

COUNTY OF TUSCOLA

At a regular meeting of the Board of Commissioners of the County of Tuscola, Michigan, held on the 27th day of August, 2015, at 7:30 a.m., Eastern Standard Time, in the H.H. Pardy Building in Caro, Michigan there were:

PRESENT: District 1 Commissioner Roger Allen, District 2 Commissioner Thomas Bardwell, District 4 Commissioner Craig Kirkpatrick, District 5 Commissioner Matthew Bierlein

ABSENT: District 3 Commissioner Christine Trisch

The following preambles and resolution were offered by Comm. Allen and Comm. Bierlein seconded by Comm. Bierlein:

RESOLUTION AUTHORIZING THE INSERTION OF NOTICE OF INTENT OF THE COUNTY OF TUSCOLA TO ISSUE PENSION OBLIGATION BONDS, SERIES 2015 (GENERAL OBLIGATION LIMITED TAX)

WHEREAS, the Board of Commissioners (the "Board") of the County of Tuscola, Michigan (the "County"), wishes to issue bonds for the purpose of providing funds for the County's unfunded pension benefits for public employee retirees of the County 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, in order to authorize the issuance of the not to exceed \$9,000,000 County of Tuscola Pension Obligation Bonds, Series 2015 (General Obligation Limited Tax) (the "Bonds"), it is necessary to insert a Notice of Intent of the County of Tuscola to Issue Pension Obligation Bonds pursuant to Act 34 in the *Tuscola County Advertiser*, Caro, 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 TUSCOLA TO ISSUE PENSION OBLIGATION BONDS AND NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON" (the "Notice of Intent"); and

WHEREAS, the County Clerk shall be authorized to insert the attached form of Notice of Intent in the *Tuscola County Advertiser*, Caro, Michigan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF TUSCOLA, 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 Pension Obligation Bonds and of their right under Act 34 to file a petition requesting a referendum election on the issuance of the Pension Obligation 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 County Clerk is hereby authorized and directed to cause the Notice of Intent to be published once in the *Tuscola County Advertiser*, Caro, 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.** Municipal Financial Consultants Incorporated, Grosse Pointe Farms, Michigan, is hereby retained to act as financial consultant and 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: Comm Allen, Comm Bardwell, Comm. Kirkpatrick, Comm Bierlein.

NO: none

ABSTAIN: none

The resolution was declared adopted.

STATE OF MICHIGAN)
) ss.
COUNTY OF TUSCOLA)

CERTIFICATION

The undersigned, being the Clerk of the County of Tuscola, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the County of Tuscola Board of Commissioners at its regular meeting held on the 27th day of August, 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.

Jodi Felling Tuscola
COUNTY CLERK County Clerk

DATED: August 27, 2015

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EXHIBIT A

Project Description

The Project consists of a plan to fully fund what are currently partly un-funded pension obligations paid by the County on behalf of County employees who retire from County service and who have the adequate vesting and service benefit level requirements. The current unfunded actuarial accrued liability is approximately \$8,800,000,000 as of December 31, 2014. The County will issue the bonds pursuant to Public Act No. 329 of the Public Acts of Michigan of 2012, which amends Public Act No. 34 of the Public Acts of Michigan of 2001 and enables the County to issue general obligation limited tax bonds for this purpose.

Cost Estimates

Borrowed Funds to Finance the Project
& Financing Costs (Including Bond
Discount, and Contingency) **Not to exceed \$9,000,000**

Maximum amount of Bonds to be issued: \$9,000,000

Maximum term of bond issue: 20 years

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APPENDIX I
NOTICE OF INTENT OF THE COUNTY OF TUSCOLA
TO ISSUE NOT TO EXCEED \$9,000,000 IN
PENSION OBLIGATION BONDS AND
NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON

TO ALL ELECTORS AND TAXPAYERS OF
THE COUNTY OF TUSCOLA:

NOTICE IS HEREBY GIVEN that the Board of Commissioners of the County of Tuscola, Michigan (the "County"), will authorize the issuance of not to exceed \$9,000,000 in Pension Obligation Bonds to provide funds to fully pre-fund what are currently partly un-funded pension obligations which are unfunded actuarial accrued liabilities (UAAL) of the County which must be paid annually on behalf of County employees as described in Exhibit A below (the "Project"). The Bond Resolution will provide further that the issuance of the one or more series of Pension Obligation Bonds (the "Bonds") will allow the County to fund one hundred percent (100%) of the total cost of the Project 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 \$9,000,000, the term of the Bonds shall not exceed 20 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 \$9,000,000.

