

The regular meeting of the Moran Township Board of Trustees was held on Wednesday, November 7, 2007 at the Moran Township Hall, W1362 US-2, St. Ignace, MI 49781.

CALL TO ORDER:

Supr Durm called the meeting to order at 6:00 EST with the Pledge of Allegiance.

ROLL CALL:

- PRESENT: Supr Durm, Clerk Vallier, Trustees Heuer
And Spencer.
- ABSENT: Treas Dionne (excused)
- GUESTS: D.J. Goudreau, Jr. Chairman M.T. Road Committee
and Paul Gingras, St. Ignace News Reporter.
- CITIZENS: Lee Ortman and Chuck Malcolm.

REPORTS RECEIVED:

- 1. St. Ignace Fire Dept reports for the months September and October, 2007.
- 2. September Financial Statement from Allied EMS Systems, Inc.
- 3. Mackinac Straits Hospital and Health Center Board meeting held 09-24-2007.

MINUTES:

Trustee Heuer noted in New Business - item number 2 – the river mentioned, Moran River, should be the Brevort River. Correction to be made.

MOTION BY HEUER, SECONDED BY SPENCER (CARRIED) THE MINUTES BE APPROVED WITH CORRECTION, FOR THE OCTOBER 3, 2007 REGULAR MEETING.

PUBLIC COMMENT: NONE

PTE. LA BARBE ROAD BOND RESOLUTION APPROVAL:

MOTION BY SPENCER, SECONDED BY VALLIER (CARRIED) TO APPROVE THE FOLLOWING BOND RESOLUTION FOR THE PTE. LABARBE ROAD PROJECT, IN THE AMOUNT OF \$360,000:

**RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
2007 GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS**

TOWNSHIP OF MORAN
COUNTY OF MACKINAC, STATE OF MICHIGAN

Minutes of a regular meeting of the Township Board of the Township of Moran, County of Mackinac, State of Michigan, held on Wednesday, November 7, 2007, at 6:00 o'clock p.m., prevailing Eastern Time.

PRESENT: Members Supervisor Durm, Clerk Vallier and Trustees
Spencer and Heuer.

ABSENT: Treasurer Dionne.

The following preamble and resolution were offered by Member Spencer and supported by Member Vallier:

WHEREAS, The Township of Moran, County of Mackinac, State of Michigan (the "Township") does hereby determine that it is necessary to acquire certain capital improvements in the Township, consisting generally of road improvements and the installation of bike paths and culverts along Pte. LaBarbe Road, together with all related appurtenances and attachments thereto (the "Project"); and

WHEREAS, the cost of the Project is estimated to be Six Hundred Eighty Thousand Dollars (\$680,000); and

WHEREAS, pursuant to Section 517 of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), the Township Board (the "Township Board") of the Township caused a notice of intent to issue bonds in an amount not to exceed Four Hundred Twenty-Five Thousand Dollars (\$425,000) for the purpose of paying part of the cost of the Project to be published in The St. Ignace News, a newspaper of general circulation in the Township, on September 13, 2007 (the "Notice of Intent"); and

WHEREAS, at least 45 days have elapsed since the date of publication of the Notice of Intent without the filing of a petition for referendum on the question of the sale and issuance of the bonds described in the Notice of Intent; and

WHEREAS, the Township Board deems it necessary to borrow the principal sum of not to exceed Three Hundred Sixty Thousand Dollars (\$360,000) and issue capital improvement bonds pursuant to Act 34 to pay part of the cost of the Project; and

WHEREAS, the aggregate outstanding balance of municipal securities issued under Section 517 of Act 34 by a Township shall not exceed 5% of the state equalized valuation of the property assessed in that Township, and the outstanding balance of all municipal securities issued under Section 517 of Act 34 by the Township will not exceed this limit after the issuance of the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the Township designated 2007 GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS (the "Bonds") are authorized to be issued in the aggregate principal. Sum of not to exceed Three Hundred Sixty Thousand Dollars (\$360,000) for the purpose of paying part of the costs of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall consist of bonds in fully-registered form of the denomination of \$5,000,

or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, and dated the date of delivery. The Bonds shall bear interest, mature, be subject to redemption and be payable at the times and in the manner as set forth in Exhibit A as attached hereto.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Township to conform to market practice in the future. Interest shall be payable by check or draft drawn on the transfer agent (as hereinafter defined) mailed to the registered owner at the registered address, as shown on the registration books of the Township maintained by the Transfer Agent. The principal of the Bonds shall be payable upon presentation and surrender to the Transfer Agent (as defined below).

The Township hereby designated First National Bank of St. Ignace to serve as bond registrar, paying agent and transfer agent (the "Transfer Agent") for this issue. The Township reserves the right to replace the Transfer Agent at any time upon written notice to the registered owners of record of the Bonds not less than sixty (60) days prior to the interest payment date.

