

CHARTER TOWNSHIP OF MONITOR
SPECIAL TOWNSHIP BOARD MEETING
APRIL 17, 2018

The Supervisor called the meeting to order at 7:30 p.m.

Members present: Malkin, Kowalski, Pike, Brandt, Reder, Walsh
Members absent: Kochany
Also present: M. Norton, Township Engineer ó Spicer

Public Input opened at 7:31 p.m. No public present wished to speak and public input was closed.

Motion by Reder supported by Brandt to adopt the agenda as presented.
Motion carried.

Public Hearing ó Goetz Ct. Special Assessment Roll

The public hearing for the Goetz Ct. Drainage special assessment roll opened at 7:31 p.m.

Norton explained the purpose of the public hearing tonight was to set the special assessment roll for the Goetz Ct. Drainage special assessment district.

M. Norton explained the project (for each of the five subdivisions included in the special assessment bond) was put out for bid in January. Because the project scope for Westhills and Goetz Ct. are similar, the bids for both subdivisions were awarded to Mid-State Earthworks and would be done in conjunction with each other.

The cost for Goetz Ct. Subdivision drainage improvements is \$149,714.00.

Malkin stated a project payback schedule was provided at tonight's meeting. The cost for each of the 23 parcels in the assessment district, without interest is \$6,509.30, if the assessment is paid in full before the bonds are issued. The cost per parcel with interest may fluctuate slightly depending on the interest rate at the time the 15 year bonds are issued.

Norton explained the assessment costs are for the subdivision drainage improvements that are being done and are separate from the road paving costs that are paid by the township millage. Norton then went on to explain the planned improvements, the additional drainage that would be added and that all sump pump lines would be reconnected to the new storm water drainage lines. The estimated start date is mid-June and the completion date is October 26, 2018. The meeting then was opened up for questions and comments.

L. Jebb, 2654 Fairfield, stated he has three drains in front of his house, located on the corner of Goetz & Fairfield, and asked if all three drains would be replaced. Jebb added the state made him put in all three drains.

Norton showed the plans for the storm sewer improvement and showed the ground elevations in that area. Norton explained the problems with the placement of the current drains and how the redesign of the drainage lines and catch basins would improve the drainage in that area and eliminate the need for two of the current drains.

Jebb asked how long the new improvements would last.

Malkin stated the drainage improvements have to last as long as the bond payment period which is 15 years.

S. Thibo, 5413 Goetz Ct., asked what improvements would be done at her property.

Norton showed on the plan how the water would flow.

Thibo asked if anything would be done with the highway ditch owned by MDOT. Thibo stated that the ditch does not drain and has standing water in it all year long and because of this they have a terrible mosquito problem. They have asked the township and the state for years to have it cleaned out but nothing happens.

Thibo is concerned that the new design directs all the storm water to that ditch which would only increase the volume of standing water and possible overflow.

Malkin stated they have to contact MDOT about the Goetz Ct. drainage improvements and will at that time ask them again for a cleanout of the ditch.

R. Bell, 5433 Goetz Ct., questioned the engineering for the subdivision, stating it does not make sense to him to direct the water to a drain that does not work and not direct it to the Baxman drain that does.

Norton explained Goetz Acres did not wish to proceed with a drainage special assessment project. Because of this, it is not cost effective to run the storm water line to the Baxman drain and put all the cost onto Goetz Ct.

Bell stated that if he is paying extra for the drainage, then he wants to make sure it drains.

Norton stated the current outlet into the MDOT drain has sediment and is lower in elevation than the watermark to go into the ditch. Norton stated replacing the outlet and re-grading the storm sewer lines will give the water the correct flow.

S. Thibo stated she has two main concerns. The first is, she had her driveway redone recently and wants to know how it will be impacted and her second concern is that the ditch will not provide sufficient drainage.

Norton stated the township can only ask MDOT to clean out the drain. Norton also stated the plans show no cut is needed to her driveway.

M. O'Shea, 5472 Goetz Ct., stated he feels that if all the storm water drains flow right the MDOT ditch should handle all the water. O'Shea agrees the ditch does have water all year but it must drain because it does not overflow.

D. Stringer, 5462 Goetz Ct., stated he, and his neighbor at 5452 would like to have their portions of the ditch covered.

Norton stated the plans show with the placement of the new line, that section would be covered because the new placement would have made the ditch too wide and too deep.

