

January 6, 2012

The Honorable Rick Snyder, Governor  
State of Michigan  
Post Office Box 30013  
Lansing, Michigan 48909

Dear Governor Snyder;

Your call for regional collaboration has been heard and we are responding. A significant partnership has been formed in the four-county I-69 International Trade Corridor. Over 30 municipalities and 20 businesses/institutions are working together to pursue a Next Michigan Development Corporation designation. Our goal is to grow businesses, jobs, and talent in our region.

This Interlocal Agreement, once approved by your office, will be submitted as part of a formal application to the Michigan Strategic Fund for a Next Michigan Development Corporation designation. It is recognized that many of the powers set forth in the Interlocal Agreement will not be effective until the Michigan Strategic Fund approves the application and designates the applicant Act 7 entity as a Next Michigan Development Corporation.

This package includes:

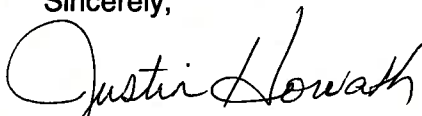
- Memorandum summarizing Interlocal Agreement
- Interlocal Agreement executed by all parties\*
- Resolutions of approval from each party's legislative body

\*Note: This agreement is approved by the City of Flint Emergency Manager and City Council.

Our point of contact for questions related to this package is Jim Smiertka, General Counsel, Prima Civitas Foundation – [jim.smiertka@primacivitas.org](mailto:jim.smiertka@primacivitas.org); office 517.708.4251.

We are pleased to submit this package for your consideration and look forward to working with the Michigan Economic Development Corporation and other state agencies to pursue the opportunity that this new partnership represents.

Sincerely,



Justin Horvath, President/CEO  
Shiawassee Economic Development Partnership



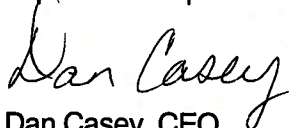
Janice Karcher, Vice President – Economic Development  
Genesee Regional Chamber of Commerce



Jim Rice, Director  
Bishop International Airport



Patricia Lucas, Executive Director  
Lapeer Development Corporation



Dan Casey, CEO  
St. Clair County Economic Development Alliance

**January 6, 2012**

**MEMORANDUM**

**RE: I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION INTERLOCAL AGREEMENT**

This Memorandum is intended as a summary of the main components of the Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation. It is not intended to contain a detailed analysis of all provisions, but only to provide a summary of its features.

**OVERVIEW**

The Interlocal Agreement ("Interlocal Agreement") creating the I-69 International Trade Corridor Next Michigan Development Corporation (the "NMDC") being presented to the Governor of the State of Michigan is an agreement approved by the legislative bodies of counties, cities, townships, and villages along the I-69 Corridor from the Port Huron border crossing to the western edge of Shiawassee County. The Interlocal Agreement is entered into pursuant to the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Sess), MCL 124.501 - 124.512, ("Act 7"). An Act 7 agreement is one of two methods set forth in the law for creating a Next Michigan Development Corporation under the provisions of the Next Michigan Development Act, Act 275 of 2010, MCL 125.2951 -125.2959, (the "NMDA").

Section 3(a) of the NMDA states the purpose of an NMDC created as an Eligible Act 7 Entity is "for the purpose of jointly exercising economic development powers and attracting business".

Once the Governor approves the Act 7 agreement, necessary filings will be made with the county clerks in applicable counties and with the Secretary of State. This action will be followed by a properly-noticed and conducted first meeting of the newly-created board of the NMDC. On the agenda of the first board meeting will be a resolution authorizing the filing of an application with the Michigan Strategic Fund for official designation as the NMDC.

**LOCAL APPROVALS**

Each participating governmental unit is a "Party" and has approved the Interlocal Agreement through local legislative action in open session pursuant to local rules of procedure. Each approval is evidenced by a certified resolution of the public body. The resolution also designates the official authorized to sign the Interlocal Agreement.

The Interlocal Agreement has been on local public body agendas in each Party community at least once. In some cases the matter has been discussed and debated more than once. As part of the local legislative processes, the Interlocal Agreement has been reviewed and approved by eighteen local municipal attorneys. In addition to the local legislative hearings, numerous public presentations have been made to local economic groups and legislative committees.

### **THE INTERLOCAL AGREEMENT PARTIES, PURPOSE, AND POWERS**

All Parties are units of government. Even though Act 7 allows for other types of public agencies to be part of an Act 7 agreement, a legal question is present as to whether the NMDA authorizes other types of public agencies to be signatories. Consequently, Bishop International Airport and Sarnia, Ontario, Canada entities, although highly supportive of the effort, are not Parties to the Interlocal Agreement.

In the Recital Section of the Interlocal Agreement, the Parties recognize the need to encourage economic development and investment, job creation and job retention, and ancillary growth. The Parties state their desire to exercise shared economic development powers.

With respect to the creation of the NMDC, this intent is expressed in Paragraph C of the Recitals . . . "to create a Next Michigan Development Corporation pursuant to the Next Michigan Development Act . . ."

Also, in Section 3.01 the purpose of the NMDC is expressed as follows:

- "The purpose of the Corporation is to take advantage of the provisions of State law, now or hereafter enacted, enabling the creation and implementation of economic development activities generally and of Next Michigan Development Corporations, as defined in Act 275 in particular, and to attract Eligible Next Michigan Businesses . . ."
- "The Parties desire and intend that the Corporation created hereby be fully empowered and authorized to exercise such powers as granted by Act 7 and Act 275 . . ."

Section 4.03 states that, "the Corporation also shall have all of the powers granted to a Next Michigan Development Corporation created under Act 275 . . ."

It is recognized that many of the powers set forth in the Interlocal Agreement cannot be exercised by the NMDC until an application to the Michigan Strategic Fund for a Next Michigan Development Corporation designation is approved by that public body.

## **THE CORPORATION BOARD**

Each Party shall appoint one member of the NMDC Board. Such member serves at the pleasure of the appointing public body for terms established by each Party, but not to exceed four (4) years. (Section 6.01)

The Board shall comply with the Open Meetings Act. (Section 6.02)

The Board shall exercise all powers of the Corporation granted to the Corporation by the Interlocal Agreement and under law. (Sub Section 6.04 (2))

An Executive Committee is not established, but is permissible. Until an Executive Committee is established and empowered by the Board, the Corporation Board shall be the sole governing body of the NMDC. (Section 7.01)

Provisions have been made for quorum, voting, and rules of procedure. These are found in Sections 6.02, 6.03, and 6.04.

## **MISCELLANEOUS**

The NMDC is not authorized to levy any type of tax within the boundaries of any Party. (Section 4.05)

Bonding is limited to local public improvements and economic development purposes. Any such debt is not a debt of any Party. (Section 4.04)

The Interlocal Agreement has a stated Term of twenty-five years, (Section 8.01). Any Party may withdraw upon six months advance notice, or immediately in the case of certain amendment actions under Section 14.01. (Section 8.02)

Economic development incentive tools for the NMDC were authorized by the package of State legislative enactments that accompanied the NMDA. These are referenced, with procedures, in Sections 5.12 through 5.16 of the Interlocal Agreement.



