

VILLAGE \_\_\_\_\_ of ALMONT  
County of LAPEER \_\_\_\_\_

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the COUNCIL of the VILLAGE of ALMONT  
County of LAPEER, State of Michigan, (the "Municipality") held on  
NOVEMBER 19, 2013 .

PRESENT: Members: DYKE, LAUER, LOVE, PELTIER, TOBIAS, UMPHENOUR,  
SCHNEIDER

ABSENT: Members: NONE

Member LAUER offered and moved the adoption of the following resolution,  
seconded by Member TOBIAS .

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and  
Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL  
324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan  
Department of Environmental Quality (the "DEQ") shall establish a strategic water quality  
initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to  
municipalities for sewage collection and treatment systems or storm water or nonpoint source  
pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other  
applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient  
shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality  
to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (select one or more)  
 establish an asset management plan,  establish a stormwater management plan,  establish  
a plan for wastewater/stormwater,  establish a design of wastewater/stormwater,  pursue  
innovative technology, or  initiate construction activities (up to \$500,000 for disadvantaged  
community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate  
principal amount not to exceed \$242,255.00 ("Grant") be requested from the MFA and  
the DEQ to pay for the above-mentioned undertaking(s); and

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. VILLAGE MANAGER (*title of the designee's position*), a position currently held by OLIVER TURNER (*name of the designee*), is designated as the Authorized Representative for purposes of the SAW Grant Agreement.
2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.
3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.
4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.
5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.
6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.
7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.
8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Members: LOVE, PELTIER, TOBIAS, UMPHENOUR, DYKE, LAUER, SCHNEIDER

NAYS: Members: NONE

THE FORM WILL NOT BE ACCEPTED IF IT HAS BEEN EDITED, ALTERED, RETYPED, OR CONVERTED TO ANY OTHER FORMAT.

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the COUNCIL of the VILLAGE of ALMONT, County of LAPEER, 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.

*Kimberly J. Keesler*

KIMBERLY J. KEESLER

Name

VILLAGE of ALMONT, Clerk

VILLAGE of ALMONT County of LAPEER