K. McMullen, 5430 Goetz Ct., asked if the Road Commission was going to be assessed.

Malkin stated the Road Commission parcel is in the assessment district.

S. Cardinal, 5402 Goetz Ct., asked if MDOT is paying for the replacement of the ditch outlet.

Norton stated the township is working to have MDOT assume part of the cost if possible. If they refuse, then the total cost will be paid by the assessment.

Norton asked residents to help the contractor by flagging their sump lines.

J. Smith, 5393 Goetz Ct., stated the cost of the project has gone up \$10,000 more than when the project first started two years ago. He believes part of the cost should be paid by MDOT. Smith also asked if the approach at his driveway would be cut out.

Norton stated the catch basins at his driveway would remain. Part of his driveway may need to be cut out and replaced by asphalt.

Norton stated the cost to replace the pipe and the structure at the ditch is \$7,400. It needs to be done for the Goetz Ct. drainage improvements to work properly.

Malkin stated MDOT had been contacted but would never give an answer if they would pay or not. That is not to say the township is going give up trying. Malkin reinforced the improvement needs to be done to give the subdivision some relief.

L. Jebb asked if the size of the drain pipe in front of his place and the connection to his neighbor across the street would be increased.

Norton depicted the size of the various storm sewer lines.

K. McMullen asked how the lines would be maintained in the future. Would they be on a scheduled cleanout?

Malkin stated after the lines are installed it would be up to the Road Commission to maintain them.

R. Bell asked what is the start date for the project.

Norton replied the start date is mid-June because the contractor wants to coordinate it with the Goetz Acres paving. The completion date is October 26th.

Bell asked what the grade of the street would be as compared to their yards.

Norton replied the road height is the road base and three inches of asphalt, so the road will probably be three inches higher than the yard. The manholes will be set flush to the road surface.

Bell asked if they pay up-front and MDOT pays for a portion, would they get a rebate.

Malkin stated if MDOT does pay, he would have to ask bond council how that would be handled.

K. McMullen asked if the road would be graded to flow south or will it be crowned in the middle to direct the water to the catch basins.

Norton replied a little of both. The road would be crowned to have a 2% slope and graded to the catch basins.

Malkin asked if there were any other questions or comments concerning the assessment cost and added Norton would be available after the meeting to answer any questions homeowners had concerning the plans for the project.

The public hearing for the Goetz Ct. Subdivision Drainage Special Assessment Roll closed at 8:35 p.m.

Malkin stated he would contact MDOT and Mosquito Control and asked if any of those present wished to hear the outcome to please add their telephone numbers to the sign in sheet.

R-2018-007 Resolution Confirming Westhills Subdivision Drainage Special Assessment Roll
Motion by Reder supported by Walsh to adopt Resolution R-2018-007, a resolution confirming the Westhills Subdivision drainage special assessment roll as follows:

SPECIAL ASSESSMENT RESOLUTION NO. 4
(WESTHILLS SUBDIVISION DRAINAGE SPECIAL ASSESSMENT ROLL)

WHEREAS, the Township Board of the Charter Township of Monitor, County of Bay, State of Michigan (the "Township"), after due and legal notice, has reviewed a special assessment roll prepared for the purpose of defraying the cost of certain public improvements as described in Exhibit A attached hereto and made a part hereof, all in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Township Board deems said special assessment roll to be fair and equitable as reported to it by the Supervisor.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be designated "Westhills Subdivision Special Assessment Roll" and the district against which it is spread shall be designated "Westhills Subdivision Drainage Special Assessment District".

2. Said Special Assessment Roll, in the amount of \$352,306.10, as prepared and reported to the Township Board by the Supervisor, be and the same hereby is confirmed. All special assessments contained in the Roll, including any part thereof deferred as to payment, shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for Township taxes and shall include accrued interest and penalties.

3. The Township Board determines based upon information provided by the Supervisor and other Township officials that the market values of the properties in the Special Assessment District will increase or have increased as a result of the improvements described in Exhibit A.

