

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN
AGENDA

WAYS AND MEANS

Hall of Justice

990 Terrace, Muskegon, MI 49442

February 19, 2013 - 3:30 p.m

James Derezinski, Chair
Charles Nash, Vice-Chair

-
1. Call to Order
 2. Roll Call
 3. Approval of the Minutes of February 7, 2013
 4. Public Comment (on an agenda item)
 5. Items for Consideration
 - WM13/02 – 14 (Administration) Approve Accounts Payable
 - WM13/02 – 15 (Board) Approve the Muskegon County Local Bidder Preference Award and Make Appropriate Revisions to the County Board's Purchasing Policy
 - WM13/02 – 16 (Muskegon County Land Bank/Treasurer's Office) Authorize Amendment to the Land Bank Authority and Board Agreement Regarding Tax Foreclosed Property Transfer Process
 - WM13/02 – 17 (Treasurer's Office) Authorize Adoption of the Application for Deferment of Taxes Resolution
 - WM13/02 – 18 (Treasurer's Office) Authorize the Treasurer's Office Reorganization
 - WM13/02 – 19 (Treasurer's Office) Authorize Adoption of the Resolution Allowing County of Muskegon to Borrow Against Anticipated 2012 Delinquent Taxes
 6. Old Business
 7. New Business
 8. Public Comment (on a new topic)
 9. Adjournment

Public Comment

Persons may address the Commission during the time set aside for Public Comment or at any time by suspension of the rules. All persons must address the commission and state their name for the record. Comments shall be limited to two (2) minutes for each participant, unless time is extended prior to the public comment period by a vote of a majority of the commission.

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The County of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting upon 24-hours notice to the County of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the County of Muskegon by writing or calling: Administration, 990 Terrace Street, Muskegon, MI 49442 (231) 724-6520

**Muskegon County
Ways & Means Committee Meeting
February 7, 2013
3:30 p.m.
Hall of Justice, 4th Floor
990 Terrace
Muskegon, MI**

James Derezinski, Chair

Charles Nash, Vice-Chair

MINUTES

CALL TO ORDER

The meeting was called to order by Commissioner Derezinski at 3:30 p.m.

ROLL CALL

Present: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes,
Kenneth Mahoney, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine
Wilkins

APPROVAL OF MINUTES

It was moved by Nash, supported by Wilkins, to approve the minutes of the January 22,
2013, meeting as written. Motion carried.

PUBLIC COMMENT/AGENDA ITEM

None.

ITEMS FOR CONSIDERATION

- WM13/02 – 10 It was moved by Nash, supported by Cross, to approve the
payment of the accounts payable of \$6,381,594.47 covering the
period of January 16, 2013 through February 1, 2013 as presented
by the County Clerk. Motion carried.
- WM13/02 – 11 It was moved by Nash, supported by Hughes, to authorize the
Board Chairman to sign the Resolution approving the 2013
Amendments to the County of Muskegon Recreation Plan following
the public hearing on February 12, 2013. Motion carried.
- WM13/02 – 12 It was moved by Cross, supported by Nash, to approve the
rejection of all bids for RFP 13-2025, Fleet Repair Services, due to
lack of response. Motion carried.

OLD BUSINESS

Commissioner Derezinski encouraged the Board Rules Committee to address the canceling of Committee and/or Full Board meetings for last minute circumstances in the Board Rules.

NEW BUSINESS

WM13/02 – 13 It was moved by Hughes, supported by Mahoney, to support a tribute in recognition of Gail Kraft, Executive Director of Love INC, upon her retirement, for her years of service to that agency and her commitment to serving citizens of Muskegon County.

Motion carried.

Commissioner Nash informed those present that he will again be proposing a local preference policy at the Ways & Means Committee meeting of February 19, 2013.

Commissioner Hughes reminded Commissioners to inform their constituents of the upcoming Muskegon County Clerk's Full Service Saturday being held on Saturday, March 9th from 10 a.m. to 2 p.m.



PUBLIC COMMENT/NEW TOPIC

Mr. William Snyder introduced himself and noted he is a student from Muskegon Community College studying political science.



