

Special Assessment District No. S2**TOWNSHIP OF PINCONNING****BAY COUNTY, MICHIGAN**

Minutes of a regular meeting of the Township Board of the Township of Pinconning, Bay County, Michigan, held at the Pinconning Township Hall, 1751 Cody Estey Road, within the Township, on the 10th day of March, 2009, at 4:00 p.m. Local Time.

PRESENT: Members: Lichon, Buchalski, Stalsberg, Holbrook

ABSENT: Members: Trudo

The following preamble and resolution were offered by Member Buchalski and supported by Member Lichon.

RESOLUTION NO. 09-04**SPECIAL ASSESSMENT RESOLUTION NO. 3****FILING OF SPECIAL ASSESSMENT ROLL FOR SPECIAL
ASSESSMENT DISTRICT; NOTICE OF PUBLIC HEARING**

WHEREAS, the Township Board, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended ("Act 188") has resolved its intent to make certain public improvements to the Township's sewer system (the "System") consisting of the acquisition, construction and financing of approximately 8,200 lineal feet of sanitary collection and transmission sewers, valves, controls and pumps, and related appurtenances (the "Improvements") to serve Special Assessment District No. S2 (the "District"), in the Township; and

WHEREAS, following a public hearing on June 14, 2007, which hearing was duly noticed in accordance with Act 188, the Township Board adopted a resolution to determine the District for the Improvements and directed the Township Supervisor to prepare a Special Assessment Roll for the District; and

WHEREAS, the Township has received construction bids for the acquisition and construction of the Improvements in the amount of \$1,995,000 including all construction, engineering, legal, and financing costs; and

WHEREAS, the Township Supervisor, in accordance with Act 188, has prepared and reported the Roll to the Township Board.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Township Board hereby approves the revised estimate of cost of the Improvements based upon the receipt of construction bids.

2. The special assessment roll for the District (the "Special Assessment Roll"), as reported to the Township Board by the Township Supervisor, shall be filed in the office of the Township Clerk and shall be available for public inspection during the normal office hours of the Township office.

3. The Township Board shall hold a public hearing on Tuesday, April 06, 2009, at 7:00 p.m., at the Township Hall, located at 1751 Cody Estey Road, within the Township, to review the Special Assessment Roll and hear any objections to it.

4. The Township Clerk shall cause to be published a notice of hearing in the *Pinconning Journal*, a newspaper of general circulation within the Township, a total of at least two times prior to the hearing, with the first publication at least ten (10) days prior to the time for hearing and a proof of publication of such notice shall be filed with the Township Board.

5. The Township Clerk, at least ten (10) days prior to the date of the hearing, shall send a notice of the hearing by first class mail addressed to each record owner of, or party in interest in, each parcel of land to be assessed, at the address shown for such record owner or party in interest upon the last Township tax assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in

the names or addresses of the owners or parties listed thereon (except in the case of railroad companies, who shall be mailed a notice of the hearing by registered mail within five (5) days after the first publication of the notice in Paragraph 3, above); provided that if a record owner's name does not appear on the Township tax assessment records, then the notice required by this paragraph shall be given to the record owner at the address shown by the records of the Bay County Register of Deeds.

6. The notice of the hearing to be mailed and published as set forth herein shall be substantially in the form set forth in Exhibit A hereto.

7. All actions heretofore taken by Township officials, employees, and agents with respect to the Improvements and proceedings under Act 188 are hereby ratified and confirmed.

8. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

AYES: Members: Lichon, Bachalski, Stalsberg, Holbrook

NAYS: Members: _____

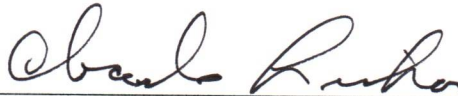


Charles Lichon, Clerk
Township of Pinconning

STATE OF MICHIGAN)
) ss.
COUNTY OF BAY)

I, Charles Lichon, 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 regular meeting thereof held on the 10th day of March, 2009, 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 10 day of March, 2009.

A handwritten signature in dark ink, appearing to read "Charles Lichon", is written over a horizontal line.