James D. Smiertka  
General Counsel  
Prima Civitas Foundation

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INTERLOCAL AGREEMENT

creating the

I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT  
CORPORATION

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This is an Interlocal Agreement (“Agreement”) entered into by and among the signatory public agencies (each a “Public Agency” or collectively the “Public Agencies”) pursuant to, and as defined in, the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967 (Ex Sess), as amended, MCL 124.501 to 124.512 (“Act 7”). The Public Agencies signing this Agreement may also be referred to as “Parties”, or each a “Party”. Certain of the Parties are Counties and these Parties may be referred to as “County Parties” or each a “County Party”. “Local Government Party” shall mean any Party organized as a Michigan city, village, charter township, or township.

#### RECITALS

A. The Parties are cognizant of the need in this state, and within their respective jurisdictions, for programs to encourage economic development and investment, job creation and job retention, and ancillary growth.

B. Act 7 permits a Public Agency to exercise jointly with any other Public Agency any power, privilege or authority that such Public Agencies share in common and which each might exercise separately. All Parties to this Agreement are Public Agencies under Act 7.

C. As one means for addressing the above-recited need, the Parties desire to enter into this Agreement, pursuant to Act 7, to jointly create and exercise the economic development powers shared by the Parties. The County Parties and the Local Government Parties desire to create a Next Michigan Development Corporation pursuant to the Next Michigan Development Act, Public Act 275 of 2010, MCL 125.2951-125.2959, as the same may be amended from time to time, (the “Next Michigan Development Act”).

D. Each Party has the power, privilege and authority to perform various economic development activities and administrative functions supportive of economic development activities and to enter into this Agreement.

E. Each Party, pursuant to resolution of its governing body, is authorized to execute and deliver this Agreement.

IN WITNESS WHEREOF, the Parties covenant and agree as follows:

#### ARTICLE I DEFINITIONS

The following words and expressions, whenever initially capitalized, whether used in the singular or plural, possessive or non-possessive and/or either within or without quotation marks shall be defined and interpreted as follows:

**Section 1.01** “Act 7” means the Urban Cooperation Act of 1967, Act No.7 of the Public Acts of Michigan, 1967 (Ex Sess), MCL 124.501 to 124.512.

**Section 1.02** “Act 24” means 1995 PA 24, Michigan Economic Growth Authority, as amended, MCL 207.801 – 207.810.

**Section 1.03** “Act 198” means Act No. 198 of the Public Acts of Michigan, 1974, as amended, MCL 207.551 to 207.572

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**Section 1.04** "Act 206" means the General Property Tax Act, Act No. 206 of the Public Acts of Michigan, 1893, as amended, MCL 211.1 to 211.157.

**Section 1.05** "Act 275" means 2010 PA 275, the Next Michigan Development Act, MCL 125.2951 – 125. 2959.

**Section 1.06** "Act 281" means the Local Development Financing Act, Act No. 281 of the Public Acts of Michigan, 1986, as amended, MCL 125.2151 to 125.2174.

**Section 1.07** "Act 376" means the Renaissance Zone Act, Act No. 376 of the Public Acts of Michigan, 1996, as amended, MCL 125.2681 to 125.2696.

**Section 1.08** "Act 381" means the Brownfield Redevelopment Financing Act, Act No. 381 of the Public Acts of Michigan 1996, as amended, MCL 125.2651 to 125.2672.

**Section 1.09** "Agreement" means this Interlocal Agreement, dated as of the Effective Date.

**Section 1.10** "Authority District" means that term as defined in Act 281 (MCL 125.2152 (f))

**Section 1.11** "Budget Act" means the Uniform Budgeting and Accounting Act, Act No.2 of the Public Acts of Michigan, 1968, as amended, MCL 141.421 to 141.440a.

**Section 1.12** "Corporation" means the I-69 International Trade Corridor Next Michigan Development Corporation created by this Agreement, a separate legal entity and public body corporate and politic, to administer the economic development objectives and purposes set forth herein.

**Section 1.13** "Corporation Board" means the board of the Corporation created by Article VI of this Agreement.

**Section 1.14** "Effective Date" means the later of the dates on which a fully executed copy of this Agreement is (1) first filed with the Michigan Department of State, Office of the Great Seal, and (2) filed with the County Clerk of each county in which a Party to this Agreement is located.

**Section 1.15** "Eligible Next Michigan Business" means that term as defined in Act 24 (MCL 207.803 (h))

**Section 1.16** "Executive Committee" means any executive committee of the Corporation Board created pursuant to Article VII of this Agreement.

**Section 1.17** "Fiscal Year" means the fiscal year of the Corporation, which shall begin on January 1 of each year and end on December 31 of each year, or such other fiscal year as may be determined from time to time by the Corporation.

**Section 1.18** "FOIA" or "Freedom of Information Act" means the Freedom of Information Act, Act No. 442 of the Public Acts of Michigan, 1976, as amended, MCL 15.231 to 15.246.

**Section 1.19** "I-69 International Trade Corridor Master Design Plan" or "Master Design Plan" means an overall design plan adopted by the Corporation pursuant to Section 5.03 of this

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Agreement for the coordinated and orderly development of the corridor, including the recommended designation of, and uses by, the Local Government Parties under relevant provisions of the Zoning Act. The Master Design Plan shall have no binding force or effect within or upon any portion of the territory of any Local Government Party except to the extent expressly approved by resolution of the governing body of the Local Government Party.

**Section 1.20** "Local Government Party" shall mean any Party organized as a Michigan city, village, charter township, or township.

**Section 1.21** "Michigan Strategic Fund" or "MSF" means the Michigan Strategic Fund created pursuant to Act No. 270 of the Public Act of Michigan, 1984, as amended, MCL 125.2001 to 125.2094.

**Section 1.22** "Next Michigan Development Area" or "NMDA" means that term as defined in Act 281 (MCL 125.2152 (aa))

**Section 1.23** "Next Michigan Renaissance Zone" or "Renaissance Zone" means that term as defined in Act 376 (MCL 125.2683 (l))

**Section 1.24** "OMA" or "Open Meetings Act" means the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, MCL 15.261 to 15.275.

**Section 1.25** "Participation Agreement" means an agreement as described in Article IX of this Agreement.

**Section 1.26** "Party" or "Parties" means, either individually or collectively as applicable, each County Party and Local Government Party.

**Section 1.27** "Permit" shall mean a permit, license or approval required to be granted by a Local Government Party as a condition of the operation of a business.

**Section 1.28** "Person" means any individual, authority, profit or non-profit corporation, partnership, limited liability company, university, joint venture, trust, association, chamber of commerce, travel and visitors center, Public Agency, or other legal entity.

**Section 1.29** "Public Agency" means that term as defined in Act 7.

**Section 1.30** "Site Plan" means that term as defined in the Zoning Act.

**Section 1.31** "State" means the State of Michigan.

**Section 1.32** "Territory of the Corporation" shall mean the area within the collective boundaries of the Local Government Parties.