ADJOURNMENT

There being no further business to come before the Ways & Means Committee, the meeting adjourned at 3:38 p.m.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED	
REQUESTING DEPARTMENT Administration	COMMITTEE DATE February 19, 2013	REQUESTOR SIGNATURE Bonnie Hammersley	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
Accounts payable - already distributed.			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
I move to approve payment of the accounts payable of \$5,748,242.86 covering the period of February 2, 2013 through February 12, 2013, as presented by the County Clerk.			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>	
			
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>	
			
AGENDA DATE: <i>2/19/13</i>	AGENDA NO.: <i>wm 13/02-14</i>	BOARD DATE: <i>2/26/13</i>	PAGE NO.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED	
REQUESTING DEPARTMENT Board	COMMITTEE DATE 2/19/2013	REQUESTOR SIGNATURE Charles Nash	
<p>SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)</p> <p>Attached is a recommended policy for a Muskegon County Local Bidder Preference Award, which would become a part of the County Board's Purchasing Policy. The policy applies to contracts or purchases of supplies, materials, equipment or contractual services. The policy establishes graduated percentages for local bidders vs non-local bidders depending on the size of the contract.</p>			
<p>SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)</p> <p>Move to approve the Muskegon County Local Bidder Preference Award and make appropriate revisions to the County Board's Purchasing Policy.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<p><u>HUMAN RESOURCES ANALYSIS:</u></p>		<p><u>FINANCE & MANAGEMENT ANALYSIS:</u></p> <p style="text-align: center;"><i>Recommend Approval</i> </p>	
<p><u>CORPORATE COUNSEL ANALYSIS:</u></p>		<p><u>ADMINISTRATOR RECOMMENDATION:</u></p> <p style="text-align: center;"><i>approval</i> </p>	
AGENDA DATE: <i>2/19/13</i>	AGENDA NO.: <i>wm 13/02-15</i>	BOARD DATE: <i>2/26/13</i>	PAGE NO.

Revised 2/8/13

Muskegon County Local Bidder Preference Award.

(A) Unless contrary to federal or state law or regulation, a contract or purchase for supplies, materials, equipment or contractual services the amount of which is less than two hundred thousand dollars shall be awarded to a local bidder where the bid by such local bidder is in all material respects comparable to the lowest responsible non-local bid if the amount bid by such local bidder does not exceed the lowest responsible non-local bid by more than:

- (i)** five percent (5%) of the amount bid by the lowest responsible non-local bidder if that non-local bidders bid is \$100,000 or less;
- (ii)** four percent (4%) of the amount bid by the lowest responsible non-local bidder, if that non-local bidders bid is greater than \$100,000 but less than or equal to \$200,000.
- (iii)** three percent (3%) of the amount bid by the lowest responsible non-local bidder, if that non-local bidders bid is greater than \$200,000 but less than or equal to \$300,000.
- (iv)** two percent (2%) of the amount bid by the lowest responsible non-local bidder, if that non-local bidders bid is greater than \$300,000 but less than or equal to \$500,000.
- (v)** one percent (1%) of the amount bid by the lowest responsible non-local bidder, if that non-local bidders bid is greater than \$500,000 or more

The Muskegon County Board of Commissioners may, by a successful motion adopted prior to bid opening, exempt any contract or purchase from the local bidder preference set forth in the preceding sentence.

(B) "Local bidder," for purposes of the preceding paragraph means a person or business enterprise, including but not limited to a sole proprietorship, partnership, or corporation, which has a legitimate business presence in the County of Muskegon who:

- (i)** Holds a current Michigan business license;
- (ii)** Submits a bid for goods or services under the name appearing on the person's current Michigan business license;
- (iii)** Has maintained a place of business within the boundaries of the County of Muskegon for a period of six months immediately preceding the date of the bid; and

(iv) Is not delinquent in the payment of any taxes, charges or assessments owing to the County of Muskegon on account of that business.

(C) The Purchasing Department may require such documentation or verification by the person claiming to be a local bidder as is deemed necessary to establish the requirements of (B) above.