Charles Lichon, Clerk
Township of Pinconning

EXHIBIT A

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

**NOTICE OF PUBLIC HEARING AND FILING OF
SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT DISTRICT NO. S2

NOTICE IS HEREBY GIVEN that the Township Board of the Township of Pinconning, Bay County, Michigan, having resolved its intention to make certain public improvements to the Township's sewer system consisting of the acquisition, construction and financing of approximately 8,200 lineal feet of sanitary collection and transmission sewers, valves, controls and pumps, and related appurtenances (the "Improvements"), has made its final determination of a special assessment district which consists of the following described lots and parcels of land which are benefitted by the Improvements and against which all or a portion of the cost of the Improvements shall be specially assessed:

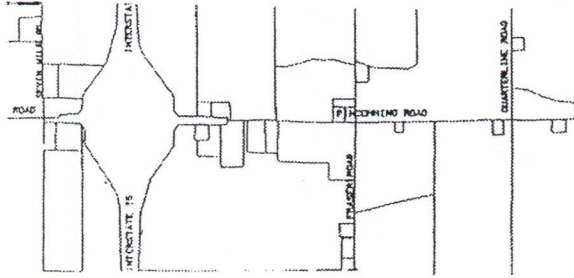
SPECIAL ASSESSMENT DISTRICT NO. S2

Lots and parcels numbered:

09-120-019-400-020-00	09-120-020-300-030-00	09-120-029-100-030-00
09-120-029-100-020-01	09-120-030-200-030-00	09-120-020-400-050-00
09-120-020-400-040-01	09-120-020-400-040-00	09-120-020-400-020-00
09-120-020-400-030-00	09-120-020-400-020-01	09-120-020-400-040-02
09-120-029-200-020-00	09-120-029-200-010-06	09-120-029-200-010-05
09-120-029-200-010-09	09-120-021-400-060-01	09-120-021-300-010-00
09-120-021-300-010-02	09-120-021-400-060-00	09-120-028-200-010-01
09-120-028-100-020-00	09-120-028-100-010-02	

MAP OF SPECIAL ASSESSMENT DISTRICT S2

Boundary of Special Assessment District No. S2



NOTICE IS FURTHER GIVEN THAT the Township Supervisor of the Township of Pinconning has made and certified a special assessment roll for the special assessment district, which roll sets forth the relative portion of the cost of said Improvements which is to be levied in the form of a special assessment against each benefitted lot and parcel of land in the special assessment district.

TAKE NOTICE that the Township Board of the Township of will hold a public hearing on Monday, April 06, 2009 at 7:00 p.m., at the Township Hall, located at 1751 Cody Estey Road, within the Township, to review the special assessment roll and to hear and consider any objections thereto.

TAKE FURTHER NOTICE that the special assessment roll as prepared has been reported to the Township Board and is on file with the Township Clerk at the Township Hall for public examination.

TAKE FURTHER NOTICE THAT AN OWNER OR A PARTY IN INTEREST IN A LOT OR PARCEL OF LAND SUBJECT TO A SPECIAL ASSESSMENT MAY FILE A WRITTEN APPEAL OF THE SPECIAL ASSESSMENT WITH THE MICHIGAN TAX TRIBUNAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, BUT ONLY IF SAID OWNER OR PARTY IN INTEREST APPEARS AND PROTESTS THE SPECIAL ASSESSMENT AT THIS HEARING. An appearance may be made by an owner or party in interest, or his or her agent, in person or, in the alternative, an appearance or protest can be filed with the Township by letter prior to the hearing, in which case a personal appearance at the hearing is not required.

This Notice was authorized by the Township Board of the Township of Pinconning.

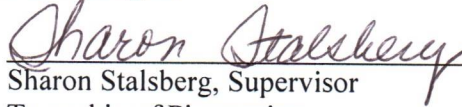
Dated: March 10, 2009

Charles Lichon, Township Clerk

SUPERVISOR'S CERTIFICATE

I, Sharon Stalsberg, Supervisor of the Township of Pinconning, hereby state that the attached Special Assessment Roll (the "Roll") for Special Assessment District No. S2 was made pursuant to a resolution of the Township Board adopted on March 10, 2009, and in making such Roll, I have, according to my best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the State of Michigan.

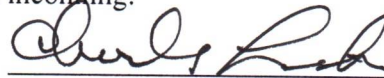
Date: March 10, 2009.


Sharon Stalsberg, Supervisor
Township of Pinconning

CERTIFICATE OF CONFIRMATION

I hereby certify that the above Roll was confirmed on March 10, 2009, by resolution of the Township Board of the Township of Pinconning.