4. Said special assessment roll shall be divided into fifteen (15) equal annual installments, the first installment to be due on December 1, 2018, and the following installments to be due on December 1st of each and every year thereafter, until paid. Said installments of the special assessment roll shall bear interest from and after May 15, 2018 at a rate equal to one percent (1%) per annum above the average rate of interest borne by the bonds issued to finance the public improvements, said interest to be payable annually on each installment due date. Future due installments may be paid to the Township Treasurer at any time in full, with interest accrued through the month in which the final installment is paid.

5. The assessments made in said special assessment roll are hereby ordered and directed to be collected, and the Township Clerk shall deliver said special assessment roll to the Township Treasurer, with the Township Clerk's warrant attached, commanding the Treasurer to collect the assessments therein in accordance with the directions of the Township Board with

respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Reder, Walsh

No: None

Absent: Kochany

Motion carried.

R-2018-008 Resolution Confirming Mutual Subdivision Curb, Gutter and Drainage Special Assessment Roll

Motion by Reder supported by Pike to adopt Resolution R-2018-008, a resolution confirming the Mutual Estates Subdivision curb, gutter and drainage special assessment roll as follows:

**SPECIAL ASSESSMENT RESOLUTION NO. 4
(MUTUAL ESTATES SUBDIVISION CURB, GUTTER AND DRAINAGE
SPECIAL ASSESSMENT ROLL)**

WHEREAS, the Township Board of the Charter Township of Monitor, County of Bay, State of Michigan (the "Township"), after due and legal notice, has reviewed a special assessment roll prepared for the purpose of defraying the cost of certain public improvements as described in Exhibit A attached hereto and made a part hereof, all in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Township Board deems said special assessment roll to be fair and equitable as reported to it by the Supervisor.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be designated "Mutual Estates Subdivision Special Assessment Roll" and the district against which it is spread shall be designated "Mutual Estates Subdivision Curb, Gutter and Drainage Special Assessment District".

2. Said Special Assessment Roll, in the amount of \$894,330.39, as prepared and reported to the Township Board by the Supervisor, be and the same hereby is confirmed. All special assessments contained in the Roll, including any part thereof deferred as to payment, shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for Township taxes and shall include accrued interest and penalties.

3. The Township Board determines based upon information provided by the Supervisor and other Township officials that the market values of the properties in the Special Assessment District will increase or have increased as a result of the improvements described in Exhibit A.

4. Said special assessment roll shall be divided into fifteen (15) equal annual installments, the first installment to be due on December 1, 2018, and the following installments to be due on December 1st of each and every year thereafter, until paid. Said installments of the special assessment roll shall bear interest from and after May 15, 2018 at a rate equal to one percent (1%) per annum above the average rate of interest borne by the bonds issued to finance the public improvements, said interest to be payable annually on each installment due date. Future due installments may be paid to the Township Treasurer at any time in full, with interest accrued through the month in which the final installment is paid.

5. The assessments made in said special assessment roll are hereby ordered and directed to be collected, and the Township Clerk shall deliver said special assessment roll to the Township Treasurer, with the Township Clerk's warrant attached, commanding the Treasurer to collect the assessments therein in accordance with the directions of the Township Board with respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Reder, Walsh

No: None

Absent: Kochany

Motion carried.

R-2018-009 Resolution Confirming Sharon Park Subdivision Curb, Gutter and Drainage Special Assessment Roll

Motion by Reder supported by Walsh to adopt Resolution R-2018-009, a resolution confirming the Sharon Park Subdivision curb, gutter and drainage special assessment roll as follows:

**SPECIAL ASSESSMENT RESOLUTION NO. 4
(SHARON PARK SUBDIVISION CURB, GUTTER AND DRAINAGE
SPECIAL ASSESSMENT ROLL)**

WHEREAS, the Township Board of the Charter Township of Monitor, County of Bay, State of Michigan (the "Township"), after due and legal notice, has reviewed a special assessment roll prepared for the purpose of defraying the cost of certain public improvements as described in Exhibit A attached hereto and made a part hereof, all in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Township Board deems said special assessment roll to be fair and equitable as reported to it by the Supervisor.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be designated "Sharon Park Subdivision Special Assessment Roll" and the district against which it is spread shall be designated "Sharon Park Subdivision Curb, Gutter and Drainage Special Assessment District".