D) The Purchasing Department division shall recommend award of bids and /or contracts to the lowest responsive and responsible contractor, regardless of the preference provided in this section, if more than one bidder/contractor is in the County of Muskegon.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means	BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT MCLBA/Treasurer	COMMITTEE DATE 2/19/13	REQUESTOR SIGNATURE Tony Moulatsiotis	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>To better comply with current land bank practices and to streamline the tax foreclosed property transfer process, the Muskegon County Land Bank Authority is requesting to amend the Intergovernmental agreement with the County Board of Commissioners dated November 22, 2006.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
<p>Move to authorize the amendment to the agreement between the Muskegon County Land Bank Authority and the Muskegon County Board of Commissioners in the following manner:</p> <p>"With respect to any property designated in writing by Muskegon County Land Bank Authority, Muskegon County Board of Commissioners agrees to assign its rights under section 78m(1) and 78m(3) of the General Property Tax Act of 1893, as amended and Public Act 206, MCL 211.7m(1), 211.78m(3) to exercise the "rights of refusal" option in the acquisition of foreclosed property.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>	<u>FINANCE & MANAGEMENT ANALYSIS:</u> <i>Recommended Approval</i>		
<u>CORPORATE COUNSEL ANALYSIS:</u>	<u>ADMINISTRATOR RECOMMENDATION:</u> <i>Approval</i> <i>BBH</i>		
AGENDA DATE: 2/19/13	AGENDA NO.: WM13/0216	BOARD DATE: 2/26/13	PAGE NO.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means	BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT Treasurer's Office	COMMITTEE DATE 2/19/13	REQUESTOR SIGNATURE Tony Moulatsiotis	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>Per State law 211.59 of the General Property Tax Act a "County" may pass a resolution whereby, the monthly administrative fee of 1% and the property tax administrative fee of 4% be waived for the period of March 1st through April 30th (for taxes paid before May 1st in the first year of delinquency) for senior citizens, paralegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind in accordance with the income guidelines provided in section 211.51.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
<p>Move to authorize the adoption of the resolution Application for Deferment of Taxes for the purpose of waiving the interest and fees for the period March 1st through April 30th, for taxes paid by May 1st in the first year of delinquency for senior citizens, paralegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind in accordance with the General Property Tax Act section 211.59 and 211.51.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>	<u>FINANCE & MANAGEMENT ANALYSIS:</u> <i>Recommended Approval</i>		
<u>CORPORATE COUNSEL ANALYSIS:</u>	<u>ADMINISTRATOR RECOMMENDATION:</u> <i>approved Post</i>		
AGENDA DATE: <i>2/19/13</i>	AGENDA NO.: <i>WM13/02:17</i>	BOARD DATE: <i>2/26/13</i>	PAGE NO.

RESOLUTION FOR THE DEFERMENT OF TAXES PAID BEFORE MAY 1ST AND
WAIVING THE COUNTY INTEREST AND ADMINISTRATIVE FEES FOR THE PERIOD
OF MARCH 1ST TO APRIL 30TH AS PROVIDED BY THE MICHIGAN GENERAL
PROPERTY TAX ACT SECTION 211.59 AND 211.51

WHEREAS, the General Property Tax Act Sections 211.59 and 211.51 provide that a "County" may pass a resolution for the deferment of taxes paid before May 1st (in the first year of delinquency), whereby waiving the 1% monthly interest charge and 4% administrative fee for the following individuals; senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind.

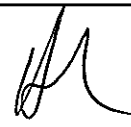
WHEREAS, individuals also meet the income guidelines of section 211.51

WHEREAS, an application will be required and approved by either the County Treasurer or Deputy County Treasurer.

NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS
OF THE COUNTY OF MUSKEGON AS FOLLOWS

1. Approve the application form for the deferment of taxes.
2. Approve that taxes paid by May 1st shall be without the monthly 1% interest and 4% property tax administrative fees for the following individuals; senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind.
3. Approve the income guidelines under section 211.51.



REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE WAYS & MEANS	BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT	COMMITTEE DATE 2/19/13	REQUESTOR SIGNATURE	
<p>SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)</p> <p>This request is to slightly modify the Treasurer's Office positions to better fit with the required level of skill and technical aspects of performing the required duties and the increase in responsibility of acquiring the dog licensing program. Six Account Clerk II FT positions (G02001/03/04/05/06/17, salary grade GU00138) are requested to be reclassified to a Property Tax Technician FT classification (salary grade GU00160). Additionally, salary adjustments are being requested for two positions; 1) Property Tax Specialist FT (N55701) from salary grade NO00190 to salary grade NX00100; and 2) Cash Manager FT (X11501) from salary grade NX00300 to salary grade NX00310. The above reclassifications and salary adjustments would be effective March 1, 2013.</p> <p>Labor distribution changes are also being requested to align costs with the appropriate cost centers as detailed in the attached. These changes would be effective October 1, 2012.</p> <p>Annual financial effect of the above would be: Treasurer's Office (1010-0253) – decrease of \$941.66 2011 Delinquent Tax Fund (5161-2011) – decrease of \$19,654.03 (eventual general funds) Tax Forfeiture Fund (5110-1010) – increase of \$1,900.52 Animal Licensing (1010-0421) – increase of \$35,883.19</p>			
<p>SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)</p> <p>Move to authorize the Treasurer's Office reorganization, reclassifying six Account Clerk II FT positions (G02001/03/04/05/06/17) to a Property Tax Technician FT classification at a salary classification of GU00160; a salary adjustment for Property Tax Specialist FT (N55701) to salary grade NX00100; and a salary adjustment for the Cash Manager (X11501) to salary grade NX00310 with reclassifications and salary adjustments effective March 1, 2013. To further authorize labor distribution changes as detailed in the motion attachment to be effective retroactively to October 1, 2012.</p>			
<p>ADMINISTRATIVE ANALYSIS (AS APPLICABLE)</p>			
<p>HUMAN RESOURCES ANALYSIS:</p> <p style="text-align: center;">Recommend Approval D. Groeneveld</p>	<p>FINANCE & MANAGEMENT ANALYSIS:</p> <p style="text-align: center;"><i>Recommended Approval</i> </p>		
<p>CORPORATE COUNSEL ANALYSIS:</p>	<p>ADMINISTRATOR RECOMMENDATION:</p> <p style="text-align: center;"><i>approval BSA</i></p>		
AGENDA DATE: 2/19/13	AGENDA NO.: WM13/02.18	BOARD DATE: 2/26/13	PAGE NO.