Date: March 10, 2009.


Charles Lichon, Clerk
Township of Pinconning

AFFIDAVIT OF MAILING

State of Michigan

County of Bay

I, Charles Lichon, being first duly sworn, depose and say that I personally prepared for mailing and mailed by first-class mail on March 16, 2009, a notice of hearing, a true copy of which is attached hereto, to each owner of or party in interest in property located within the special assessment district described in the attached notice, whose name appears upon the last local tax assessment records for ad valorem tax purposes, which has been reviewed by the local Board of Review as supplemented by any subsequent changes in the names or the addresses of such owners or parties listed thereon; that I personally checked each envelope against the list of such owners or parties in interest shown by said tax assessment roll and that each envelope was properly addressed to each such owner or party in interest as shown on said tax assessment roll; that each such envelope had contained therein the appropriate notice of the aforesaid hearing, was securely sealed, with postage fully prepaid thereon for first-class mail delivery and was properly addressed; that I personally placed all of said envelopes in a United States Post Office receptacle in Pinconning Michigan on said date, that the said notice referred to a hearing scheduled for **April 6, 2009** before the Pinconning Township Board of Trustees at 7:00 PM at the Pinconning Township Hall, 1751 Cody Estey Road.

Township Clerk:

Charles Lichon

Subscribed and sworn to before me this 18th day of March ~~2008~~ 2009

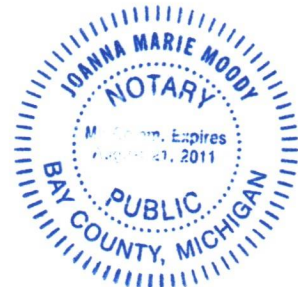
Notary Public:

Bay County, Michigan

Joanna Marie Moody

My commission expires:

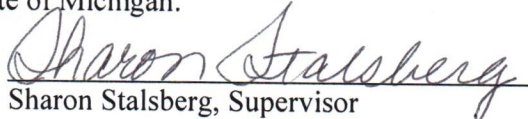
August 21, 2011



SUPERVISOR'S CERTIFICATE

I, Sharon Stalsberg, Supervisor of the Township of Pinconning, hereby state that the attached Special Assessment Roll (the "Roll") for Special Assessment District No. S2 was made pursuant to a resolution of the Township Board adopted on March 10, 2009, and in making such Roll, I have, according to my best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the State of Michigan.

Date: March 18th, 2009.


Sharon Stalsberg, Supervisor
Township of Pinconning

CERTIFICATE OF CONFIRMATION

I hereby certify that the above Roll was confirmed on March 18th, 2009, by resolution of the Township Board of the Township of Pinconning.

Date: March 18th, 2009.



Charles Lichon, Clerk
Township of Pinconning

EXHIBIT A

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

**NOTICE OF PUBLIC HEARING AND FILING OF
SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT DISTRICT NO. S1

NOTICE IS HEREBY GIVEN that the Township Board of the Township of Pinconning, Bay County, Michigan, having resolved its intention to make certain public improvements to the Township's sewer system consisting of the acquisition, construction and financing of approximately 13,350 lineal feet of sanitary collection and transmission sewers, valves, controls and pumps, and related appurtenances (the "Improvements"), has made its final determination of a special assessment district which consists of the following described lots and parcels of land which are benefitted by the Improvements and against which all or a portion of the cost of the Improvements shall be specially assessed:

SPECIAL ASSESSMENT DISTRICT NO. S1

Lots and parcels numbered:

REVISED

NOTICE IS FURTHER GIVEN THAT the Township Supervisor of the Township of Pinconning has made and certified a special assessment roll for the special assessment district, which roll sets forth the relative portion of the cost of said Improvements which is to be levied in the form of a special assessment against each benefitted lot and parcel of land in the special assessment district.

TAKE NOTICE that the Township Board of the Township of will hold a public hearing on **MONDAY, April 06, 2009**, at 7:00 p.m., at the Township Hall, located at 1751 Cody Estey Road, within the Township, to review the special assessment roll and to hear and consider any objections thereto.

TAKE FURTHER NOTICE that the special assessment roll as prepared has been reported to the Township Board and is on file with the Township Clerk at the Township Hall for public examination.