2. Said Special Assessment Roll, in the amount of \$633,711.81, as prepared and reported to the Township Board by the Supervisor, be and the same hereby is confirmed. All special assessments contained in the Roll, including any part thereof deferred as to payment, shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for Township taxes and shall include accrued interest and penalties.

3. The Township Board determines based upon information provided by the Supervisor and other Township officials that the market values of the properties in the Special Assessment District will increase or have increased as a result of the improvements described in Exhibit A.

4. Said special assessment roll shall be divided into fifteen (15) equal annual installments, the first installment to be due on December 1, 2018, and the following installments to be due on December 1st of each and every year thereafter, until paid. Said installments of the special assessment roll shall bear interest from and after May 15, 2018 at a rate equal to one percent (1%) per annum above the average rate of interest borne by the bonds issued to finance the public improvements, said interest to be payable annually on each installment due date. Future due installments may be paid to the Township Treasurer at any time in full, with interest accrued through the month in which the final installment is paid.

5. The assessments made in said special assessment roll are hereby ordered and directed to be collected, and the Township Clerk shall deliver said special assessment roll to the Township Treasurer, with the Township Clerk's warrant attached, commanding the Treasurer to collect the assessments therein in accordance with the directions of the Township Board with respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Kowalski, Pike, Brandt, Reder, Walsh

No: None

Abstain: Malkin

Absent: Kochany

Motion carried.

R-2018-010 Resolution Confirming Donald's Subdivision Curb, Gutter and Drainage Special Assessment Roll

Motion by Pike supported by Reder to adopt Resolution R-2018-010, a resolution confirming the Donald's Subdivision curb, gutter and drainage special assessment roll as follows:

**SPECIAL ASSESSMENT RESOLUTION NO. 4
(DONALD'S SUBDIVISION CURB, GUTTER AND DRAINAGE
SPECIAL ASSESSMENT ROLL)**

WHEREAS, the Township Board of the Charter Township of Monitor, County of Bay, State of Michigan (the "Township"), after due and legal notice, has reviewed a special

assessment roll prepared for the purpose of defraying the cost of certain public improvements as described in Exhibit A attached hereto and made a part hereof, all in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Township Board deems said special assessment roll to be fair and equitable as reported to it by the Supervisor.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be designated "Donald" Subdivision Special Assessment Roll and the district against which it is spread shall be designated "Donald" Subdivision Curb, Gutter and Drainage Special Assessment District.

2. Said Special Assessment Roll, in the amount of \$304,937.67, as prepared and reported to the Township Board by the Supervisor, be and the same hereby is confirmed. All special assessments contained in the Roll, including any part thereof deferred as to payment, shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for Township taxes and shall include accrued interest and penalties.

3. The Township Board determines based upon information provided by the Supervisor and other Township officials that the market values of the properties in the Special Assessment District will increase or have increased as a result of the improvements described in Exhibit A.

4. Said special assessment roll shall be divided into fifteen (15) equal annual installments, the first installment to be due on December 1, 2018, and the following installments to be due on December 1st of each and every year thereafter, until paid. Said installments of the special assessment roll shall bear interest from and after May 15, 2018 at a rate equal to one percent (1%) per annum above the average rate of interest borne by the bonds issued to finance the public improvements, said interest to be payable annually on each installment due date. Future due installments may be paid to the Township Treasurer at any time in full, with interest accrued through the month in which the final installment is paid.

5. The assessments made in said special assessment roll are hereby ordered and directed to be collected, and the Township Clerk shall deliver said special assessment roll to the Township Treasurer, with the Township Clerk's warrant attached, commanding the Treasurer to collect the assessments therein in accordance with the directions of the Township Board with respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Reder, Walsh

No: None

Absent: Kochany

Motion carried.

R-2018-011 Resolution Confirming Goetz Ct. Subdivision Drainage Special Assessment Roll
Motion by Brandt supported by Reder to adopt Resolution R-2018-011, a resolution confirming the Goetz Court Subdivision drainage special assessment roll as follows:

SPECIAL ASSESSMENT RESOLUTION NO. 4
(GOETZ COURT SUBDIVISION DRAINAGE SPECIAL ASSESSMENT ROLL)

WHEREAS, the Township Board of the Charter Township of Monitor, County of Bay, State of Michigan (the "Township"), after due and legal notice, has reviewed a special assessment roll prepared for the purpose of defraying the cost of certain public improvements as described in Exhibit A attached hereto and made a part hereof, all in accordance with Act 188, Public Acts of Michigan, 1954, as amended; and

WHEREAS, the Township Board deems said special assessment roll to be fair and equitable as reported to it by the Supervisor.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll shall be designated "Goetz Court Special Assessment Roll" and the district against which it is spread shall be designated "Goetz Court Drainage Special Assessment District".