**Section 1.33** "Tax Increment Revenues" means that term as defined in Act 281, provided that notwithstanding other provisions of State law, for purposes of the Corporation, "Tax Increment Revenues" shall not include any of the following: The amount of ad valorem property taxes or specific taxes captured by a downtown development authority under Act No. 197, Public Acts of Michigan, 1975, as amended, MCL 125.1651 to 125.1681, a tax increment financing authority under Act No. 450, Public Acts of Michigan, 1980, as amended, MCL 125.1801 to 125.1830, a



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local development finance authority under Act 281, or a brownfield redevelopment authority under Act 38 I, if those taxes were being captured by such other authorities on the Effective Date.

**Section 1.34** "TIF Plan" means a Development Plan and a tax increment financing plan as those terms are defined and used in Act 281.

**Section 1.35** "Zone" means a Next Michigan Renaissance Zone.

**Section 1.36** "Zoning Act" means the Michigan Zoning Enabling Act, Act No. 110 of the Public Acts of Michigan, 2006, as amended, MCL 125.3101 to 125.3702.

## **ARTICLE II CREATION OF THE I-69 NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Section 2.01 Creation and Legal Status of the I-69 International Trade Corridor Next Michigan Development Corporation.** There is hereby created a separate legal entity and public body corporate and politic to be known as the "I-69 International Trade Corridor Next Michigan Development Corporation" for the purpose of administering and executing this Agreement. The Corporation shall have all of the powers granted in this Agreement.

**Section 2.02 Geographic Boundaries.** The boundaries of the Corporation within which it may exercise its powers shall be the area within the collective political boundaries of the Local Government Parties. The Corporation shall have no extraterritorial power or authority.

**Section 2.03 Principal Office.** The initial principal office of the Corporation is 519 S. Saginaw Street, Suite 200, Flint, Michigan 48502 or such other location as may be determined from time to time by the Corporation Board.

**Section 2.04 Title to Corporation Assets.** Except as otherwise provided under the terms of a transfer of programs and/or funding from a Party or Person to the Corporation, the Corporation shall have exclusive title to all its property, and no Party or Person shall have an ownership interest in Corporation property.

**Section 2.05 Tax-exempt Status.** The Parties intend and declare the activities of the Corporation to be governmental functions carried out by an instrumentality or political subdivision of government as described in Section 115 of the Internal Revenue Code of 1986, 26 USC 115, or any corresponding provisions of any future tax code. The Parties also intend and declare the activities of the Corporation to be governmental functions carried out by a political subdivision of this State, exempt to the extent provided under Michigan law from taxation by this State, including, but not limited to, the business taxes and ad valorem property taxes under Act 206, and exempt to the extent provided under Michigan law from all governmental assessments and fees otherwise applicable to private entities.

**Section 2.06 Compliance with Law.** The Corporation shall comply with all federal and state laws, rules, regulations, and orders applicable to this Agreement, including duties and obligations that may from time to time be transferred to the Corporation from each of the respective Parties or to which the Corporation shall be subject by direction of the Parties.

**Section 2.07 Independent Contractor.** The Parties agree that at all times and for all purposes under the terms of this Agreement each Party's relationship to each other shall be that of an independent contractor. Each Party will be solely responsible for the acts of its own

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employees, agents, and servants. No liability, right or benefit arising out of any employer/employee relationship, either express or implied, shall arise or accrue to any Party as a result of this Agreement.

**Section 2.08 No Third Party Beneficiaries.** Except as expressly provided herein, this Agreement does not, and is not intended to, create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right to be indemnified (i.e., contractually, legally, equitably, or by implication) and/or any right to be subrogated to any Party's rights in this Agreement, and/or any other right of any kind, in favor of any Person.

**Section 2.09 Ethics: Conflicts of Interest.** Members of the Corporate Board and Executive Committee and the officers, appointees and employees of the Corporation shall be considered "public servants" as defined in, and shall be subject to, Act No. 317, Public Acts of Michigan, 1968, as amended, MCL 15.321 to 15.330, and shall be considered "public officers" or "employees," as applicable, as defined in, and shall be subject to, Act No. 196, Public Acts of Michigan, 1973, as amended, MCL 15.341 to 15.348.

**Section 2.10 Limitation of Liability.** To the extent that a Party has transferred any administrative obligation or responsibility imposed upon it by law to the Corporation, and to the extent that such Party has provided funding as may be required by agreement with the Corporation, actual and timely performance by the Corporation shall be deemed satisfaction of the Party's obligation or responsibility. In such cases, the transferring Party shall not be responsible in any way for performance of the transferred obligation or responsibility. An agreement respecting transfers of administrative obligations or responsibilities may limit the liability of a transferring Party for any actions taken by the Corporation. The Corporation may insure against any such potential loss/damage.

**Section 2.11 Assumed Name.** The Corporation shall have the power and authority to operate under an assumed name as determined from time to time by the Corporation Board.

### ARTICLE III PURPOSE

**Section 3.01 Purpose.** The purpose of the Corporation shall be to take advantage of the provisions of State law, now or hereafter enacted, enabling the creation and implementation of economic development activities generally and of Next Michigan Development Corporations as defined in Act 275, in particular, and to attract Eligible Next Michigan Businesses, as that term is defined in Act 24, and shall include the exercise of power granted by State law and the joint exercise of shared powers, privileges or authority of the Parties to perform successful, effective and efficient economic development programs and functions throughout the Territory of the Corporation. Shared powers shall include the coordination of complementary local programs and functions of the Parties. The Parties desire and intend that the Corporation created hereby be fully empowered and authorized to exercise such powers as granted by Act 7 and Act 275, as the same may be amended from time to time, and any laws subsequently enacted allowing for the creation and governance of investment zones for economic development purposes, of whatsoever nature, to the fullest extent authorized by law without further amendment to this Agreement, subject only to the limitations set forth in this Agreement.

**ARTICLE IV  
GENERAL POWERS OF CORPORATION**

**Section 4.01 Powers Granted Under Act 7.** In carrying out its purposes, the Corporation may perform, or perform with any Person, as applicable, any power, privilege, or Corporation that the Parties share in common and that each might exercise separately to the fullest extent permitted by Act 7 and in accordance with relevant law, except as expressly otherwise provided in this Agreement. The Corporation shall not have the power to bind a Party, unless otherwise agreed to by the Party. The enumeration of a power in this Agreement shall not be construed as a limitation upon the powers of the Corporation, and is in addition to any powers authorized by law. Among other things, the Corporation, in its own name, shall have the power to:

- (a) Make or enter into contracts;
- (b) Employ agencies or employees;
- (c) Acquire, construct, manage, maintain, or operate buildings, works, or improvements;
- (d) Acquire, own, hold, operate, maintain, lease, or sell real or personal property and dispose of, divide, or distribute any property.
- (e) Incur debts, liabilities, or obligations that, except as expressly authorized by the Parties, do not constitute the debts, liabilities, or obligations of any of the Parties;
- (f) Cooperate with a Public Agency, an agency or instrumentality of the Public Agency, or another legal or administrative entity created by the Public Agency under Act 7;
- (g) Make loans from the proceeds of gifts, grants, assistance funds, or bequests in order to further its purposes;
- (h) Form other entities necessary to further the purposes of the Agreement; and
- (i) Sue and be sued.

