

Vicksburg Community Schools, Kalamazoo County, Michigan (the “District”)

A Regular meeting of the board of education of the District (the “Board”) was held in the Vicksburg Administration Building, within the boundaries of the District, on the 10<sup>th</sup> day of June, 2024, at 7:00 o’clock in the p.m. (the “Meeting”)

The Meeting was called to order by Virgil Knowles, President.

Present: Members

Absent: Members

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_ :

**WHEREAS:**

1. The District is engaged in the following project: All Series 3 construction projects formally awarded after February 13, 2024 (“Project”), which constitutes a “state project” and utilizes “construction mechanics,” as those terms are defined in Public Act 10 of 2023 (“PA 10”); and

2. PA 10 requires that for every state project utilizing construction mechanics, the District must pay prevailing wages to construction mechanics, as determined by the Department of Labor and Economic Opportunity; and

3. PA 10’s Section 9(2) states that PA 10 does not apply to state projects paid, in whole or in part, from a millage that was (A) authorized by the Revised School Code and (B) authorized by voters before PA 10’s effective date (i.e., before February 13, 2024); and

4. On May 3, 2022, the District’s voters authorized its non-homestead millage, permitting the District to levy and collect 18 mills from 2023 to 2027, inclusive; and

5. Pursuant to that voter authorization, on the District’s behalf, one or more taxing jurisdictions will collect the levied amounts with respect to the summer 2024 property tax levy and will remit payment to the District (“Millage Revenue”); and

6. Any delinquent tax payments related to the Millage Revenue are also considered Millage Revenue; and

7. The District is authorized to create a fund or funds for the purpose of acquiring, constructing, extending, altering, repairing, or equipping public improvements or buildings and to provide appropriations, credits, and transfers to said fund or funds and to provide for disbursement thereof; and

8. The Board is of the opinion that it is in the best interest of the District and its residents and taxpayers for the Board to establish a capital improvement fund, in order to provide for funds needed from time to time for the Project and various other public school improvements, the fund to be composed entirely of Millage Revenue.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Board does hereby create and establish a Capital Improvement Fund (the “Fund”) as a special depository account to be kept in PNC Bank, Portage, Michigan, or such other depository as from time to time may be subsequently approved by the Board. The Fund shall be used for the purpose of appropriating, providing for, setting aside, and accumulating Millage Revenue and accrued interest thereon to be used for the Project, including fully or partially funding contracts involving construction mechanics, and otherwise acquiring, constructing, extending, altering, repairing, equipping, or furnishing public school improvements, buildings, sites, facilities or other facilities which the District is authorized to acquire, construct, extend, alter, enlarge, equip, or repair by statute.

2. The Board hereby authorizes and directs the Superintendent, the individual acting in the capacity of the District’s school business official, or a designee thereof, to cause the Fund to be established in accordance with the terms of this resolution and to transfer Millage Revenue to the Fund in the amount of \$1,000.

3. Other than the Millage Revenue transferred into the Fund pursuant to Paragraph 2, above, and accrued interest thereon, no other moneys or revenues shall be deposited or transferred into the Fund.

4. Millage Revenue transferred into and accumulated in the Fund shall not be transferred, commingled with other funds, encumbered, or otherwise disposed of, except for the purposes of the Fund as established in paragraph 1, above, and shall be governed by all applicable laws.

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

Ayes: Members

Nays: Members

Resolution declared adopted.

\_\_\_\_\_  
Secretary, Board of Education

The undersigned duly qualified and acting Secretary of the Board of Education of Vicksburg Community Schools, Kalamazoo County, Michigan, hereby certifies that the foregoing constitutes a true and complete copy of a resolution adopted by the Board at the Meeting, the original of which is part of the Board’s minutes. The undersigned further certifies that notice of the Meeting was given to the public pursuant to the provisions of the “Open Meetings Act” (Act 267, Public Acts of Michigan, 1976, as amended).

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Secretary, Board of Education