**Muskegon County Treasurer's Office
Reorganization Labor Distribution/Salary Grade Changes**

<u>Position #</u>	<u>Current (or) New Title</u>	<u>Old Labor Distribution</u>	<u>New Labor Distribution</u>	<u>Old Salary Grade / Range</u>	<u>New Salary Grade / Range</u>
G02001	Property Tax Technician FT	5161-2011 - 100%	5161-2011 - 85% 1010-0421 - 15%	GU00138 \$22,817 thru \$32,406	GU00160 \$27,394 thru \$34,029
G02004	Property Tax Technician FT	5161-2011 - 100%	5161-2011 - 85% 1010-0421 - 15%	GU00138 \$22,817 thru \$32,406	GU00160 \$27,394 thru \$34,029
G02005	Property Tax Technician FT	5161-2011 - 100%	5161-2011 - 85% 1010-0421 - 15%	GU00138 \$22,817 thru \$32,406	GU00160 \$27,394 thru \$34,029
G02006	Property Tax Technician FT	5161-2011 - 100%	5161-2011 - 85% 1010-0421 - 15%	GU00138 \$22,817 thru \$32,406	GU00160 \$27,394 thru \$34,029
G02003	Property Tax Technician FT	1010-0253 - 100%	1010-0253 - 85% 1010-0421 - 15%	GU00138 \$22,817 thru \$32,406	GU00160 \$27,394 thru \$34,029
G02017	Property Tax Technician FT	1010-0253 - 100%	1010-0253 - 100% (no change)	GU00138 \$22,817 thru \$32,406	GU00160 \$27,394 thru \$34,029
N55701	Property Tax Specialist FT	5110-1010 - 85% 1010-0253 - 15%	5110-1010 - 85% 1010-0421 - 15%	NO00190 \$32,644 thru \$40,695	NX00100 \$33,867 thru \$42,919
X11501	Cash Manager FT	1010-0253 - 100%	1010-0253 - 100% (no change)	NX00300 \$51,811 thru \$65,770	NX00310 \$54,346 thru \$68,989

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means	BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT Treasurer's Office	COMMITTEE DATE 2/19/13	REQUESTOR SIGNATURE Tony Moulatsiotis	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>The Treasurer's Office is requesting authorization to borrow up to twelve million dollars (\$12,000,000) against anticipated 2012 delinquent taxes. Attached is the resolution as drafted by Muskegon County's bond counsel Miller, Canfield, Paddock and Stone, PLC.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
<p>Move to authorize the adoption of the resolution allowing the County of Muskegon to borrow up to twelve million dollars (\$12,000,000) against anticipated 2012 delinquent taxes.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>	<u>FINANCE & MANAGEMENT ANALYSIS:</u> <i>Recommend Approval</i> 		
<u>CORPORATE COUNSEL ANALYSIS:</u>	<u>ADMINISTRATOR RECOMMENDATION:</u> <i>approval</i> 		
AGENDA DATE: 2/19/13	AGENDA NO.: Wm13/02-19	BOARD DATE: 2/26/13	PAGE NO.

COUNTY OF MUSKEGON
STATE OF MICHIGAN

RESOLUTION TO BORROW
AGAINST ANTICIPATED
DELINQUENT 2012 TAXES

WHEREAS, the Board of Commissioners of Muskegon County (the "County") has adopted a resolution establishing a Muskegon County delinquent tax revolving fund (the "100% Tax Payment Fund" or "Tax Payment Fund" or "Fund") pursuant to Section 87b of Act No. 206 of the Public Acts of 1893, as amended, and it appears desirable to borrow to fund part of the Fund for the 2012 Delinquent Taxes (the "Funded Taxes"); and

WHEREAS, the purpose of the fund is to allow the County Treasurer (the "Treasurer"), to pay from the fund any or all delinquent taxes which are due and payable to the County, school districts, intermediate school districts, community colleges, cities, townships, special assessment or drain districts, the State of Michigan SET tax, or any other political unit or county agency (the "Taxing Units") for which delinquent tax payments are due on settlement day with the county, city or township treasurer; and