**Section 4.02 Additional Powers Granted Under Act 7.** The Corporation shall also have the power to:

- (a) Employ, engage, compensate, transfer, or discharge necessary personnel, subject to the provisions of applicable civil service and merit systems and Act 7;
- (b) Fix and collect charges, rates, rents, fees, loan repayments, loan interest rates, or other charges on loans;
- (c) Promulgate necessary rules and provision for their enforcement by or with the assistance of the Parties to accomplish the purposes of this Agreement;
- (d) Accept gifts, grants, assistance funds, or bequests and use the same for the purposes of this Agreement. The Corporation may apply for and accept grants, loans, or contributions from any source. The Corporation may do anything within its power to secure the grants, loans, or other contributions;

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- (e) Make claims for federal or state aid payable to a Party on account of the execution of this Agreement;
- (f) Respond for any liabilities that might be incurred through performance of the Agreement and insure against any such liability;
- (g) Adjudicate disputes or disagreements, the effects of failure of the Parties to pay their shares of the costs and expenses, and the rights of the other Parties in such cases;
- (h) Engage auditors to perform independent audits of the financial statements of the Corporation;
- (i) Invest surplus funds or proceeds of grants, gifts, or bequests and adopt an investment policy in connection therewith;
- (j) Employ legal, financial and technical experts, other officers, agents, or employees, and accept voluntary provision of such services and functions from donor individuals and entities;
- (k) Study, develop, and prepare the reports or plans the Corporation considers necessary to further the purposes of this Agreement and to monitor and evaluate performance under this Agreement; and
- (l) Indemnify, as permitted by law, and procure insurance indemnifying any members of the Corporation Board or officers or employees of the Corporation from personal loss or accountability from liability asserted by any Person for any acts or omissions of the Corporation.

**Section 4.03 Powers Under Other State Law.** In addition to all general powers granted under Act 7, the Corporation also shall have all of the powers granted to a Next Michigan Development Corporation created under Act 275 and under other applicable State law, now existing or as hereafter amended, including specifically by way of example and not limitation, Act 376, Act 281, Act 198 and Act 206, it being the intent of the Parties that the Corporation be empowered to accomplish its purposes to the full extent authorized by law.

Furthermore, by way of example and not limitation, the Corporation shall have all the powers granted under existing law, or subsequently enacted, allowing for the establishment of investment zones for economic development purposes throughout the state. Such powers shall include, but not be limited to, powers to establish the location, administration, management, requirements, and duration of such investment zones for economic development purposes.

**Section 4.04 Bonds or Notes: Limitations.** The Corporation shall not issue any type of bond in its own name or in any way indebted a Party except as provided below. The Corporation may borrow money and issue bonds or notes in its name for local public improvements or for economic development purposes provided that the Corporation shall not borrow money or issue bonds or notes for a sum that, together with the total outstanding bonded indebtedness of the Corporation, exceeds 2 mills of the taxable value of the taxable property within the Parties as determined under section 27a of The General Property Tax Act, 1893 PA 206, MCL 211.27a, unless otherwise authorized by Act 7. Bonds or notes issued by the Corporation are the debt of the Corporation and not of the Parties. Bonds or notes issued by the Corporation are for an

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essential public and governmental purpose. Pursuant to Section 7(7) of Act 7, bonds or notes, together with the interest on the bonds or notes and income from the bonds or notes, are exempt from all taxes. Bonds or notes issued by the Corporation are subject to 2001 PA 34 as required by Section 7(8) of Act 7.

**Section 4.05 Tax Limitation.** The Corporation shall not levy any type of tax within the boundaries of any Party. Nothing contained in this Agreement, however, prevents the Parties from levying taxes in their own right and assigning the revenue from such taxes to the Corporation, to the extent permitted by law.

**Section 4.06 Limitation on Political Activities.** The Corporation shall not spend any public funds on political activities. This section is not intended to prohibit the Corporation from engaging in activities permitted under the Michigan Campaign Finance Act, 1976 PA 388, MCL 169.201 to 169.282.

**Section 4.07 No Waiver of Governmental Immunity.** The Parties agree that no provision of the Agreement is intended, nor shall it be construed, as a waiver by any Party of any governmental immunity provided under Act 7 or other law.

## ARTICLE V SPECIFIC POWERS OF CORPORATION; LIMITATIONS

**Section 5.01 Development Criteria.** The Corporation shall have the power to develop and establish development criteria and development-ready preconditions for the Parties for economic development assistance for application within the geographic territory of the Corporation.

**Section 5.02 Design Standards.** The Corporation shall promulgate specific design standards to be applied to property and developments which receive economic development incentives under this Agreement and relevant law. The design standards shall be submitted to the Local Government Parties for approval prior to implementation.

To the extent reasonably practicable, in the promulgation of design standards the Corporation shall take into reasonable consideration the protective covenants and zoning ordinance provisions recommended by the Michigan Economic Development Corporation and the Michigan Economic Developers Association (or any similar successor organization(s) ) for "Certified Business Parks" or any similar subsequently- recognized designation by Michigan economic developer associations or groups.

**Section 5.03 I-69 International Trade Corridor Master Design Plan.** The Corporation, in collaboration with the Local Government Parties, shall have the power to promulgate a Master Design Plan for areas within the Territory of the Corporation. The Master Design Plan may include proposed land uses, and shall be submitted to the Local Government Parties for approval prior to implementation.

**Section 5.04 Application Criteria and Review; Incentives.** The Corporation shall have the power to promulgate application materials; to seek and accept applications from prospective developers and businesses; to establish criteria for Eligible Next Michigan Businesses; to establish criteria and review applications for incentives from prospective developers and businesses; to make determinations in its sole discretion in respect of the approval, in whole or in part, of such applications and of economic development incentives under relevant law (including,

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by way of example and not limitation, under Act 376, Act 281, Act 198 and Act 206), except as such discretion is expressly limited by this Agreement or law; to consult with the Michigan Strategic Fund in respect of applications and approvals; to monitor the performance of applicants; and to make recommendations in respect of applications to the Michigan Strategic Fund, a Local Government Party, or any other Person having subject matter jurisdiction.

**Section 5.05 Infrastructure Planning and Development.** The Corporation shall have the power to work with State and local government officials in the planning and development of infrastructure within the Territory of the Corporation.

**Section 5.06 Site Selection.** The Corporation shall have the power to assist prospective developers and businesses with selection of development sites within the Territory of the Corporation.

**Section 5.07 Marketing: Business Attraction.** The Corporation shall have the power to conduct marketing and business attraction efforts.

**Section 5.08 Real Estate Development.** The Corporation shall have the power to assist any Person in respect of the development of real estate for use by an eligible Next Michigan Business within the Territory of the Corporation.

**Section 5.09 Regulatory Assistance and Processing.** The Corporation shall have the power to provide assistance to prospective developers and businesses in respect of applying for and obtaining any necessary or advisable licenses, permits or approvals from federal, State and local government entities.

