

**TOWNSHIP OF PINCONNING**  
**COUNTY OF BAY, MICHIGAN**

At a special meeting of the Township Board of the Township of Pinconning, Bay County, Michigan, held at the Pinconning Township Hall, 1751 E Cody Estey Road, Pinconning, Michigan, on the 25th day of August, 2010, at 10:00 a.m.

PRESENT: Members: Stalsberg, Holbrook, Morin

ABSENT: Members: Trudo

The following preamble and resolution were offered by Board Member Morin, supported by Board Member Holbrook, moved the adoption of the following resolution:

**RESOLUTION NO. 10-06**

**A RESOLUTION REQUESTING BAY COUNTY TO ALLOCATE A PORTION OF THE COUNTY'S RECOVERY ZONE ECONOMIC DEVELOPMENT BOND VOLUME CAP TO AN ADDITIONAL WATER EXTENSION PROJECT FOR THE TOWNSHIP OF PINCONNING**

WHEREAS, on February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 Stat. 115 ("ARRA"); and

WHEREAS, Section 1401 of Title I of Division B of ARRA authorizes state and local governments to issue Recovery Zone Economic Development Bonds; and

WHEREAS, Recovery Zone Economic Development Bonds may be used to finance certain "qualified economic development purposes" as that term is defined in ARRA; and

WHEREAS, pursuant to Notice 2009-50 issued by the United States Internal Revenue Service ("Notice 2009-50"), Bay County, Michigan (the "County"), received an allocation of a portion of the national Recovery Zone Economic Development Bond limitation in the amount of \$6,612,000 (the "County's RZEDB Allocation"); and

WHEREAS, expenditures for public infrastructure and construction of public facilities constitute “qualified economic development purposes” under ARRA; and

WHEREAS, in accordance with the Township of Pinconning’s (the “Township”) prior request, the Bay County Board of Commissioners adopted Resolution No. 2010-55 on April 13, 2010 allocating \$750,000 of the County’s RZEDB Allocation to the Township for the Township’s proposed M-13 water extension project; and

WHEREAS, the Township desires to improve and extend its existing water system to the west side of the I-75/Pinconning Road interchange (as more particularly described on Exhibit A attached hereto) (the “I-75 Component”) to serve additional customers and properties; and

WHEREAS, the Township’s as-bid cost of the I-75 Component is \$151,000.00; and

WHEREAS, the as-bid estimate of cost for the Township’s M-13 water extension is \$465,000 (excluding Township funds on hand for the project in the amount of \$235,000) (the “M-13 Component”); and

WHEREAS, the Township has determined that the I-75 Component and the M-13 Component (collectively the “Project”) will enhance and promote the public welfare; and

WHEREAS, the Township desires to undertake both the I-75 Component and the M-13 Component of the Project by issuing Recovery Zone Economic Development Bonds by the Township as authorized by ARRA and State law.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Township hereby requests that the County amend Resolution No. 2010-55 to include the I-75 Component of the Project, in addition to the M-13 Component, so that the County’s RZEDB Allocation to the Township may be used by the Township to issue Recovery Zone

Economic Development Bonds to finance both the I-75 Component and the M-13 Component of the Project.

2. The Township anticipates that the Project will be financed through issuance of the Township's Recovery Zone Economic Development Bonds in an amount not to exceed \$616,000.

3. The Township hereby relinquishes the remaining \$134,000 County RZEDB Allocation allocated by the County to the Township in Resolution No. 2010-55.

AYES: Members: Staishong, Holbrook, Morin

NAYS: Members: none

**RESOLUTION DECLARED ADOPTED.**

JoAnna Morin  
JoAnna Morin, Clerk  
Township of Pinconning

STATE OF MICHIGAN     )  
                                      ) ss.  
COUNTY OF BAY         )

I, JoAnna Morin, the duly qualified and acting Clerk of the Township of Pinconning, Bay County, Michigan (the "Township"), do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Township at a special meeting thereof held on the 25th day of August, 2010, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed by official signature this 25<sup>th</sup> day of August, 2010.

JoAnna Morin  
JoAnna Morin, Clerk  
Township of Pinconning

## **EXHIBIT A**

### **DESCRIPTION OF I-75 COMPONENT**

Extension of water main to the west side of the I-75/Pinconning Road interchange to provide existing businesses with quality drinking water from a dependable source.

Extension of water main consisting of approximately 2,950 lineal feet of 12-inch water main to provide adequate service for commercial needs. The water main would be located along the North side of Pinconning Road from the East side of the I-75 interchange to Seven Mile Road just west of the interchange.