WHEREAS, it is necessary that the County borrow not to exceed TWELVE MILLION DOLLARS (\$12,000,000) and issue its notes (the "Notes") in anticipation of the collection of the Funded Taxes for deposit into the Fund.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County, pursuant to Sections 87(c), 87(d) and 89 of the aforesaid Act No. 206, borrow TWELVE MILLION DOLLARS (\$12,000,000) or any part thereof not exceeding the total of the actual amount of the Funded Taxes outstanding on March 1, 2013, exclusive of interest, fees and penalties, and issue its "General Obligation Limited Tax Notes, Series 2012", payable from the collection of the Funded Taxes outstanding and unpaid on March 1, 2013 or such later date as the

Treasurer shall fix. The proceeds of the Notes representing the Funded Taxes shall be placed in the Fund and used as the whole or part of the 2012 Tax Payment Account of the County as hereinafter provided, and the establishment of said Fund is hereby ratified and confirmed. Regardless of any provisions in this resolution to the contrary, the Treasurer shall have the authority, in reducing the amount of Notes to be sold, to fix or eliminate the provisions for call of Notes prior to maturity or to pledge for payment of the Notes an amount of Funded Taxes less than that outstanding on March 1, 2013, as may be determined by him to be necessary or desirable in order to better structure the Notes and/or to obtain the best advantage for the County in issuing the Notes, and the Treasurer shall further be authorized to take all actions in the course of issuing the Notes as shall be consistent with such fixing or elimination.

2. The Notes shall be dated as of the date of their delivery, or such other date as the Treasurer may fix, and shall be either bearer or registered as to principal and/or interest, in denominations of \$5,000 or integral multiples of \$5,000 up to the amount of a single maturity, numbered as determined by the Treasurer or the transfer agent, callable as herein provided at premium not exceeding 3% of par and payable annually or semiannually on such dates the Treasurer shall determine, the last maturity being no later than six years after the date of issue of the Notes. Although the provisions, terms and forms in this Resolution relate to fully registered Notes, the Treasurer is authorized to make such changes as may be necessary to issue bearer Notes or to have the Notes issued in book entry form through a securities depository company.

The Notes shall bear interest at a rate or rates determined on sale thereof, not exceeding the maximum rate permitted by law, payable semiannually on the same date as principal payments are due and at six month intervals from such date, the first interest payment date to be not later than twelve months after the date of issue, by check drawn on the transfer agent mailed to the registered owner at the registered address, as shown on the registration books of the County maintained by the transfer agent.

Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the County to conform to market practice in the future. The principal of the Notes shall be payable at such bank or trust company as may be named as transfer agent by the Treasurer, and the transfer agent may be changed by the Treasurer as provided herein.

3. There is hereby established in the Fund a 2012 General Obligation Limited Tax Note Collection Account (the "Account") effective as of March 1, 2013, into which Account the Treasurer shall allocate on his books and records all payments received on account of the Funded Taxes as returned to him by any Taxing Unit to be used solely for payment of principal and interest on the Notes.

4. All collections of the Funded Taxes, including all interest and penalties thereon, as well as all county property tax administration fees and any amounts received by the County from the Taxing Units as chargebacks or otherwise by reason of uncollectibility of delinquent taxes (the "Pledged Funds"), are hereby pledged for the prompt payment of the principal of and interest on the Notes and shall be used for no other purpose until such amounts are paid in full, except as hereinafter provided.

5. This Note issue, in addition, shall be a general obligation of the County of Muskegon, secured by its full faith and credit, which shall include the County's limited tax obligation, within applicable constitutional and statutory limits, and its general funds. The County budget shall provide that if the pledged delinquent taxes and any other pledged amounts are not collected in sufficient amounts to meet the payments of principal and interest due on these Notes, the County, before paying any other budgeted amounts, will promptly advance from its general funds sufficient money to pay that principal and interest as a first budget obligation. The County may thereafter reimburse itself from surplus Pledged Funds not currently needed to pay principal of and interest on the Notes.

6. The Treasurer, pursuant to Section 87b, subsection 2, of Act No. 206 is hereby designated as Agent for the County.

7. The Treasurer shall use the proceeds of the Notes to continue payment of the 2012 delinquent taxes from the Fund to the Taxing Units, as provided by law, and to pay the expenses of the borrowing, unless the same are paid from administration fees before application to debt service.

8. The Treasurer shall execute the Notes on behalf of the County by means of his manual or facsimile signature and shall cause to be imprinted thereon or by facsimile the seal of the County. No Note of this series shall be valid until authenticated by an authorized officer of the transfer agent. The Notes shall be delivered to the transfer agent for authentication and shall then be delivered to the purchaser in accordance with instruction from the Treasurer upon payment of the purchase price for the Notes in accordance with the bid therefor when accepted. Executed blank Notes for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the transfer agent for safekeeping.