**Section 5.10 Streamlined Permitting Processes.** The Parties recognize the need for uniform and streamlined local permitting processes, and therefore the Corporation shall have the power to promulgate and recommend for approval to the Local Government Parties streamlined permitting and approval processes for projects within the Territory of the Corporation.

**Section 5.11 Local Government Assistance.** The Corporation shall have the power to provide assistance to Local Government Parties with the implementation and coordination of economic development programs within the Territory of the Corporation.

**Section 5.12 Designation of Next Michigan Renaissance Zones: Criteria: Local Government Party Disapproval.** Subject to the provisions of Act 376 and herein, the Corporation shall have the power to designate property within the Corporation's geographic territory as a Next Michigan Renaissance Zone (Zone). Prior to any such designation, the Corporation shall receive a resolution of approval from the Local Government Party within which the Zone is proposed to be located. Within the first six months following the approval of this Corporation as a Next Michigan Development Corporation by the Michigan Strategic Fund (MSF), each initial Local Government Party shall be entitled to designate and request by resolution to the Corporation of one Zone within its territory for the Corporation's consideration provided: that such Zone shall be consistent with the I-69 International Trade Corridor Master Design Plan; shall adhere to the permitting, zoning and design standards adopted by the Corporation; and each respective Local Government Party shall assist with the preparation of the development plan in respect of such Zone within its territory. The Corporation shall consider the criteria set forth in section 7 of Act 376, MCL 125.2687, in designating a Zone. The Corporation shall provide written notice of the proposed recommendation of property as a Zone to each Local Government Party within 10 days of such recommendation. The Corporation shall have no power

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to designate, and shall not designate, a Zone if the Local Government Party within which the proposed Zone is to be located delivers to the Corporation, either prior to any such recommendation by the Corporation or not later than 30 days after the Local Government Party has received written notice from the Corporation of the designation, a resolution from the Local Government Party's governing body stating its disapproval of a Zone recommendation; provided, however, that a Local Government Party may revoke or rescind its disapproval resolution at any time. If the disapproval resolution is revoked or rescinded, the Local Government Party thereafter may not disapprove of the Zone recommendation to which the original disapproval applied.

**Section 5.13 Designation of Next Michigan Development Areas ("NMDA"): Criteria: Conditions: Local Government Party Disapproval.** The Corporation shall establish criteria for and may establish an Authority under Act 281 and an Authority District and designate a NMDA within the Authority District. Prior to the establishment of a NMDA, the Corporation shall receive a resolution of approval from any Local Government Party within which the NMDA is proposed to be located. Except as provided below, the Corporation shall not use Tax Increment Revenues derived from ad valorem taxes levied by a Local Government Party for any project or purpose outside the territory of the Local Government Party without the Local Government Party's written consent to the use. Notwithstanding the foregoing, the Corporation may use Tax Increment Revenues for the purpose of paying the Corporation's operating expenses to the extent permitted by law. This Agreement shall be deemed to be an agreement with taxing jurisdictions to share a portion of the captured assessed value or to distribute tax increment revenues among taxing jurisdictions as contemplated by section 12(5) of Act 281. The Corporation shall provide written notice of the proposed designation of an NMDA to each Local Government Party within 10 days of such designation. The Corporation shall have no power to designate, and shall not designate, an NMDA if the Local Government Party within which the proposed NMDA is to be located delivers to the Corporation, either prior to any such designation by the Corporation or not later than 30 days after the Local Government Party has received written notice from the Corporation of the designation, a resolution from the Local Government Party's governing body stating its disapproval of NMDA designation; provided, however, that a Local Government Party may revoke or rescind its disapproval resolution at any time. If the disapproval resolution is revoked or rescinded, the Local Government Party thereafter may not disapprove of the NMDA designation to which the original disapproval applied.

**Section 5.14 Designation of Eligible Next Michigan Business: Local Government Party Disapproval.** Subject to the provisions of Act 376 and herein, the Corporation shall have the power to designate a business for certification as an Eligible Next Michigan Business. The Corporation shall provide written notice of the proposed designation of a business as an Eligible Next Michigan Business to each Local Government Party within 10 days of such designation. The Corporation shall have no power to designate, and shall not designate, a business as an Eligible Next Michigan Business if the Local Government Party within which the proposed Eligible Next Michigan Business proposes to locate or is located delivers to the Corporation, either prior to any such designation by the Corporation or not later than 30 days after the Local Government Party has received written notice from the Corporation of the designation, a resolution from the Local Government Party's governing body stating its disapproval of an Eligible Next Michigan Business designation; provided, however, that a Local Government Party may revoke or rescind its disapproval resolution at any time. If the disapproval resolution is revoked or rescinded, the Local Government Party thereafter may not disapprove of the Eligible Next Michigan Business designation to which the original disapproval applied. An eligible Next Michigan Business shall be designated only with respect to a particular proposed project for which tax incentives are sought. Each separate proposal submitted by a business for consideration

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for tax incentives shall require that the business be separately designated as a Eligible Next Michigan Business in respect of that specific proposal, notwithstanding any prior designation as an Eligible Next Michigan Business in respect of another proposal. For purposes of the foregoing limitation, "particular proposed project" shall mean a project as described by the business applicant with reasonable specificity satisfactory to the Corporation as to location, development components, operating characteristics, site improvements, capital investment, ancillary improvements, and other relevant information. No separate Eligible Next Michigan Business designation shall be required for any expansion of an existing project which does not exceed a capital investment of 100% of the capital investment previously made by the Eligible Next Michigan Business in respect of that existing project.

**Section 5.15 Approval of Act 198 Tax Abatements; Local Government Party Disapproval.** Subject to the provisions of Act 198 and herein, the Corporation shall have the power to establish plant rehabilitation districts and industrial development districts and exercise the other powers under Act 198. The Corporation shall provide written notice of the proposed approval of a plant rehabilitation district or an industrial development district to each Local Government Party within 10 days of such approval. The Corporation shall have no power to approve, and shall not approve, a plant rehabilitation district or an industrial development district if the Local Government Party within which the proposed plant rehabilitation district or industrial development district is located delivers to the Corporation, either prior to any such approval by the Corporation or not later than 30 days after the Local Government Party has received written notice from the Corporation of the approval, a resolution from the Local Government Party's governing body stating its disapproval of the establishment of the district; provided, however, that a Local Government Party may revoke or rescind its disapproval resolution at any time. If the disapproval resolution is revoked or rescinded, the Local Government Party thereafter may not disapprove of the district to which the original disapproval applied.

**Section 5.16 Approval of Personal Property Tax Exemptions; Local Government Party Disapproval.** Subject to the provisions of Act 206 and herein, the Corporation shall have the power to exempt new personal property under section 9f of Act 206. The Corporation shall provide written notice of the proposed resolution exempting such property to each Local Government Party within 10 days of the approval of such resolution. The Corporation shall have no power to approve, and shall not approve, any exemption of new personal property under Act 206 if the Local Government Party within which the new personal property proposed to be exempted is located delivers to the Corporation, either prior to any such approval by the Corporation or not later than 30 days after the Local Government Party has received written notice from the Corporation of the approval, a resolution from the Local Government Party's governing body stating its disapproval of the exemption; provided, however, that a Local Government Party may revoke or rescind its disapproval resolution at any time. If the disapproval resolution is revoked or rescinded, the Local Government Party thereafter may not disapprove of the exemption to which the original disapproval applied.