FULL FAITH AND CREDIT AND TAXING POWER OF
THE COUNTY OF TUSCOLA 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 Tuscola County Clerk, 440 N. State St., Caro, Michigan 48723.

EXHIBIT A

Project Description

The Project consists of a plan to fully fund what are currently partly un-funded pension obligations paid by the County on behalf of County employees who retire from County service and who have the adequate vesting and service benefit level requirements. The current unfunded actuarial accrued liability is approximately \$8,800,000. The County will issue the bonds pursuant to Public Act No. 329 of the Public Acts of Michigan of 2012, which amends Public Act No. 34 of the Public Acts of Michigan of 2001 and enables the County to issue general obligation limited tax bonds for this purpose.

Cost Estimates

Borrowed Funds to Finance the Project & Financing Costs (Including Bond Discount, and Contingency)	Not to exceed \$9,000,000
Maximum amount of Bonds to be issued:	\$9,000,000
Maximum term of bond issue:	20 years

JODI FETTING
COUNTY CLERK

DATED: [Date of Publication]

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NO-REFERENDUM CERTIFICATE

**NOT TO EXCEED \$9,000,000
COUNTY OF TUSCOLA
PENSION OBLIGATION BONDS, SERIES 2015**

I, Jodi Fetting, being the Clerk of the County of Tuscola, State of Michigan (the "County"), hereby certify as follows:

(1) On September 2, 2015 the notice entitled "Notice of Intention of the County of Tuscola to Issue Not to Exceed \$9,000,000 In Pension Obligation Bonds and Notice of Right to Petition for Referendum Thereon", attached as *EXHIBIT A*, was published in Tuscola County Advertiser, a newspaper of general circulation in the County that has been determined by the County Board of Commissioners to be the newspaper reaching the largest number of persons to whom such notice was directed; and

(2) No petitions for a referendum requesting an election on the Bonds (as defined in such notice) were filed with me as Clerk of the County within 45 days after September 2, 2015.

In witness whereof, I have signed this Certificate on November __, 2015.

Jodi Fetting
County Clerk
County of Tuscola

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EXHIBIT A

[SEE ATTACHED NOTICE]

**NOTICE OF INTENT OF THE COUNTY OF TUSCOLA
TO ISSUE NOT TO EXCEED \$9,000,000 IN
PENSION OBLIGATION BONDS AND
NOTICE OF RIGHT TO PETITION FOR REFERENDUM THEREON**

TO ALL ELECTORS AND TAXPAYERS OF THE COUNTY OF TUSCOLA:

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**FULL FAITH AND CREDIT AND TAXING POWER OF
THE COUNTY OF TUSCOLA 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.

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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.

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Cost Estimates

Borrowed Funds to Finance the Project & Financing Costs (Including Bond Discount, and Contingency) **Not to exceed \$9,000,000**
Maximum amount of Bonds to be issued: \$9,000,000
Maximum term of bond issue: 20 years

**JODI FETTING
COUNTY CLERK**

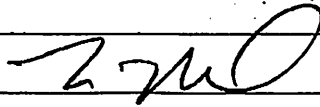
DATED: September 2, 2015
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Proof of Publication

TIM MURPHY

Being duly sworn, deposes and says he is publisher of the Tuscola County Advertiser, a public newspaper published in the City of Caro in said Country; that the annexed printed notice was duly printed and published for 1 successive weeks in said paper, at least once in each week, commencing on the 2 day of September, 20 15, and ending on the 2 day of September, 20 15.

Sworn to and subscribed before me this 16 day of September, 20 15.



Notary Public, State of Michigan, County of Tuscola



Notary Public Acting in the County of Tuscola

Carla Alderson
Notary Public, State of Michigan
County of Tuscola
My Commission Expires 2-10-2022
Acting in the County of Tuscola