

Van Buren County Board of Commissioners July 12, 2016

Regular Meeting - 2nd Floor, Administration & Land Services Building

On the above date, the regular meeting of the Board of Commissioners was called to order at 4:00 p.m. by RICHARD GODFREY, Chairman of the Board.

The roll was called by County Clerk TINA LEARY with the following commissioners answering to their name and district: Present: SUSAN HAMMOND; District #2; RICHARD GODFREY, District #3; RICHARD FREESTONE, District #4; MIKE TOTH, District #5; DONALD A. HANSON, District #6; BETH GRIFFIN, District #7. Absent: MIKE HENRY, District #1.

F. Approval of Amended and Restated Articles of Incorporation of the VBC Building Authority

MOTION BY TOTH, SECOND BY HANSON. ROLL CALL VOTE: DISTRICT #2 HAMMOND – YES; DISTRICT #3 GODFREY – YES; DISTRICT #4 FREESTONE – YES; DISTRICT #5 TOTH – YES; DISTRICT #6 HANSON – YES; DISTRICT #7 GRIFFIN – YES; 6 YES; 0 NO; 1 ABSENT. MOTION CARRIED.

FINANCE RESOLUTION F64/07-12-2016

WHEREAS, the Board of Commissioners of the County of VAN BUREN (the "County") has created and established an authority under the provisions of Act 31 of the Public Acts of Michigan of 1948 (First Extra Session), as amended ("Act 31") known as the Van Buren County Building Authority (the "Authority"); and

WHEREAS, the Board of Commissioners of the County deems it advisable and in the best interest of the County to amend and restate the Articles of Incorporation to confirm the Authority; and

WHEREAS, the Amended and Restated Articles of Incorporation have been prepared in accordance with said Act and carefully reviewed by the Board of Commissioners:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF VAN BUREN, as follows:

1. For the purpose of continuing a building authority under the powers granted by Act 31 the Board of Commissioners of the County hereby approves the Amended and Restated Articles of Incorporation which shall be in the form attached hereto as Exhibit A.
2. The attached Amended and Restated Articles of Incorporation shall be executed by the Chairperson of the Board of Commissioners and the County Clerk who are hereby authorized and directed to execute the same for and on behalf of the County.
3. The following persons are hereby elected by the Board of Commissioners of the County as the members of the governing body (the "Commission") of the Van Buren County Building Authority for the following terms:

Paul DeYoung, term expiring December 31, 2018
Robert Linderman, term expiring December 31, 2017
Wayne D. Nelson, term expiring December 31, 2019

The County Chief Financial Officer and the County Treasurer are hereby elected as Members of the Commission; henceforth, in accordance with the Amended and Restated Articles of Incorporation, person occupying those County offices shall be members of the Commission.

4. Members of the Commission of the Van Buren County Building Authority shall serve for terms as provided herein and in the Amended and Restated Articles of Incorporation, with such powers and duties as are provided in the Amended and Restated Articles of Incorporation.
5. The County Clerk is hereby directed to file one (1) printed copy of the Amended and Restated Articles of Incorporation with the Michigan Secretary of State and one (1) printed copy in the County Clerk's office, attached to each of which printed copies shall be his or her certificate setting forth that the same is a true and complete copy of the original Amended and Restated Articles of Incorporation on file in his or her office, and also the date and place of the publication of the Amended and Restated Articles of Incorporation, as hereinafter provided.
6. The Amended and Restated Articles of Incorporation shall be published by the County Clerk in both *The Courier-Leader*, Paw Paw, Michigan and *The South Haven Daily Tribune*, South Haven, Michigan, newspapers published and circulated in the County, pursuant to provisions of the Amended and Restated Articles of Incorporation and Act 31, including a statement that the incorporation of the Van Buren County Building Authority may be challenged in court.
7. The Van Buren County Building Authority shall become effective at the time provided in the Amended and Restated Articles of Incorporation and as provided in Act 31.
8. The Amended and Restated Articles of Incorporation may be further amended as provided in Act 31.
9. Any resolution or ordinances, or parts of resolutions or ordinances, of the County which are inconsistent with this resolution are hereby rescinded and repealed, including, but not limited to, any action taken on behalf of the County as to the incorporation under Act 31 of any other authorities pursuant to the provisions of Act 31.

Adjournment

The meeting was adjourned at 4:25 p.m.

/s/ _____
Richard Godfrey
Chairman of the Board

/s/ _____
Tina Leary
County Clerk