TAKE FURTHER NOTICE THAT AN OWNER OR A PARTY IN INTEREST IN A LOT OR PARCEL OF LAND SUBJECT TO A SPECIAL ASSESSMENT MAY FILE A WRITTEN APPEAL OF THE SPECIAL ASSESSMENT WITH THE MICHIGAN TAX TRIBUNAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, BUT ONLY IF SAID OWNER OR PARTY IN INTEREST APPEARS AND PROTESTS THE SPECIAL ASSESSMENT AT THIS HEARING. An appearance may be made by an owner or party in interest, or his or her agent, in person or, in the alternative, an appearance or protest can be filed with the Township by letter prior to the hearing, in which case a personal appearance at the hearing is not required.

This Notice was authorized by the Township Board of the Township of Pinconning.

Dated: March 10, 2009

Charles Lichon, Township Clerk

AFFIDAVIT OF MAILING

State of Michigan

County of Bay

I, Charles Lichon, being first duly sworn, depose and say that I personally prepared for mailing and mailed by first-class mail on March 16, 2009, a notice of hearing, a true copy of which is attached hereto, to each owner of or party in interest in property located within the special assessment district described in the attached notice, whose name appears upon the last local tax assessment records for ad valorem tax purposes, which has been reviewed by the local Board of Review as supplemented by any subsequent changes in the names or the addresses of such owners or parties listed thereon; that I personally checked each envelope against the list of such owners or parties in interest shown by said tax assessment roll and that each envelope was properly addressed to each such owner or party in interest as shown on said tax assessment roll; that each such envelope had contained therein the appropriate notice of the aforesaid hearing, was securely sealed, with postage fully prepaid thereon for first-class mail delivery and was properly addressed; that I personally placed all of said envelopes in a United States Post Office receptacle in Pinconning Michigan on said date, that the said notice referred to a hearing scheduled for **April 6, 2009** before the Pinconning Township Board of Trustees at 7:00 PM at the Pinconning Township Hall, 1751 Cody Estey Road.

Township Clerk:

Charles Lichon

Subscribed and sworn to before me this 18th day of March ~~2008~~ 2009

Notary Public:

Bay County, Michigan

Joanna Marie Moody

My commission expires:

August 21, 2011

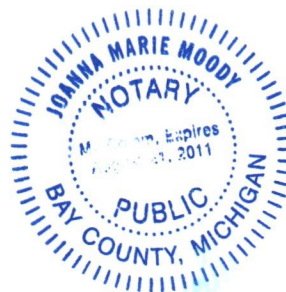


EXHIBIT A

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

**NOTICE OF PUBLIC HEARING AND FILING OF
SPECIAL ASSESSMENT ROLL**

SPECIAL ASSESSMENT DISTRICT NO. S1

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SPECIAL ASSESSMENT DISTRICT NO. S1

Lots and parcels numbered:

NOTICE IS FURTHER GIVEN THAT the Township Supervisor of the Township of Pinconning has made and certified a special assessment roll for the special assessment district, which roll sets forth the relative portion of the cost of said Improvements which is to be levied in the form of a special assessment against each benefitted lot and parcel of land in the special assessment district.

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This Notice was authorized by the Township Board of the Township of Pinconning.

Dated: March 10, 2009

Charles Lichon, Township Clerk

MAP OF SPECIAL ASSESSMENT DISTRICT S1

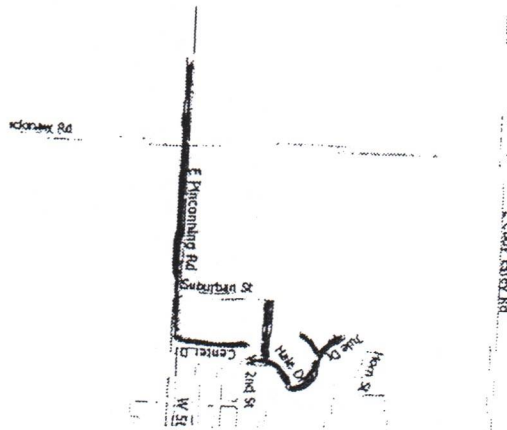


EXHIBIT A

Recommendation of Township Engineer

[Attach recommendation letters from Civil Engineering Consultants to Township Supervisor dated February 16, 2009]

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Civil Engineering Consultants

4600 Garfield Road, Suite 200

P. O. Box 130, Auburn, MI 48611

Phone: 989-662-2040 • Fax: 989-662-4717 • cec@tm.net

John R. Billette, P.E., President
Mark D. Norton, P.E., Vice President
Nancy J. Kolinski, P.E., Associate