## ARTICLE VI CORPORATION BOARD

**Section 6.01 Corporation Board Composition.** The appointing authority of each Party shall appoint one (1) member of the Corporation Board. Members of the Corporation Board shall serve at the pleasure of the appointing Party for terms established by each Party, but not to exceed four (4) years.



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(a) Each Party entitled to membership on the Corporation Board shall have the ability to appoint one (1) alternate to serve in a permanent member's place and stead if the permanent member is absent from a Corporation Board meeting. Appointment of the alternate shall be made by the appointing authority in writing.

(b) A vacancy on the Corporation Board shall be filled in the same manner as the original appointment for the balance of the unexpired term.

(c) A Corporation Board member may be removed by the appointing authority at will.

**Section 6.02 Meetings.** The Corporation Board shall meet at least annually at the place, date, and time the Corporation Board shall determine. Meetings shall comply with the Open Meetings Act. To the extent permissible by Michigan law, the conduct of, and the participation in, meetings may occur through electronic or telephonic means.

**Section 6.03 Quorum and Voting.** A majority of the Corporation Board then in office and present in person shall be required to constitute a quorum for the transaction of business, and a majority vote at a meeting at which a quorum is present shall be necessary for the transaction of business.

**Section 6.04 Corporation Board Powers and Responsibilities.** The Corporation Board shall do all of the following by a majority vote:

- (1) Adopt rules of procedure governing the Corporation Board and its actions and meetings. Initial rules of procedure shall be adopted within six (6) months of the first meeting of the Corporation Board. The rules of procedure shall contain provisions for, and a process governing, dispute resolution between and among the Parties.
- (2) Exercise all powers of the Corporation granted to the Corporation by this Agreement and under law.
- (3) Elect officers of the Corporation, which shall be a Chair, Vice-Chair, Secretary and Treasurer, and such other officers or assistant officers as the Corporation Board may determine. The offices of Secretary and Treasurer may be combined.
- (4) Approve policies to govern and implement the day-to-day operations of the Corporation.
- (5) Provide a system of accounts and approve the Corporation budget.
- (6) Adopt an investment policy.
- (7) Cause to be conducted an annual independent audit of the Corporation in accordance with the Budget Act.
- (8) Take such other actions and steps as shall be necessary or advisable to accomplish the purposes of this Agreement

**Section 6.05 Fiduciary Duty.** The members of the Corporation Board are under a fiduciary duty to conduct the activities and affairs of the Corporation in the best interests of the Corporation, including the safekeeping and use of all Corporation monies and assets for the benefit of the Corporation. The members of the Corporation Board shall discharge this duty in good faith, with the care an ordinarily prudent individual in a like position would exercise under similar circumstances.

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**Section 6.06 Compensation.** The members of the Corporation Board shall receive no compensation for the performance of their duties, but each member shall be reimbursed for such member's reasonable expenses in carrying out those duties. A member of the Corporation Board may engage in private or public employment, or in a profession or business.

**Section 6.07 Conflicts of Interest.** The Corporation Board may establish policies and procedures requiring periodic disclosure of any relationship that may give rise to a conflict of interest. The Corporation Board may require that a member who has a direct interest in any matter before the Corporation disclose the member's interest and any reasons reasonably known to the member of the Corporation Board why the transaction may not be in the best interest of the public before the Corporation Board takes any action with respect to the matter. The disclosure shall become part of the record of the Corporation's proceedings. The Corporation Board also may establish policies to preclude the opportunity for and the occurrence of transactions by the Corporation that would create a conflict of interest involving members of the Corporation Board, and employees of the Corporation. At a minimum, these policies to be established for the Corporation should include compliance by each member of the Corporation Board and employees of the Corporation who regularly exercise significant discretion over the award and management of Corporation projects with policies governing the following:

(a) Immediate disclosure of the existence and nature of any financial interest of an individual or immediate family member that would reasonably be expected to create a conflict of interest.

(b) Withdrawal by an employee or member from participation in or discussion or evaluation of any recommendation or decision involving a Corporation project that would reasonably be expected to create a conflict of interest for that employee or member.

## **ARTICLE VII EXECUTIVE COMMITTEE AND CHIEF EXECUTIVE OFFICER**

**Section 7.01 Executive Committee.** By a two-thirds vote of the voting members of the Corporation Board then serving in office, the Corporation may establish an Executive Committee with such powers, duties, rules, and procedures as may be set forth in the resolution of the Board establishing the Executive Committee. Until such time as an Executive Committee is established and empowered by the Corporation Board, the Corporation Board shall be the sole governing body of the Corporation.

**Section 7.02 Chief Executive Officer.** The Corporation Board may select and retain a Chief Executive Officer. The Chief Executive Officer shall administer the Corporation in accordance with the direction of the Corporation Board, the operating budget, the general policy guidelines established by the Corporation Board, other applicable governmental procedures and policies, and this Agreement. The Chief Executive Officer shall be responsible for the day-to-day operation of the Corporation; the control, management and oversight of the Corporation's functions; and supervision of all Corporation employees. All terms and conditions of the Chief Executive Officer's employment, compensation, including length of service, shall be specified in a written contract between the Chief Executive Officer and the Corporation Board, provided that the Chief Executive Officer shall serve at the pleasure of the Corporation Board, and the Corporation Board

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may remove or discharge the Chief Executive Officer by a vote of not less than three-fifths (3/5) of its voting members then serving in office.

**ARTICLE VIII  
DURATION OF, WITHDRAWAL FROM, AND TERMINATION OF INTERLOCAL  
AGREEMENT**

**Section 8.01 Duration.** The Corporation commences on the Effective Date and continues for a term of twenty-five (25) years unless earlier terminated in accordance with this Article VIII.

**Section 8.02 Withdrawal by a Party.** Any Party may withdraw from the Agreement at any time upon notice given six (6) months in advance to Corporation, or in accordance with section 14.10 of this Agreement, and the Corporation thereafter shall exercise no power or authority within the territory of the withdrawing Party; provided that if the Corporation has incurred debts or obligations in reliance upon the payment by the Party of a share of the debt or obligation, the Party shall remain obligated for any such payment following its withdrawal from the Agreement; and provided further that the withdrawal of a Party shall not invalidate nor terminate prior to its stated termination date any Next Michigan Renaissance Zone, Next Michigan Development Area, TIF Plan or the collection of Tax Increment Revenues, or any other economic development incentive previously established or granted prior to the withdrawal of the Party, and the withdrawing Party shall be deemed to remain a Party if necessary for the limited purpose of preserving any of the foregoing incentives, and provided further, that in the event of a withdrawal by a Party, the Corporation shall not extend the effective term of any of the foregoing incentives beyond its stated termination date.

**Section 8.03 Termination.** This Agreement shall continue until terminated by the first to occur of the following:

- (a) When there is one (1) Party;
- (b) A three-fourths (3/4) vote of the voting members of the Corporation Board then serving in office; or
- (c) Expiration of the stated term of the Agreement.

