

**TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN:** Your County Finance Committee respectfully recommends the adoption of the following:

**RESOLUTIONS**

**WHEREAS**, ad valorem real property taxes are imposed by the County and the local taxing units within the County on July 1 and/or December 1 of each year; and

**WHEREAS**, a certain portion of these taxes remain unpaid and uncollected on March 1 of the year following assessment, at which time they are returned delinquent to the County's treasurer (the "Treasurer"); and

**WHEREAS**, the Treasurer is bound to collect all delinquent taxes, interest and property tax administration fees which would otherwise be payable to the local taxing units within the County; and

**WHEREAS**, the statutes of the State of Michigan authorize the County to establish a fund, in whole or in part from borrowed proceeds, to pay local taxing units within the County their respective shares of delinquent ad valorem real property taxes in anticipation of the collection of those taxes by the Treasurer; and

**WHEREAS**, the County Board of Commissioners (the "Board") has adopted a resolution authorizing the County's Delinquent Tax Revolving Fund (the "Revolving Fund Program"), pursuant to Section 87b of Act No. 206, Michigan Public Acts of 1893, as amended ("Act 206"); and

**WHEREAS**, such fund has been established to provide a source of monies from which the Treasurer may pay any or all delinquent ad valorem real property taxes which are due the County, and any city, township, school district, intermediate school district, community college district, special assessment district, drainage district, or other political unit within the geographical boundaries of the County participating in the County's Revolving Fund Program pursuant to Act 206 ("local units"); and

**WHEREAS**, the Treasurer is authorized under Act 206, and has been directed by the Board, to make such payments with respect to delinquent ad valorem real property taxes (including the property tax administration fees assessed under subsection (6) of Section 44 of Act 206) owed in 2019 to the County and the local units (collectively, the "taxing units") which will have remained unpaid on March 1, 2020 and the Treasurer is authorized to pledge these amounts in addition to any amounts not already pledged for repayment of prior series of Notes (or after such prior series of Notes are retired as a secondary pledge) all as the Treasurer shall specify in an order when the Notes authorized hereunder are issued (the "Delinquent Taxes"); and

**WHEREAS**, the Board has determined that in order to raise sufficient monies to adequately fund the Revolving Fund, the County must issue its General Obligation Limited Tax Notes, Series 2020 in one or more series, in accordance with Sections 87c, 87d, 87g and 89 of Act 206 and on the terms and conditions set forth below.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Chairman of the Board of Commissioners and the County Clerk are authorized to sign, on behalf of the county, the attached 2020 Borrowing Resolution for 2019 Delinquent Taxes which establishes the 2020 Delinquent Tax Revolving Fund.

**BE IT FURTHER RESOLVED** that the County Treasurer, as agent for the County, shall receive such sums in consideration for services rendered and expenses incurred in connection with the administration of the program described in the County's borrowing resolution.

**Respectfully submitted,  
BERRIEN COUNTY FINANCE COMMITTEE**

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Mamie L. Yarbrough, Chairperson

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Robert P. Harrison, Vice Chairman

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Ezra A. Scott

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Jon Hinkelman

RESOLUTION APPROVED AS TO FORM	
Administrator _____	Date <u>5/11/20</u>
Comments Attached _____	
Corporate Counsel _____	Date _____
Comments Attached _____	