2. Execution of Bonds. The Bonds shall be executed in the name of the Township with the manual or facsimile signatures of the Supervisor and Clerk and shall have the seal of the Township, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Supervisor, Treasurer or Clerk upon payment of the purchase price for the Bonds in accordance with the bid therefore when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the Township. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Township shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the Township. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

If any Bond shall become mutilated, the Township, at the expense of the holder of the Bond, shall execute, and the Transfer Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Transfer Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Transfer Agent and, if this evidence is satisfactory to both and indemnity satisfactory to the Transfer Agent shall be given, and if all requirements of any applicable law including Act 354, Public Acts of Michigan, 1972, as amended ("Act 354"), being sections 129.131 to 129.135, inclusive, of the Michigan Compiled Laws have been met, the Township, at the expense of the owner, shall execute, and the Transfer Agent shall thereupon authenticate and deliver, a new Bond of like tenor and bearing the statement required by Act 354, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond the Transfer Agent may pay the same without surrender thereof.

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. The Township hereby pledges its limited tax full faith and credit for the prompt payment of the principal of and interest on the Bonds. The Township shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available, therefore, or, if necessary, levy taxes upon all taxable property in the Township subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

As taxes are collected, there shall be set aside that portion of the collections that is allocable to the payment of the principal and interest on the Bonds. The portion set aside may be divided pro rata among the various sinking funds and debt retirement funds in accordance with the amount levied for that purpose.

Tax collections paid into a debt retirement fund, if the fund is for the payment of more than 1 issue of municipal securities, shall be allocated on the books and records of the municipality between the various issues in accordance with the amounts levied for that purpose. The Treasurer is authorized in accordance with Act 34 to open a depository account with a bank or trust company (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Proceeds of Bond Sale. The Treasurer is authorized and directed to open a separate depository account to be designated 2007 GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the Costs of issuance of the Bonds.

6. Bond Form. The Bonds shall be in substantially the following form:

7. Negotiated Sale Pursuant to Proposals. Pursuant to Section 309(1) of Act 34, the Township Board determines to sell the Bonds at a negotiated sale at a price not less than 100% of the principal amount thereof. The method to be used in the negotiated sale shall be the solicitation by the Township's Supervisor, Treasurer or Clerk (the "Authorized Officers") of proposals from financial institutions, underwriters of municipal securities, or both, identified by the Township prior to the sale of the Bonds. The Township hereby determines that a negotiated sale of the Bonds will enable the Township to Obtain a Flexible payment Schedule, terms and redemption provisions.

The Authorized Officers are each individually authorized to negotiate the sale of the Bonds to a financial institution or underwriter of municipal securities and to execute and deliver an agreement to deliver the Bonds to the purchaser. Such negotiation by the Authorized Officers heretofore is hereby ratified, approved and confirmed.

The offer of First National Bank of St. Ignace to purchase the Bonds in the principal amount of \$360,000, at par, bearing interest and subject to redemption prior to maturity as shown on Exhibit A attached hereto is hereby accepted and approved.

8. Useful Life of the Project. The estimated period of usefulness of the Project is hereby declared to be not less than six (6) years.

9. Tax Covenant; Qualified Tax Exempt Obligations. The Township shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds. The Township hereby designates the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to the Code.

10. Authorization of Actions. The Authorized Officers are each hereby authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, to enable the sale and delivery of the Bonds as contemplated herein, including but not limited to (a) taking all other actions necessary or advisable, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein; and (b) adjusting the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing each is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum shall not exceed four and seven-tenths percent (4.70%), and the Bonds shall mature in not more than six (6) annual principal installments.

11. Severability. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such paragraph, section, clause or provision shall not affect any or the other provisions of this Resolution. Section headings are inserted for convenience of reference only and shall not be considered to be a part of this Resolution.

12. Conflicting Actions. All resolutions, orders or parts thereof in conflict with the provisions of this Resolutions are, to the extent of such conflict, hereby repealed.

AYES: Member: Supervisor Durm, Clerk Vallier and Trustees Heuer and Spencer.

NAYS: NONE

RESOLUTION DECLARED ADOPTED.

Kristine R. Vallier
Township Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Moran, County of Mackinac, State of Michigan, at a regular meeting held on Wednesday, November 7, 2007, 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.

Kristine R. Vallier
Township Clerk

FIRE PROTECTION:

Supr Durm has received a request from residents in the Ozark Area for Moran Township to provide payment to the Trout Lake Fire Department for fire services they have provided in the Ozark area. Trustee Heuer inquired is this support necessary. How many times have Trout Lake Fire Department been called out last year. Supr Durm stated he wasn't sure, but thought it might have been once. Clerk Vallier stated she thought the Board should wait until Trout Lake Fire Dept contacts the Township for support. MATTER TABLED.

EMERALD ASH BORER IN MORAN TWP:

Supr Durm attended an informational meeting on October 22, 2007 concerning the Emerald Ash Borer infestation detected near Moran. The resulting quarantine area takes in the northern boundary of Moran Township. As part of the state's plan, portions of Mackinac County are now under a quarantine prohibiting the movement of ash materials and all non-coniferous (hardwood) firewood. Further meetings to be scheduled.