Any Note may be transferred upon the books required to be kept pursuant to this section by the person in whose name it is registered, in person or by his duly authorized attorney, upon surrender of the Note for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the transfer agent. Whenever any Note or Notes shall be surrendered for transfer, the transfer agent shall authenticate and deliver a new Note or Notes, for like aggregate principal amount. The transfer agent shall require the payment by the noteholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

9. The Notes shall be in substantially the following form:

NO. _____

UNITED STATES OF AMERICA
STATE OF MICHIGAN

COUNTY OF MUSKEGON

GENERAL OBLIGATION LIMITED TAX NOTE, SERIES 2012

<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Date of Original Issue</u> _____, 2013	<u>CUSIP</u>
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Registered Owner:

Principal Amount: _____ Dollars

The County of Muskegon, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay, to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on December 1, 2013 and semiannually thereafter. Principal of this note is payable at the principal office of _____, _____, Michigan, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the Registered Owner hereof not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this note is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the payment date as shown on the registration books of the Issuer maintained by the Transfer Agent, by check or draft mailed to the Registered Owner at the registered address.

The notes of this issue are payable primarily from the collections of delinquent real property taxes for the year 2012, together with interest and penalties thereon and certain administration fees, levied by the State of Michigan, the Issuer and political subdivisions therein, which taxes are payable to the County Treasurer. The Issuer, in the resolution authorizing the notes, has pledged the collections of the 2012 delinquent taxes to the payment of the notes and the interest thereon. As additional security for payment of the notes, the Issuer, by resolution of its Board of Commissioners, has pledged its full faith and credit for the prompt payment of the principal of and interest thereon, and in case of insufficiency of the funds primarily pledged, the Issuer is obligated to pay this note from its general funds, including collections of any taxes which it may levy within applicable constitutional or statutory limitations, as a first budget obligation.

The note is one of the total authorized issue of notes of even Date of Original Issue, aggregating the principal sum of \$12,000,000, issued pursuant to a resolution duly adopted by the Board of Commissioners of the Issuer on February 19, 2013, and under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Sections 87(c), 87(d) and 89 of Act 206, Public Acts of Michigan, 1893, as amended, for the purpose of providing the whole or part of a fund for payment of delinquent taxes on real property to the State of Michigan, the County and political subdivisions therein. For a complete statement of the funds from which and the conditions under which this note is payable, and the general covenants and provisions pursuant to which this note is issued, reference is made to the above described resolution.

Notes of this issue shall not be subject to redemption prior to maturity.

This note is transferable only upon the books of the Issuer kept for that purpose at the office of the Transfer Agent by the Registered Owner hereof in person, or by his attorney duly authorized in writing, upon the surrender of this note together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the Registered Owner or his attorney duly authorized in writing, and thereupon a new registered note or notes in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolutions authorizing the notes, and upon the payment of the charges, if any, therein prescribed.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.L.C.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this note, and the series of which this is one, have been done and performed in regular and due time and form as required by law.

This note is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this note has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the County of Muskegon, State of Michigan, by its Board of Commissioners, has caused this note to be signed in the name of said County by the facsimile signature of the County Treasurer and a facsimile of the corporate seal of said County to be imprinted hereon, all as of the Date of Original Issue.

COUNTY OF MUSKEGON

By _____
County Treasurer

(SEAL)

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

Certificate of Authentication

This note is one of the notes described in the within-mentioned resolution.

Transfer Agent

By _____
Authorized Signatory

Date of Authentication: _____

10. The Treasurer be and is authorized to sell the Notes at private or public sale, and if at public sale, to make any appropriate revisions to the following Official Notice of Sale and, fix a date for sale of the Notes, publish the Official Notice of Sale therefor as required by law in the Bond Buyer of New York, New York, a publication printed in the English language and circulated in this state, which carries as a part of its regular service notices of sale of municipal bonds. The Treasurer is authorized to sell the Notes at a negotiated sale if, in the judgment of the Treasurer, in order to achieve interest rate and cost of issuance savings, it is appropriate to sell the Notes on a negotiated basis. The Treasurer shall further be authorized to arrange for additional security for the Notes, including the purchase of insurance or other credit enhancement, to receive bids, award sale of the Notes and take all other steps necessary and desirable for issuance and delivery of the Notes. The notice of sale, if employed, shall be in substantially the following form:

OFFICIAL NOTICE OF SALE

\$12,000,000

COUNTY OF MUSKEGON, STATE OF MICHIGAN

GENERAL OBLIGATION LIMITED TAX NOTES, SERIES 2012

SEALED BIDS for the purchase of the above notes will be received by the undersigned at the office of the Muskegon County Treasurer located in the County Building, Muskegon, Michigan 49440, on _____, the ___ day of _____, 2013, until __:__ o'clock __.m., prevailing Eastern Time, at which time and place said bids will be publicly opened and read. Sealed bids will also be received on the same date and until the same time at the office of the Municipal Advisory Council of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan, 48226, where they will be publicly opened and read. The Notes will be awarded to the successful bidder no later than 5:00 o'clock p.m., on that date.

