgeting
  - Experienced implementing policies and procedures to promote financial transparency of local government which includes but not limited to:
    - Online search capabilities for all A/P and A/R transactions
    - Publishing a budget document online with understanding that the document will be available and accessible to the public
  
- **Key Areas of Interaction with Board of Commissioners**
  - Annual Budget Process including departmental budget reviews
  - Quarterly Finance Updates
  - Ad-Hoc Request For Information (RFI)
  - Annual Five-Year Capital Improvement Plan
  - Annual Audit
  - BOC Required Contract Reviews
  - Budget Amendments including changes in personnel
  - Annual Apportionment Report
  - Major funding proposals (including bond proposals)



# Contract Approval Checklist

## Criteria for Commissioner Approval

- \$35,000+ in funds/value
- Payments in 5+ fiscal years
- Acquiring/ Altering property for county use
- Construction involving \$100,000+
- Increasing existing contract amount by 10%+
- Use of county name/logo/property pictures
- Contract is not considered to be an “emergency” measure
- Not specifically listed as exempt from commission approval

## Local Vendor / Local Food Vendor Preference Chart

- • Up to \$50,000 → 5% Preference
- \$50,001-\$200,000 → 3% Preference
- \$200,001+ → 1% Preference

## OCE Review

- • Are there any superseding Federal or State requirements for contracting procedure? Ask Department Heads or OCE if unsure.
- Was the contract submitted at least 8 days ago?
- Does the contract submission include funding source (i.e. grant, general fund, other)?
- • Is there a cover page from the OCE?
- Does the cover page state the \$ amount?
- Does the resolution form include total \$ amounts, source of funding, and description?
- Does the Contract Review Routing Form (CRRF) include all signatures/approvals?
- Is the CRRF completely filled out?

## Vendor Disclosure Content

- • Is the Vendor Disclosure Form filled out and signed?
- Does the Vendor Disclosure form include:
  - \$ Amounts?
  - Detailed Time Frame?
  - Vendor/Entity signature and date?
  - Insurance?
  - Scope of work?
- • Did contractors and subcontractors conduct pre-hire illegal drug screening of employees under a construction contract?

## Criteria for Informal Bids (\$5K - \$35K)

- • Were at least 3 bids requested? <sup>54</sup>
- • Were competitive quotes were secured through the Purchasing Manager?
- Were local vendor(s) given preference in the order of comparable service → quality → price? [See Vendor Preference Chart below]

## Criteria for Sealed Bids (> \$35K)

- • Is the procurement \$35,000+?
- Do the Request for Bids contain terminology, performance specs, and timeline?
- • Were bids solicited through MITN?
- Were local vendor(s) given preference in the order of comparable service → quality → price? [See Vendor Preference Chart below]

## Criteria for Multi-Step Sealed Bids

- • Is it impractical to have a purchase description for an award based on price?
- • Were bidders who meet criteria set forth in initial solicitation invited to bid?

## Criteria for Sole Source Procurement

- • Is there a written recommendation of the Purchasing Manager?
- • Does the OCE approve?
- Is there only one source for the service/item?
- Is price determination well documented?

## Criteria for Cooperative Procurement

- ▫ • Did the county take advantage of state/federal/other county bidding?



BLACK HISTORY

# A Tribute To Macomb County's Black History

Date: Tuesday, February 24, 2015

Time: 6:00 p.m. to 7:30 p.m.

Place: Bobby Hill Welcoming Center  
Administration Building  
One South Main St.  
Mt. Clemens, MI 48043

\* Food and refreshments will be served.







## BOARD OF COMMISSIONERS

1 S. Main St., 9<sup>th</sup> Floor  
 Mount Clemens, Michigan 48043  
 586.469.5125 ~ Fax: 586.469.5993  
 www.macombBOC.com

January 27, 2015

TO: Office of the County Executive  
 FROM: Dave Flynn, Board Chair *DF*  
 RE: RFI 01-27-15 JPS Civil Service Commission OCE

As you know, appointments to the Civil Service Commission are made by the OCE with BOC concurrence. The Board of Commissioners would appreciate an update on the status of membership of the Civil Service Commission and when upcoming appointment(s) can be expected to be made.

In addition, please let us know if you anticipate the Civil Service Commission Annual Report will be submitted as an agenda item in March, as has been past practice.

Please note: a response is appreciated as soon as possible, or no later than February 4, 2015. Thanks for your prompt attention.

CC: Clerk's Office  
 Corporation Counsel

### MACOMB COUNTY BOARD OF COMMISSIONERS

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 District 4

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 District 11

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 District 10

Andrey Duzyj – District 1  
 Don Brown – District 7

Marvin Sauger – District 2  
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 Fred Miller – District 9

Robert Mijac - District 5  
 Bob Smith – District 12

James Carabelli – District 6  
 Joe Sabatini – District 13



# Civil Service Commission

Macomb County Sheriff's Office  
40 North Main Street  
Mount Clemens, MI 48043

## Commissioners

Robert Stanley, Chairman  
Diane McGee, Vice-Chair

Carmella Sabaugh  
Macomb County Clerk

TO: Dave Flynn, Board Chair  
FROM: Robert Stanley  
DATE: January 28, 2015  
SUBJECT: RFI 01-27-15 JPS Civil Service Commission OCE

On September 18, 2014, Commissioner William Froberg resigned from the Civil Service Commission. The Office of the County Executive appoints a new Civil Service Commissioner, with confirmation by the Board of Commissioners.