**Section 8.04 Disposition upon Termination.** As soon as possible after termination of this Agreement, the Corporation shall wind up its affairs as follows:

- (a) All of the Corporation's debts, liabilities, and obligations to its creditors and all expenses incurred in connection with the termination of the Corporation and distribution of its assets shall be paid first; and
- (b) The remaining assets, if any, shall be distributed among the remaining Parties in accordance with Act 7 or other relevant law, and otherwise in proportion to their contributions to the Corporation.

**ARTICLE IX  
FEES**

**Section 9.01 Initial Annual Fees.** Commencing on the Effective Date, for the first three (3) term years any government which becomes a County or Local Government Party to this Agreement shall be required to pay an annual fee by itself as a County Party or through a County Party in the case of a Local Government Party. The annual County Party fee for the first three (3) term years is set forth in Exhibit A.

**Section 9.02 Annual Membership Fees.** Except as otherwise provided in Section 9.01, the Corporation Board shall establish and may revise biannually membership classes and a schedule of annual membership fees for the Corporation, including its membership classes. The membership fees shall include fee categories for Parties and for non-Party entities. The Corporation's operating expenses shall be paid for first from the collection of Tax Increment Revenues by the Corporation under a TIF Plan, and the amount of Tax Increment Revenues attributable to a Party's annual millage levy shall be credited against that Party's annual membership fee, provided that for the first five years from the establishment of an Next Michigan Development Area, the credit against the annual membership fee shall not exceed 1/3 of the then applicable fee. The balance of the annual membership fee shall be paid by the Party from any funds legally available for such purpose.

**Section 9.03 Personal Property, Assets and Services.** Any Party or entity from time to time may make contributions of personal property and assets to the Corporation. The reasonable value of any property and assets contributed may be credited against the Party's or other entity's initial annual membership fee as set forth in Section 9.02 and thereafter upon approval by the Corporation Board. Reasonable value shall be determined by the Corporation Board, in its sole discretion, by reference to a published market rate of the items in question, competitive quotes, or other objective measure approved by the Corporation Board.

**Section 9.04 Employees.** Any Party or entity from time to time may contribute employees to the Corporation. The reasonable value of employees contributed shall be credited against the Party's or other entity's initial annual membership fee as set forth in Section 9.02 and thereafter upon approval by the Corporation Board. Reasonable value shall be determined by the Corporation Board, in its sole discretion, based upon a proration for the time worked of the annual total compensation of the employee being loaned or other objective measure approved by the Corporation Board. The Corporation shall have full discretion to return the employee to the Party or other entity for non-performance, in which case the Party shall be subject to and shall promptly pay the Party's or other entity's remaining membership fee.

**Section 9.05 Marketing Costs.** The Corporation annually shall prepare a marketing budget for the Corporation for the purpose of paying for marketing efforts designed to attract businesses to, and create jobs within, the Territory of the Corporation.

**Section 9.06 Acts and Omissions.** The Corporation shall only be liable for its own acts or omissions which occur after the Effective Date and none of the Parties shall be liable for any acts or omissions of the Corporation.

**Section 9.07 Execution of Documents.** The Corporation and each Party shall cooperate in order to execute and deliver to the Corporation any and all documents including bills of sale, assignments, and certificates necessary or appropriate to effectuate each Party's contribution to the Corporation.

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**Section 9.08 Participation Agreement.** The Corporation and a Party may enter into a Participation Agreement for the purpose of executing the purposes and activities contemplated herein.

## **ARTICLE X ADMISSION OF OTHER PARTIES**

**Section 10.01 Procedure.** Following the Effective Date, a Public Agency may become a Party by submitting a written request to the Corporation Board pursuant to guidelines established by the Corporation Board, payment of the then applicable membership fees, and in accordance with law. The Corporation Board shall approve or deny the request. Approval of this Agreement shall be by resolution of the entity seeking to become a Party.

**Section 10.02 Effective Date.** The effective date of admission of a Party is the date on which a fully executed copy of this Agreement which contains the name and signatory of the newly admitted Party is filed with Michigan Department of State, Office of the Great Seal, and filed with the County Clerk of each county which is a Party to this Agreement pursuant to Section 10 of Act 7.

**Section 10.03 Not an Amendment to Agreement.** The admission of additional Parties after the initial Effective Date of this Agreement shall not constitute an amendment to or alternative form of this Agreement nor change the Effective Date. Any amendment to or alternative form of this Agreement may be made only in accordance with Section 14.10

## **ARTICLE XI REVENUE SHARING, JOINT PLANNING COMMISSION**

**Section 11.01 Revenue Sharing.** The Parties conceptually agree that the Corporation's success in attracting economic development should be shared among all Parties. The Parties therefore agree to investigate a fair and equitable means of sharing all or a portion of revenue derived by and for the benefit of the Parties in accordance with the provisions of Act 7 and other relevant law.

**Section 11.02 Joint Planning Commission.** The Parties agree to consider the feasibility of establishing a joint planning commission under the Joint Municipal Planning Act, Act No. 226 of 2003, MCL 125.131 to 125.143.

## **ARTICLE XII BOOKS AND REPORTS**

**Section 12.01. Accrual Basis.** The Corporation shall maintain its books of account on an accrual basis of accounting, except as otherwise required by law.

**Section 12.02. Corporation Records.** The Corporation shall keep and maintain at the principal office of the Corporation all documents and records of the Corporation. The records of the Corporation shall include a copy of this Agreement along with a listing of the names and

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addresses of the Parties. Such records and documents shall be maintained until termination of this Agreement.

**Section 12.03. Financial Statements and Reports.** The Corporation shall cause to be prepared at least annually, at Corporation expense, audited financial statements prepared in accordance with the Budget Act and with generally accepted accounting principles and accompanied by a written opinion of an independent Certified Public Accountant. A copy of the annual financial statement and report shall be filed with the State Department of Treasury within six months after the end of the Corporation's Fiscal Year in accordance with law, with copies filed with each Party.

**Section 12.04. Freedom of Information Act.** The Corporation is subject to and shall comply with the Freedom of Information Act.

### ARTICLE XIII FINANCES

**Section 13.01 Annual Budget.** The Corporation shall be subject to and comply with the Budget Act. The Corporation Board annually shall prepare and approve a budget for the Corporation for each Fiscal Year. Each budget shall be approved not less than 15 days prior to the beginning of the Fiscal Year.

**Section 13.02 Deposits and Investments.** The Corporation shall deposit and invest funds of the Corporation, not otherwise employed in carrying out the purposes of the Corporation, in accordance with an investment policy established by the Corporation Board consistent with State law regarding the investment of public funds.

**Section 13.03 Disbursements.** Disbursements of funds shall be in accordance with guidelines established by the Corporation Board and in accordance with the Budget Act and law.