MACKINAC COUNTY WATER SAFETY REVIEW TEAM REPORT:

Trustee Spencer attended the meeting and gave his report. The Mackinac County Water Safety Review Team received the highest honor, The John Hannah Award, from the Michigan State University Extension Office, for the accomplishments of this team.

DOC HOLLE'S SILVER MOUNTAIN REPORT:

Supr Durm attended a Ski Hill Committee meeting on October 9, 2007. Supr Durm voted along with the rest of the Board to purchase a replacement pump for the Snowmaker, that broke late last winter. Payment to come from the Recreation Fund.

At the same meeting the Board discussed the Addendum to the Ski Hill Agreement for the Disc Golf Course drawn up by St. Ignace City Manager, Eric Dodson. No action was taken until it could be discussed with Steve Du Fresne, Disc Golf Manager, who was unable to attend the meeting.

RECREATION AGREEMENT (RENEWAL) WITH CITY OF ST. IGNACE:

The recreation agreement renewal involving the City of St. Ignace, Moran Township, St. Ignace Township and St. Ignace area Schools for recreational activities has expired on December 31, 2006. The Moran Twp Board was hesitant to sign the agreement until a new agreement was reached with the Disc Golf Course, at Doc Holle' Silver Mountain. A contract has been drawn up and is being reviewed. As part of its recreation program, the City will provide equipment and personnel to administer a recreation program, including supervision and payroll administration.

MOTION BY SPENCER, SECONDED BY HEUER (CARRIED) TO SIGN THE RECREATION AGREEMENT WITH THE CITY OF ST. IGNACE, TOWNSHIPS MORAN AND ST. IGNACE AND ST. IGNACE AREA SCHOOLS. THIS AGREEMENT STAYS IN EFFECT UNTIL DECEMBER 31, 2010. MORAN TOWNSHIP'S ANNUAL COST IS \$11,199.25, TO COME FROM RECREATION FUND.

MACKINAC COUNTY ROAD COMMISSION BILLS:

Chairman D.J. Goudreau, Jr of the M.T. Road Committee brought the following recommendation for payment of MCRC bills:

1. 28-Mile Road Project \$55,000.00
2. Koski Road Project \$6,666.66 (2007 Match Project)

MOTION BY SPENCER, SECONDED BY VALLIER (CARRIED) TO PAY THE INVOICES OF 28-MILE ROAD PROJECT IN THE AMOUNT OF \$55,000 AND THE KOSKI ROAD PROJECT IN THE AMOUNT OF \$6,666.66 TO COME FROM THE ROAD FUND.

Chairman Goudreau stated the invoice for the 6th Street and Gudmunson Road – 2007 Match Project has a considerable cost over-run. Further investigation into this project is needed. Invoice TABLED.

NEW BUSINESS:

Clerk Vallier informed the Board of the Annual Gros Cap Church Sing-A-Long will be held on December 6, 2007 at 7PM. Refreshments will follow at the Doc Holle's Silver Mountain Ski Hill.

TOWNSHIP BILLS: Checks 1565 thru 1595 + EFT's = \$11,872.10

1565	P.J. Durm, Supr	\$1131.16
1566	Kristine R. Vallier, Clerk	779.37
1567	Susan K. Dionne, Treas	879.37
1568	Robert Bishop, Bldg Insp	395.78
1569	Mark A. Spencer, Zon Admr	731.10
1570	Barbara Alkire, custodian	46.17
1571	DSP, Inc	2500.00
1572	AT&T	106.40
1573	VOID	
1574	Cloverland Elec Coop	153.74
1575	AT&T	209.02
1576	Mark A. Spencer, Trustee	78.50
1577	LaVerne Heuer	78.50
1578	Mark A. Spencer, Trustee	45.00
1579	Katherine Stephan, Dep Clerk	133.00
1580	Mark A. Spencer, Rd Comm	102.13
1581	Mark A. Spencer, Zon Admr	72.75
1582	The St. Ignace News	105.00
1583	Mackinac Plumbing & Heating Co	50.00
1584	Robert Bishop, Bldg Insp	158.11
1585	National Office Prod	64.95
1586	City of St. Ignace Water Dept	51.38
1587	Christal Marshall, Election Inspector	116.00
1588	Patti Becker, Election Inspector	32.00
1589	Katherine Stephan, Election Chairman	130.22
1590	Kristine R. Vallier, Election Inspector	139.46
1591	ESELCO	481.20
1592	BS&A Software	400.00
1593	State of Michigan	100.00
1594	Brown and Brown	757.50
1595	Postmaster	52.00
	Bank Checks-automatic withdrawl	250.08
EFT	IRS	1492.26
	Lighthouse.net	49.95

ADJOURNMENT:

**MOTION BY HEUER, SECONDED BY SPENCER (CARRIED) THE MEETING
ADJOURNED AT 6:35 PM EST.**

SIGNED: *Kristine R. Vallier*
Kristine R. Vallier, Clerk

DATED: 11-09-2007
APPROVED 12-05-2007