The Civil Service Commission members are:

Chair, Robert Stanley ..... Term expires: 12/31/18 (Elected by members of the MCSO)  
Vice-Chair, Diane McGee ..... Term expires 12/31/18 (OCE Appointed Democrat)  
Vacant ..... Term expires 12/31/2020 (OCE Appointed Republican)

cc: Mark Hackel, Macomb County Executive  
Carmella Sabaugh, Macomb County Clerk



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January 20, 2015

TO: Office of the County Executive  
 FROM: Dave Flynn, Board Chair *DF*  
 RE: RFI 01-20-15 FIN Budget Posting FIN

The Board of Commissioners is interested in knowing when the 2015 Adopted Budget be posted and available on the county website?

Thanks for your prompt response.

CC: Finance Department

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January 21, 2015

TO: Office of the County Executive  
 FROM: Dave Flynn, Board Chair *DF*  
 RE: RFI 01-21-15 FIN Participants in FSA HRLR

At a Finance Committee meeting of the Board of Commissioners held 12-17-15, Commissioner Brown requested the number of employees that have taken advantage of the Flexible Spending Account benefit over the last 3 years, or for the amount of time it has been offered to employees. since it was offered to employees

Please note: a response is appreciated as soon as possible, or no later than February 4, 2015. Thanks for your prompt attention.

CC: HR-LR Department

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January 20, 2015

TO: Office of the County Executive  
 FROM: Dave Flynn, Board Chair *DF*  
 RE: RFI 01-20-15 FIN Lawsuit Settlement Fund RSK

At the Government Operations Committee meeting held in December, the following questions were brought up but were unable to be answered by Corporation Counsel. Could you please provide the following information:

1. What is the fund balance of the Lawsuit Settlement Fund?
2. What is the budget for 2015 and how was this determined? What was budgeted for 2014 and how was this determined?
3. Is it possible for an appropriate, informed representative to attend a future Government Operations Committee meeting to present the above information?

Please note: a response is appreciated as soon as possible, or no later than February 3, 2015. Thanks for your prompt response.

CC: Finance – Risk Management Department

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January 27, 2015

TO: Office of the County Executive  
 FROM: Dave Flynn, Board Chair *DF*  
 RE: RFI 01-27-15 GOPS Freedom Hill OCE-FIN

The Board of Commissioners would appreciate some information regarding Freedom Hill as a follow-up to several constituent requests:

1. Has Luna-Hillside paid its contractual fees for 2014? (parking, advertising, hall rental and the one-percent of ticket sales). Please include a detailed list including each item and amount.
2. Please provide an accounting for operating expenses attributed to the Park in 2014
3. Please provide details (including donor name, amount, etc.) of donations – goods, services, monetary or otherwise - received for Freedom Hill and Independence Hall in 2014?

Note: a response is appreciated as soon as possible, or no later than February 18, 2015. Thanks for your prompt attention.

CC: Finance

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Mark A. Hackel  
County Executive

FINANCE DEPARTMENT  
120 N. Main St., 2<sup>nd</sup> Floor  
Mount Clemens, Michigan 48043  
Phone: 586-469-5250 Fax: 586-469-5066  
www.macombgov.org

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Stephen L. Smigiel, CPA  
Interim Finance Director

Michelle M. Mykytiak  
Assistant Finance Director  
Fiscal Services

TO: Mark Deldin  
Deputy County Executive

FROM: Steve Smigiel  
Interim Finance Director

DATE: February 18, 2015

SUBJECT: Board of Commissioners RFI 01-27-15 GOPS Freedom Hill

Below you will find responses to the items requested in the RFI mentioned above.

Q: Has Luna-Hillside paid its contractual fees for 2014? (parking, advertising, hall rental and the one percent of ticket sales). Please include a detailed list including each item and amount.

A: Luna-Hillside has paid 100% of its contractual fees as they relate to parking and hall rental for fiscal 2014. These fees are invoiced on a monthly basis throughout the year. Advertising and ticket sales are settled once a year. The amounts for 2014 were settled in January 2015 and invoiced on January 23, 2015 and have not yet been paid. All amounts relative to fiscal 2013 have been paid in full. The amounts for each item in fiscal 2014 are as follows: Parking-\$125,000, Hall rental-\$40,000, Ticket Sales-\$35,160 and Advertising-\$15,948. In addition to the above, \$39,750 in grounds rental fees related to non-concert events was generated in 2014. Total revenues = \$255,858.

Q: Please provide an accounting for operating expenses attributed to the Park in 2014

A: The operating expenses attributed to the Park for 2014 are as follows: Overtime and related fringe benefits - \$6,414, Ground Care - \$114,299, Repairs & Maintenance - \$46,731, Security - \$47,178 (of which \$13,834 was reimbursed by organizers of non-concert events held at the facility), Utilities - \$178,834 and Miscellaneous - \$608. Total expenses = \$394,064.

Q: Please provide details (including donor name, amount, etc.) of donations – goods, services, monetary or otherwise - received for Freedom Hill and Independence Hall in 2014?

A: A playscape and landscaping valued at approximately \$25,000 was donated by the group Leaders Advancing Macomb.