FAXED BIDS: Signed bids may be submitted by fax to the County at fax number (231) 724-6549, Attention: Mr. Tony V. Moulotsiotis, or to the MUNICIPAL ADVISORY COUNCIL OF MICHIGAN at (313) 963-0943; **provided that** faxed bids must arrive before the time of sale, the bidder bears all risks of transmission failure and the GOOD FAITH DEPOSIT MUST BE MADE AND RECEIVED as described in the section captioned "GOOD FAITH" below.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 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 BIDDING SERVICES, THIS NOTICE OF SALE SHALL CONTROL.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

DISCLOSURE: The County will supply disclosure documentation in connection with the notes in accordance with Securities and Exchange Commission Rule 15c2-12 and the Interpretive Release thereunder, unless advised by note counsel that it is exempted therefrom. The purchaser of the notes may be required to provide certain certifications to note counsel to establish such exemption.

If not exempted from the above requirements, the County will provide a preliminary official statement that the County deems to be final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12 of the Securities and Exchange Commission. Such preliminary official statement may be obtained from the undersigned at the address listed under SEALED BIDS above (telephone (616) 724-6261). The County will furnish, upon request of the successful bidder, copies of the final Official Statement relating to the above described issue within seven days from the date of sale specified above, in sufficient amounts to permit the successful bidder to comply with Rule 15c2-12 of the Securities and Exchange Commission. The first 50 copies will be delivered at the expense of the County. Additional copies will be supplied upon the bidder's agreement to pay the reasonable copying charges of the County for those copies. Any such request for additional copies

should be made to the undersigned within 24 hours of the date and time of the sale, and should set forth the number of copies requested and the person and place to whom the final Official Statements should be delivered.

NOTE DETAILS: Said notes will be registered notes of the denomination of \$5,000 or integral multiples thereof up to the amount of a single maturity, dated as of the date of delivery thereof, numbered in order of authentication, and will bear interest from their date payable on December 1, 2013, and semiannually thereafter.

The notes will mature on the first day of December and June, as follows:

<u>Year</u>	<u>Amount</u>
December 1, 2013	\$ __, __, 000
June 1, 2014	__, __, 000
December 1, 2014	__, __, 000

PRIOR REDEMPTION: The Notes shall not be subject to redemption prior to maturity.

INTEREST RATE AND BIDDING DETAILS: The notes shall bear interest at a rate or rates not exceeding 10% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The net interest cost shall not exceed 10% per annum. The interest on any one note shall be at one rate only. All notes maturing on the same date must carry the same interest rate. The difference between the highest and lowest interest rate on the notes shall not exceed five percent (5%). No proposal for the purchase of less than all of the notes at a price less than 100% of their par value will be considered.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at _____, Michigan, or such other transfer agent as the Treasurer of the County may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any interest payment date. Interest shall be paid by check mailed to the owner as shown by the registration books of the County on the fifteenth day of the month prior to any interest payment date. The notes will be transferable only upon the registration books of the County kept by the transfer agent.

PURPOSE AND SECURITY: The notes are issued under the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and pursuant to resolution duly adopted by the Board of Commissioners of the County for the purpose of establishing a fund to pay the 2012 delinquent taxes on real property to the State of Michigan, the County and political subdivisions therein.

The notes are issued in anticipation of, and are payable primarily from the 2012 delinquent taxes described above, including interest and penalties thereon and certain administration fees, which amounts the County has pledged for payment of principal and interest on the notes.

As additional security for the payment of the notes and the interest thereon, the County has pledged its full faith and credit for the prompt payment thereof, and, should funds primarily pledged be insufficient for payment, the County is obligated to make such payment from general funds, including the collection of any taxes which it may levy within applicable statutory or constitutional limitations, as a first budget obligation, to the extent provided by law.

The rights and remedies of the holders of the notes may be affected by bankruptcy and other laws and equitable remedies of general application now existing or hereafter enacted relating to or affecting the enforcement of the rights and remedies of creditors.