February 16, 2009

Township of Pinconning
1751 Cody Estey Road
Pinconning, MI 48650

Attn: Ms. Sharon Stalsberg, Supervisor

Re: Sanitary Sewer Collection and Treatment System
Contract #1 - Lagoon Improvements
Pinconning Township

Dear Ms. Stalsberg:

Bids for Contract #1 were opened on January 20, 2009 for the above referenced project with the lowest bid being submitted by Mid State Earthworks of Freeland Michigan in the amount of \$704,963.00.

We have previously worked with Mid State Earthworks, and based on our past experience believe that they have the equipment, manpower, and experience necessary to complete the project in accordance with the contract documents.

Upon concurrence from Pinconning Township and Rural Development, we find no reason not to award the Contract #1 - Lagoon Improvements to Mid State Earthworks, with the low bid of \$704,963.00.

If you have any questions or comments, please contact our office.

Very truly yours,

Civil Engineering Consultants, Inc.



Mark D. Norton, P.E.

CC: Ms. Christine Maxwell, USDA Rural Development

Site Engineering - Water Systems - Sanitary Sewers - Storm Drainage - Municipal Planning

FILE COPY

Civil Engineering Consultants

4600 Garfield Road, Suite 200

P. O. Box 130, Auburn, MI 48611

Phone: 989-662-2040 • Fax: 989-662-4717 • cec@tm.net

February 16, 2009

John R. Billette, P.E., President
Mark D. Norton, P.E., Vice President
Nancy J. Kolinski, P.E., Associate

Township of Pinconning
1751 Cody Estey Road
Pinconning, MI 48650

Attn: Ms. Sharon Stalsberg, Supervisor

Re: Sanitary Sewer Collection and Treatment System
Contract #2 - Collection System
Pinconning Township

Dear Ms. Stalsberg:

Bids for Contract #2 were opened on January 20, 2009 for the above referenced project with the lowest bid being submitted S & S Directional Boring LLC of Bryan Ohio in the amount of \$610,759.35.

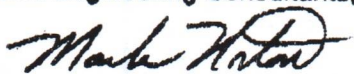
We have not previously worked with S & S Directional Boring LLC; however we have reviewed their qualifications and experience summary, contacted several references, and discussed the project with the contractor. Based on this evaluation, we have found them to have the equipment, manpower and experience necessary to complete the project in accordance with the contract documents.

Upon concurrence from Pinconning Township and Rural Development, we find no reason not to award the Contract #2 - Collection System, to S & S Directional Boring LLC, with the low bid of \$610,759.35.

If you have any questions or comments, please contact our office.

Very truly yours,

Civil Engineering Consultants, Inc.



Mark D. Norton, P.E.

CC: Ms. Christine Maxwell, USDA Rural Development

Site Engineering - Water Systems - Sanitary Sewers - Storm Drainage - Municipal Planning

FILE COPY

Township of Pinconning

STATE OF MICHIGAN)
) ss.
COUNTY OF BAY)

I, the undersigned, 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 at a regular meeting on the 10th day of March, 2009, 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 regular or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this 10th day of March, 2009.

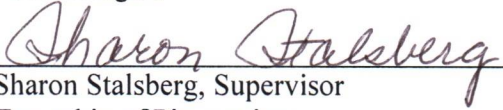
 _____, Clerk
Township of Pinconning

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SUPERVISOR'S CERTIFICATE

I, Sharon Stalsberg, Supervisor of the Township of Pinconning, hereby state that the attached Special Assessment Roll (the "Roll") for Special Assessment District No. S1 was made pursuant to a resolution of the Township Board adopted on March 10, 2009, and in making such Roll, I have, according to my best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the State of Michigan.

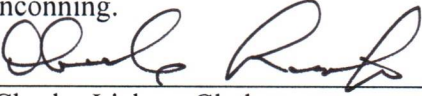
Date: March 10, 2009.


Sharon Stalsberg, Supervisor
Township of Pinconning

CERTIFICATE OF CONFIRMATION

I hereby certify that the above Roll was confirmed on March 10, 2009, by resolution of the Township Board of the Township of Pinconning.

Date: March 10, 2009.


Charles Lichon, Clerk
Township of Pinconning