

COUNTY OF ALLEGAN, STATE OF MICHIGAN

RESOLUTION AUTHORIZING PUBLICATION
OF NOTICE OF INTENT TO ISSUE ADDITIONAL GENERAL OBLIGATION
CAPITAL IMPROVEMENT BONDS
(MEDICAL CARE FACILITY PROJECT)

At a regular meeting of the Board of County Commissioners of the County of Allegan, State of Michigan (the "County"), held in the Board Room, County Services Building, 3283 – 122nd Avenue, Allegan Township, Michigan, on Thursday, {INSERT DATE}, 2023, at {INSERT TIME}, there were:

PRESENT: Commissioners Beltman, DeYoung, Dugan, Kapenga, Storey

ABSENT: Commissioners None

The following preamble and resolution were offered by Commissioner Dugan and supported by Commissioner {INSERT SECOND OF MOTION}:

WHEREAS, it is in the best interests of the County and its residents for the County to construct, remediate, renovate, furnish and equip improvements to the existing Medical Care Facility and to provide for related site improvements and all necessary appurtenance and attachments upon the site of and in the Medical Care Facility in the Township of Allegan (collectively, the "Project"); and

WHEREAS, the issuance of such additional capital improvement bonds for the Project will permit the County to further diversify the care offerings by adding an Assisted Living level of care (in addition to the current offerings of Skilled Nursing, Rehabilitation Services, and Adult Day Care), by renovating existing space into 17 room offerings (mix of one-bedroom styles and studios), central kitchen/dining space, activity space, conference room, staff utility spaces, flooring, lighting, covered entry from parking lot, etc. and 34 total household rooms; address physical plant needs such as extensive roofing replacements, HVAC including individual PTAC units in each skilled nursing and assisted living room, and modernization of original facility elevator; and make other improvements; and

WHEREAS The County makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) The County reasonably expects to reimburse itself with proceeds of the Bonds for certain costs of the Project which were paid or will be paid from funds of the County subsequent to sixty (60) days prior to today.
- (b) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$10,000,000.

(c) A reimbursement allocation of the capital expenditures described above with the proceeds of the Bonds will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the County's use of the proceeds of the Bonds to reimburse the County for a capital expenditure made pursuant to this resolution; and

WHEREAS, the County intends to issue and sell general obligation capital improvement bonds, pursuant to the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in one or more series in an aggregate principal amount not to exceed Ten Million Dollars (\$10,000,000) (the "Bonds"), for the purpose of paying the costs of the Project and costs of issuance of the Bonds; and,

WHEREAS, a notice of intent to issue the Additional Bonds and of the right to petition for referendum thereon must be published at least 45 days before the issuance of the Additional Bonds in order to comply with the requirements of Section 517 of Act 34.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The County Clerk is hereby authorized and directed to cause a notice of intent to issue bonds to be published and prominently displayed once in one or more newspapers of general circulation in the County in order to provide notice to the largest number of persons to whom the notice is directed. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the following form:

**NOTICE OF INTENTION OF THE COUNTY OF ALLEGAN
TO ISSUE GENERAL OBLIGATION
CAPITAL IMPROVEMENT BONDS
AND OF RIGHT TO PETITION FOR REFERENDUM THEREON**

**TO ALL ELECTORS AND TAXPAYERS OF THE
COUNTY OF ALLEGAN:**

PLEASE TAKE NOTICE that the Board of County Commissioners of Allegan County, Michigan, intends to issue and sell General Obligation Capital Improvement Bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended, in one or more series in an aggregate principal amount not to exceed Ten Million Dollars (\$10,000,000) (the "Bonds"), for the purpose of paying the costs of constructing, remediating, renovating, furnishing and equipping improvements to the existing Medical Care Facility and related site improvements and all necessary appurtenances and attachments upon the site of and in the Medical Care Facility in the Township of Allegan, located at 3625 122nd Avenue, Allegan, Michigan (collectively, the "Project").

SAID BONDS will be payable in annual installments not to exceed twenty-five (25) in number and will bear interest at the rate or rates to be determined at public or negotiated sale but in no event to exceed seven percent (7%) per annum on the balance of the Bonds from time to time remaining unpaid.

**FULL FAITH AND CREDIT AND TAXING POWER OF
THE COUNTY OF ALLEGAN WILL BE PLEDGED**

NOTICE IS FURTHER GIVEN that the Bonds will be general obligation bonds of the County. The full faith and credit of the County will be pledged to the payment of principal of and interest on the Bonds. Pursuant to such pledge of its full faith and credit, the County will be obligated to levy such ad valorem taxes upon all taxable property in the County as shall be necessary to make such payments of principal and interest, which taxes, however, will be subject to applicable statutory, constitutional and charter limitations on the taxing power of the County.

RIGHT TO PETITION FOR REFERENDUM

NOTICE IS FURTHER GIVEN to the electors and taxpayers of the County of Allegan to inform them of their right to petition for a referendum on the question of issuance of the Bonds. The County intends to issue the Bonds without a vote of the electors thereon, but the Bonds shall not be issued until 45 days after publication of this notice and until final approval by the Board of County Commissioners. If, within such 45-day period, a petition for referendum requesting an election on the issuance of the Bonds, signed by not less than 10% or 15,000 of the registered electors of the County, whichever is less, has been filed with the County Clerk, the Bonds shall not be issued

unless and until approved by a majority of the electors of the County voting thereon at a general or special election.

This notice is given by order of the Board of County Commissioners. Further information may be obtained at the office of the County Clerk, Allegan County Building, 113 Chestnut Street, City of Allegan, Michigan 49010.

County Clerk, County of Allegan

2. The Board of County Commissioners does hereby determine that the foregoing Notice and the manner of publication directed is the method best calculated to give notice to the County's electors and taxpayers of the County's intent to issue the Additional Bonds, the purpose of the Additional Bonds, the security for the Additional Bonds, including the full faith and credit pledge to be issued by the County, and the right of referendum relating thereto.

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

AYES: Commissioner _____

NAYS: Commissioner _____

RESOLUTION DECLARED ADOPTED.

Robert Genetski, County Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of County Commissioners of the County of Allegan, State of Michigan, at a regular meeting held on {INSERT DATE}, 2023, 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.

Robert Genetski, County Clerk

{INSERT DATE}, 2023

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