

RESOLUTION APPROVING CONTRACT  
AND AUTHORIZING NOTICE

County of Alpena  
State of Michigan

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Minutes of a regular meeting of the Board of Commissioners (the “Governing Body”) of the County of Alpena, State of Michigan (the “County”), held on the 25<sup>th</sup> day of March, 2025, at 5:30 p.m., prevailing Eastern Time.

PRESENT: Members: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

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

WHEREAS, the Northeast Michigan Materials Management Authority (the “Authority”) has been incorporated by the County of Alpena, City of Alpena, the Charter Township of Alpena, and the Townships of Green, Long Rapids, Maple Ridge, Ossineke, Sanborn, Wellington, and Wilson under the provisions of Act 233, Public Acts of Michigan, 1955, as amended; and

WHEREAS, the Authority intends to authorize the issuance and sale of its Materials Management System Bonds (County of Alpena) pursuant to Act 233, Public Acts of Michigan, 1955, as amended, in an amount not to exceed One Million Six Hundred Thousand (\$1,600,000), for the purpose of designing, acquiring, and constructing, and installing improvements to, a recycling system, including but not limited to, building and site design and construction, and acquisition of equipment necessary or useful for the operation of a recycling system, together with all necessary appurtenances and attachments thereto, to service the Local Unit (the “Project”); and

WHEREAS, a contract (the “Contract”) has been prepared between the County and the Authority whereby the Authority will issue its bonds (the “Bonds”) to provide for the funds to pay the costs of the Project;

WHEREAS, this Governing Body has carefully reviewed the Contract and finds that it provides the best means for accomplishing the Project and for providing the needed services.

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The Contract is hereby approved and the Chair of the Governing Body and the County Clerk are hereby authorized and directed to execute and deliver the Contract for and on behalf of the County; provided, however, that the Contract shall not become effective until the expiration of forty-five (45) days after the publication of the attached notice as a display advertisement of at least ¼ page in size in *The Alpena News*, a newspaper of general circulation within the County, which manner of publication is deemed by the Governing Body to be the most effective manner of informing the taxpayers and electors of the County of the details of the proposed Contract and the rights of referendum thereunder.

2. The County Clerk is directed to publish the attached notice in the newspaper above designated as soon as possible after the adoption hereof.

3. All resolutions and parts of resolutions in conflict with this resolution be, and the same hereby are repealed.

AYES: Members: \_\_\_\_\_  
\_\_\_\_\_

NAYS: Members: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Keri Bertrand, 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 Alpena, State of Michigan, at a regular meeting held on March 25, 2025, 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.

\_\_\_\_\_  
Keri Bertrand, County Clerk

NOTICE OF INTENT TO EXECUTE  
TAX-SUPPORTED CONTRACT AND OF RIGHT TO  
PETITION FOR REFERENDUM THEREON

TO THE TAXPAYERS AND ELECTORS OF  
THE COUNTY OF ALPENA, MICHIGAN:

PLEASE TAKE NOTICE, the County of Alpena (the "County") has approved by resolution the execution of a contract (the "Contract") with the Northeast Michigan Materials Management Authority (the "Authority") pursuant to Act No. 233, Public Acts of Michigan, 1955, as amended, which Contract provides, among other things, that the Authority will design, acquire, and construct a recycling system in Alpena County, consisting of designing, acquiring, and constructing, and installing improvements to, a recycling system, including but not limited to, building and site design and construction, and acquisition of equipment necessary or useful for the operation of a recycling system, together with all necessary appurtenances and attachments thereto, to service the Local Unit and the Constituent Units of the Authority (the "Project") and will issue its bonds in the principal amount not to exceed \$1,600,000 AND THE COUNTY WILL PAY TO THE AUTHORITY PURSUANT TO THE CONTRACT THE SUMS NECESSARY TO RETIRE THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

COUNTY'S CONTRACT OBLIGATIONS

It is presently contemplated that the bonds will be in the principal amount of not to exceed \$1,600,000, of which the County's "Local Unit Share" (as that term is defined in the Contract) is 100%, will be payable in not to exceed twenty (20) annual installments, and will bear interest at the rate or rates to be determined at the time of sale but in no event to exceed six percent (6.00%) per annum on the balance of the bonds from time to time remaining unpaid. The Contract includes the County's pledge of its limited tax full faith and credit for the prompt and timely payment of the County's obligations as expressed in the Contract. IT IS THE PRESENT INTENT OF THE COUNTY THAT REVENUES FROM THE OPERATION OF THE AUTHORITY'S SYSTEM ("SYSTEM REVENUES") WILL BE USED TO MAKE THE PAYMENTS REQUIRED TO PAY PRINCIPAL OF AND INTEREST ON THE BONDS. THE COUNTY WILL BE REQUIRED TO LEVY AD VALOREM TAXES WITHIN APPLICABLE CONSTITUTIONAL AND STATUTORY TAX LIMITATIONS ON ALL TAXABLE PROPERTY WITHIN THE COUNTY TO THE EXTENT NECESSARY TO MAKE THE PAYMENTS REQUIRED TO PAY ITS SHARE OF THE PRINCIPAL OF AND INTEREST ON THE BONDS IF THE SYSTEM REVENUES OR OTHER FUNDS FOR THAT PURPOSE ARE NOT AVAILABLE, WITH THE RIGHT TO BE REIMBURSED FROM SUBSEQUENT SYSTEM REVENUES.

RIGHT OF REFERENDUM

The Contract will become effective and binding upon the County without vote of the electors as permitted by law unless a petition requesting an election on the question of the County entering into the Contract, signed by not less than 10% of the registered electors residing within the County is filed with the County Clerk within forty-five (45) days after publication of this notice. If such petition is filed, the Contract cannot become effective without an approving vote of a majority of electors of the County qualified to vote and voting on the question. The Contract is on file at the office of the County Clerk.

This notice is given pursuant to the requirements of Section 8 of Act No. 233, Public Acts of Michigan, 1955, as amended. Further information concerning the details of the Contract and the matters set out in this notice may be secured from the County Clerk's office.

Keri Bertrand, County Clerk  
County of Alpena

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Miller, Canfield, Paddock and Stone, P.L.C.