2. Said Special Assessment Roll, in the amount of \$149,714, as prepared and reported to the Township Board by the Supervisor, be and the same hereby is confirmed. All special assessments contained in the Roll, including any part thereof deferred as to payment, shall constitute a lien upon the respective parcels of land assessed. Such lien shall be of the same character and effect as the lien created for Township taxes and shall include accrued interest and penalties.

3. The Township Board determines based upon information provided by the Supervisor and other Township officials that the market values of the properties in the Special Assessment District will increase or have increased as a result of the improvements described in Exhibit A.

4. Said special assessment roll shall be divided into fifteen (15) equal annual installments, the first installment to be due on December 1, 2018, and the following installments to be due on December 1st of each and every year thereafter, until paid. Said installments of the special assessment roll shall bear interest from and after May 15, 2018 at a rate equal to one percent (1%) per annum above the average rate of interest borne by the bonds issued to finance the public improvements, said interest to be payable annually on each installment due date. Future due installments may be paid to the Township Treasurer at any time in full, with interest accrued through the month in which the final installment is paid.

5. The assessments made in said special assessment roll are hereby ordered and directed to be collected, and the Township Clerk shall deliver said special assessment roll to the Township Treasurer, with the Township Clerk's warrant attached, commanding the Treasurer to

collect the assessments therein in accordance with the directions of the Township Board with respect thereto, and the Treasurer is directed to collect the amounts assessed as the same become due.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Reder, Walsh

No: None

Absent: Kochany

Motion carried.

R-2018-012 Resolution Authorizing Issuance of 2018 Special Assessment Bonds

Motion by Reder supported by Walsh to adopt Resolution R-2018-012, a resolution authorizing the issuance of 2018 special assessment bonds (limited tax general obligation) as follows:

**RESOLUTION AUTHORIZING ISSUANCE OF
2018 SPECIAL ASSESSMENT BONDS
(LIMITED TAX GENERAL OBLIGATION)**

WHEREAS, Special Assessment Rolls (the "Rolls") for the construction of certain improvement projects within the Goetz Court Subdivision Drainage Special Assessment District; Westhills Subdivision Drainage Special Assessment District; Donald's Subdivision Curb, Gutter and Drainage Special Assessment District; Sharon Park Subdivision Curb, Gutter and Drainage Special Assessment District; and Mutual Estates Subdivision Curb, Gutter and Drainage Special Assessment District (together, the "District") have been prepared, reviewed and confirmed by the Township Board; and

WHEREAS, the Township Board has determined that it will be necessary to issue special assessment bonds pledging for their payment collections on the Rolls.

WHEREAS, the Township desires to solicit proposals from financial institutions and other prospective purchasers and negotiate the sale of the Bonds to a purchaser within the parameters established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Determination of Useful Life. The estimated period of usefulness of said improvements is not less than fifteen (15) years.

2. Authorization of Bonds; Security. Special assessment bonds shall be issued in the amount of not to exceed Two Million Three Hundred Thirty-Five Thousand Dollars (\$2,335,000) (the "Bonds") in anticipation of the collection of an equal amount of future due installments on the Rolls, together with interest and investment income thereon, as set forth below.

Goetz Court Subdivision Drainage Special Assessment Roll	\$149,714.00
Westhills Subdivision Drainage Special Assessment Roll	\$352,306.10
Donald's Subdivision Curb, Gutter and Drainage Special Assessment	

Roll	\$304,937.69
Sharon Park Subdivision Curb, Gutter and Drainage Special Assessment Roll	\$633,711.81
Mutual Estates Subdivision Curb, Gutter and Drainage Special Assessment Roll	\$894,330.39

The liability of each of the Rolls shall be limited to the principal amount thereof pledged as set forth above and interest and investment income thereon. In addition to the special assessments primarily pledged as aforesaid, the full faith, credit and resources of the Township shall be pledged secondarily for the prompt payment of the principal of and interest on the Bonds as the same become due. If the pledged special assessments are not collected in amounts sufficient to pay the principal of and interest on the Bonds as the same become due, the Township will promptly advance from its general funds as a first budget obligation sufficient moneys to pay said principal and interest, or, if necessary, levy taxes upon all taxable property in the Township therefore, subject to applicable constitutional and statutory tax rate limitations.