TAX MATTERS: In the opinion of note counsel, the notes will be exempt from taxation by the State of Michigan or by any taxing authority within the State of Michigan, subject to certain exceptions described in note counsel's opinion, BUT THE INTEREST THEREON WILL BE SUBJECT TO FEDERAL INCOME TAX.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$_____ payable to the order of the Treasurer of the County will be required of the successful bidder. The successful bidder is required to submit its good faith deposit to the County not later than Noon, Eastern Daylight Time, on the next business day following the sale. The good faith deposit will be applied to the purchase price of the notes. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the County. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the notes shall be made at the closing.

AWARD OF NOTES-TRUE INTEREST COST: The notes 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 rate interest rate (compounded on December 1, 2013 and semi annually thereafter) necessary to discount the debt service payments from their respective payment dates to _____, 2013, in an amount equal to the bid price, excluding accrued interest.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of which opinion will be furnished without expense to the purchaser of the notes at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C., for services rendered in connection with such approving opinion may be paid from note proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above notes, Miller, Canfield, Paddock and Stone, P.L.C., has made no inquiry as to any financial information, statements or materials contained in the Official Statement or otherwise relating to the notes and has not independently verified any such financial information, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the notes, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial information, statements or materials.

DELIVERY OF NOTES: The County will furnish notes ready for execution at its expense. Notes will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the notes, will be delivered at the time of delivery of the notes. If the notes are not tendered for delivery by Noon, prevailing 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 notes, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the County shall promptly return the good faith deposit. Payment for the notes shall be made in Federal Reserve Funds.

CUSIP NUMBERS: CUSIP identification numbers will be printed on the notes, but neither the failure to print the number nor any error with respect thereto shall constitute cause for refusal by the purchaser to accept delivery of the notes. All expenses in relation to the printing of CUSIP numbers shall be paid for by the issuer except that the CUSIP Service Bureau charge for the assignment of numbers shall be the responsibility of and paid for by the purchaser.

INFORMATION: Additional information concerning the note issue may be obtained from the County's financial advisor, First Southwest Company, 325 North St. Paul Street, Suite 800, Dallas, TX 75201, Telephone: (214) 953-4000, Facsimile: (214) 953-4050 or from the County Treasurer at the address listed above (telephone 231-724-6261).

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for Notes".

TONY V. MOULOTSIOTIS
Treasurer, County of Muskegon

11. The Treasurer is authorized to retain Miller, Canfield, Paddock and Stone, P.L.C., Attorneys of Detroit, Michigan, to assist in the issuance and delivery of the Notes.

12. The Treasurer shall employ the chargeback provisions set out in said Act No. 206, in the manner determined by him to best provide for the payment and security of the Notes.

13. As an alternative method of financing amounts necessary for implementation of the Fund, the Treasurer is authorized to issue commercial paper or variable rate notes to evidence the necessary borrowing, upon the taking of all necessary precedent steps.

14. The Treasurer is authorized to make such additional changes in the form of Note and in the form of Notice of Sale authorized by the Resolution as in his judgment he deems necessary or expedient to issue the Notes, and the Treasurer is also authorized to take all other necessary or desirable action in order to issue the Notes within the parameters of the Resolution, should he determine such action to be advisable.

15. The County shall keep full and complete records of all deposits to and withdrawals from each of the funds and accounts in the Fund and of all other transactions relating to the funds and accounts and of all investments of moneys in such accounts and the interest and gain derived therefrom.

16. The County covenants to comply with Securities Exchange Commission Rule 15c23-12 (the "Rule") respecting continuing disclosure undertakings and appoints the County Treasurer or his or her designee as its Disclosure Representative in connection with the notes.

17. Since the Treasurer is acting on behalf of the County in the sale and delivery of the notes, the County hereby appoints the Treasurer as its agent to make any amendments, deletions or additions to the foregoing covenant and undertaking as may be determined by the Treasurer, the County or advisors to either to be desirable or necessary to comply with the Rule and to successfully market the notes. Any such amendments, deletions or additions shall be binding upon the County without further action by the

County, but the Treasurer shall promptly notify the County of any such amendments, deletions or additions.

18. The Treasurer shall set out the final statement of the foregoing undertaking and covenant of the County under the Rule as binding upon the County in his Order awarding the notes to the successful bidder, and the Treasurer shall further cause to be set out in the Official Statement for the notes appropriate provisions relative to continuing disclosure and the covenant and undertaking of the County to meet the requirements of the Rule.

19. Whenever used in this resolution, the term "Treasurer" or "County Treasurer" shall mean the Treasurer of the County of Muskegon, Michigan, or in the event of his absence or disability, his Chief Deputy.

20. All resolutions and parts of resolutions conflicting with this resolution are hereby repealed.

AYES: Members _____

NAYS: Members _____

RESOLUTION DECLARED ADOPTED.

County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of Muskegon, State of Michigan, at a regular meeting held on February 19, 2013, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

County Clerk