3. Designation of Bonds; Bond Terms. The Bonds shall be designated 2018 SPECIAL ASSESSMENT BONDS (LIMITED TAX GENERAL OBLIGATION), and shall consist of bonds registered as to principal and interest of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity. The Bonds will be dated as of the date of delivery, or such other date as determined by the Supervisor, Clerk, or Treasurer (each, an "Authorized Officer" and together, the "Authorized Officers"), and be payable on April 1 (or such other date as determined at the time of sale thereof) in the years 2019 to 2033, inclusive, in the annual amounts determined at the time of sale. The Bonds shall be sold at a price of not less than 99.0% of par. The Bonds may be issued as serial bonds or term bonds or any combination thereof. The Bonds shall be subject to redemption prior to maturity in the manner and at the times and prices as provided in Section 6 hereof. The Bonds shall bear interest at a rate or rates determined on the sale thereof, but not exceeding six percent (6%) per annum, payable on April 1, 2019, and semiannually thereafter.

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 to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at the corporate offices of The Huntington National Bank, Grand Rapids, Michigan, or such other transfer agent the Township may hereafter designate by notice mailed to the registered owner not less than 60 days prior to any interest payment date (the "Transfer Agent"). The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser in accordance with instructions from the Treasurer of the Township upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

4. Execution of Bonds; Book-Entry-Only Form. The Bonds of this issue shall be executed in the name of the Township with the manual or facsimile signatures of the Supervisor

and Township 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 may be issued in book-entry-only form through the Depository Trust Company in New York, New York (DTC) and any Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the Bond form within the parameters of this resolution as may be required to accomplish the foregoing.

5. 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.

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

[THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, OR THE MICHIGAN UNIFORM SECURITIES ACT, AS AMENDED, IN RELIANCE UPON EXEMPTIONS THEREUNDER. ANY RESALE OR OTHER TRANSACTION OF THIS BOND MAY BE MADE ONLY UPON REGISTRATION UNDER SUCH ACTS OR IN AN EXEMPT TRANSACTION UNDER SUCH ACTS AND UPON COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN AND MAY BE OFFERED AND SOLD ONLY IF REGISTERED PURSUANT TO THE PROVISIONS OF THOSE ACTS OR IF AN EXEMPTION FROM REGISTRATION IS AVAILABLE.]

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UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF BAY

CHARTER TOWNSHIP OF MONITOR
2018 SPECIAL ASSESSMENT BOND
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	April 1, 20__	_____, 2018	

Registered Owner:

Principal Amount: _____ Dollars

The Charter Township of Monitor, County of Bay, State of Michigan (the "Township"), 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 Maturity Date [specified above] [set forth in Exhibit A attached hereto and made a part hereof], with interest thereon (computed on the basis of a 360-day year consisting of

twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on April 1, 2019 and semiannually thereafter. Principal of this bond is payable at the corporate office of The Huntington National Bank, Grand Rapids, Michigan, or such other paying agent as the Township may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Township kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Township are hereby irrevocably pledged.

This bond is one of a series of bonds of even Date of Original Issue, aggregating the principal sum of \$2,335,000, issued in anticipation of the collection of special assessments in certain special assessment districts (the "Districts") of the Township, for the purpose of paying the cost of certain drainage, gutter and curb improvements in the Districts, all in accordance with the provisions of Act 188, Public Acts of Michigan, 1954, as amended and a duly adopted resolution (the "Resolution") of the Township.

This bond, including the interest hereon, is payable primarily out of special assessments to be collected on the lands situated in the aforesaid Districts. The liability of each District is limited to the principal amount, and the interest and investment income thereon, specified in the Resolution. In case of insufficiency of said special assessment collections, this bond is payable as a first budget obligation out of the general funds of the Township, including the collection of any ad valorem taxes which the Township is authorized to levy, subject to applicable constitutional and statutory tax rate limitations.

Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the year 2026 and thereafter, shall be subject to redemption prior to maturity, at the option of the Township, in such order as the Township shall determine and by lot within any maturity, on any date on or after April 1, 2025, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

[This][Any] bond is transferable only upon the registration books of the Township kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond and the series of bonds of which this is one have been done, exist and have happened in regular and due time and form as required by law, and that the total indebtedness of the Township, including this bond and the series of bonds of which this is one, does not exceed any constitutional or statutory debt limitation.

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

IN WITNESS WHEREOF the Township, by its Township Board, has caused this bond to be executed with the [manual/facsimile] signatures of its Supervisor and its Township Clerk and its corporate seal or a facsimile thereof to be [impressed/printed] hereon, all as of the Date of Original Issue.

CHARTER TOWNSHIP OF MONITOR
County of Bay
State of Michigan

By: _____
Its: KEN M. MALKIN, Supervisor

(SEAL)

By: _____
Its: CINDY L. KOWALSKI, Township Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

By: _____

Transfer Agent

Authorized: _____

DATE OF REGISTRATION:

[Bond printer to insert form of assignment]

7. Negotiated Sale; Delegation to Authorized Officers; Sale Order. The Township hereby declares that it shall pursue a negotiated sale because of the opportunities provided by a negotiated sale to select and adjust terms for the Bonds and to price and sell the Bonds at the times that may be expected to best achieve the most advantageous interest rates and lowest issuance costs. The Authorized Officers are each authorized hereby authorized to select a purchaser for the Bonds (the "Purchaser"), negotiate the sale of the Bonds with the Purchaser, and to place the Bonds with the Purchaser, subject to the parameters set forth in this resolution.

Each Authorized Officer is authorized to award the sale of the Bonds to the Purchaser pursuant to a sale order, subject to the parameters set forth in this resolution.

8. Debt Retirement Fund; Collection of Special Assessments. There shall be established and maintained a fund to be designated 2018 SPECIAL ASSESSMENT BONDS DEBT RETIREMENT FUND. Into said fund there shall be placed the accrued interest and premium, if any, attributable to the Bonds received at the time of delivery thereof. In addition, there shall be paid into said fund the collections of principal of and interest on the Rolls in anticipation of the collection of which the Bonds authorized by the provisions of this resolution are to be issued. If at any time said fund is insufficient to pay the principal of and interest on said Bonds as the same become due, the Township shall advance from its general funds as a first budget obligation a sufficient amount of money to pay such principal and interest and, if necessary, shall levy taxes on all taxable property in the Township for such purpose, subject to applicable constitutional and statutory tax rate limitations.

9. Construction Fund. There shall be established and maintained a separate fund, to be designated 2018 SPECIAL ASSESSMENT BONDS CONSTRUCTION FUND, into which shall be placed the proceeds of sale of the Bonds, except accrued interest, if any, and from which fund there shall be paid the cost of the improvements in the District. 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.

10. 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 expenditure 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 Section 265(b) of the Code.

11. Defeasance of Bonds. 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 options redemption, the principal of, premium, if any, 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, premium, if any, 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.

12. Authorization of Other Actions. Each Authorized Officer is hereby authorized to adjust 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 is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34 Michigan Public Acts of 2001, as amended, 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, and other matters,

provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate on the Bonds shall not exceed six percent (6.00%) per annum, and the Bonds shall mature not later than fifteen (15) years from the issuance thereof.

13. Financial Registered Municipal Advisor. The Township hereby confirms Bendzinski & Co. Municipal Finance Advisors, Detroit, MI, as registered municipal advisor with respect to the Bonds.

14. Bond Counsel. Miller, Canfield, Paddock and Stone, P.L.C. is hereby approved as bond counsel for the Bonds, notwithstanding periodic representation in unrelated matters of parties or potential parties to the transaction contemplated by this resolution.

15. Act 34 Notice Posting. The Township hereby confirms that the posting required pursuant to Act 34 as set forth in Exhibit A attached hereto, was done in due time and form as required by Act 34.

16. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Reder, Walsh

No: None

Absent: Kochany

Motion carried.

The meeting adjourned at 8:54 p.m.

Cindy L. Kowalski, Clerk

Ken Malkin, Supervisor