### ARTICLE XIV MISCELLANEOUS

**Section 14.01 Notices.** Notice of all meetings of any Executive Committee and of the Corporation Board shall be given in the manner required by the OMA. In addition, at least three (3) days prior to the date set for the holding of any meeting of any Executive Committee or Corporation Board, written notice of the time and place of such meeting shall be sent by email or other electronic means to each Executive Committee member and Corporation Board member, as the case may be, at the email or other appropriate address of such member appearing on the records of the Corporation. Every notice by email or other electronic means shall be deemed duly served as of 5:00 p.m., prevailing Eastern time, next following the actual time when the notice is transmitted, as recorded by the Corporation's communication system. The Chief Executive Officer, if any, or his or her designee may, but shall not be required to, cause additional written notice to be provided to a member or members by mailing such notice via regular U.S. mail not less than seven (7) days prior to the date set for the holding of the meeting to the address of such member or members appearing on the records of the Corporation. Mailed notice shall be deemed duly served on the second business day following the day when the same has been deposited in the United States mail with postage fully prepaid and addressed to the addressee as provided above. Any and all correspondence or notices required, permitted or provided for under this Agreement to be delivered to any Party shall be sent to that Party by email or other electronic means at the email or other appropriate address of such Party appearing on the records of the

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Corporation, with a written copy by first class mail, provided that notices required by Sections 5.12, 5.13, 5.14, 5.15 and 5.16 and notices of withdrawal shall be sent by certified mail, return receipt requested, in lieu of first class mail. All such written notices including any notice of withdrawal as provided herein shall to be sent to each other Party's signatory to this Agreement, or that signatory's successor at the address as set forth above such Party's signature, or to such other address provided by the Party to the Corporation from time to time. All correspondence shall be considered delivered to a Party as of 5:00 p.m., prevailing Eastern Time, next following the actual time when the notice is transmitted, as recorded by the Corporation's communication system.

**Section 14.02 Entire Agreement.** This Agreement sets forth the entire agreement between the Parties and supersedes any and all prior agreements or understandings between them in any way related to the subject matter hereof. It is further understood and agreed that the terms and conditions herein are contractual and are not a mere recital and that there are no other agreements, understandings, contracts, or representations between the Parties in any way related to the subject matter hereof, except as expressly stated herein.

**Section 14.03 No Presumption.** This Agreement shall be construed without regard to any presumption or other rule requiring construction against the Party causing this Agreement to be drafted.

**Section 14.04 Severability of Provisions.** If any provision of this Agreement, or its application to any Person or circumstance, is invalid or unenforceable, the remainder of this Agreement and the application of that provision to other Persons or circumstances is not affected but will be enforced to the extent permitted by law.

**Section 14.05 Governing Law.** This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced and governed under the laws of the State of Michigan without regard to the doctrine of conflict of laws. The language of all parts of this Agreement shall in all cases be construed as a whole according to its fair meaning, and not construed strictly for or against any Party.

**Section 14.06 Captions.** The captions, headings, and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement. They are solely for convenience of reference and do not affect this Section.

**Section 14.07 Terminology.** All terms and words used in this Agreement, regardless of the number or gender in which they are used, are deemed to include any other number and any other gender as the context may require.

**Section 14.08 Cross-References.** References in this Agreement to any Article include all Sections, subsections, and paragraphs in the Article; references in this Agreement to any Section include all subsections and paragraphs in the Section.

**Section 14.09 Jurisdiction and Venue.** In the event of any disputes between the Parties over the meaning, interpretation or implementation of the terms, covenants or conditions of this Agreement, the matter under dispute, unless resolved between the parties, shall be submitted to the courts of the State of Michigan, with original jurisdiction and venue vested in a court of competent jurisdiction.

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**Section 14.10 Amendment.** The Agreement may be amended or an alternative form of the Agreement adopted only upon written agreement of all Parties. In the event that an amendment to this Agreement or alternative form of Agreement is approved by less than all Parties, any Party which has not approved of the amendment or alternative form of Agreement may withdraw from the Corporation.

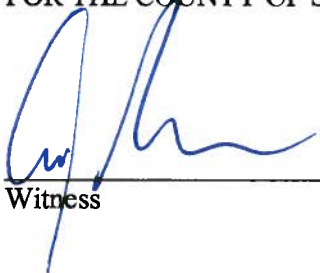
**Section 14.11 Execution of Agreement; Counterparts.** Each Party shall duly execute three (3) counterparts of this Agreement, each of which (taken together) is an original but all of which constitute one instrument.

**Section 14.12 Signatories.** The signatories for the Parties each certify that he or she is authorized to enter into this Agreement and to execute and bind legally each Party to this document.

IN WITNESS WHEREOF, this Agreement is executed by each Party on the date hereafter set forth and effective as of the Effective Date.

**PARTIES GEOGRAPHICALLY LOCATED WITHIN ST. CLAIR COUNTY**

~~FOR THE COUNTY OF ST. CLAIR, MICHIGAN,~~

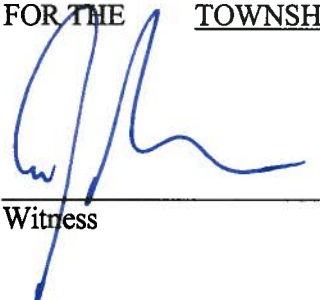
  
\_\_\_\_\_  
Witness

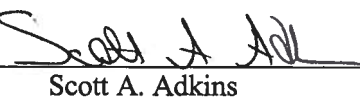
By:   
\_\_\_\_\_  
Brian Mahaffy

Its: Supervisor

Date: 1-5-12

~~FOR THE~~ TOWNSHIP OF ST. CLAIR

  
\_\_\_\_\_  
Witness

By:   
\_\_\_\_\_  
Scott A. Adkins

Its: City Superintendent

Date: 1-5-12

FOR THE CITY OF ST. CLAIR



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Alon B. Casey  
Witness

By: Joyce E. Shaffer  
Joyce E. Shaffer

Its: Township Clerk

Date: 1-5-2012

FOR THE TOWNSHIP OF KIMBALL

Sandra L. Anderson  
Witness

By: Jeffrey L. Bohm  
Jeffrey L. Bohm

Its: Chairperson, Board of Commissioners

Date: 1/4/2012

FOR THE COUNTY OF ST. CLAIR

Jason Hami  
Witness

By: Jason Hami  
Jason Hami

Its: City Manager

Date: Jan. 5. 2012

FOR THE CITY OF MARYSVILLE

Bruce Brown  
Witness

By: Bruce Brown  
Bruce Brown

Its: City Manager

Date: 1-5-12

FOR THE CITY OF PORT HURON

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\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

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PARTIES GEOGRAPHICALLY LOCATED WITHIN LAPEER COUNTY

FOR THE COUNTY OF LAPEER, MICHIGAN

Patricia A. Lucas  
Witness

By: [Signature]  
Gary Roy

Its: Chairman

Date: 12/22/2011

FOR THE Village OF Almont

Patricia A. Lucas  
Witness

By: [Signature]  
Oliver Turner

Its: Village Manager

Date: 12-28-2011

FOR THE Township OF Attica

Patricia A. Lucas  
Witness

By: [Signature]  
Al Ochadleus

Its: Supervisor

Date: 12-27-2011

FOR THE City OF Imlay City

Patricia A. Lucas  
Witness

By: [Signature]  
D. Wayne O'Neal

Its: City Manager

Date: 12-27-11

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FOR THE City OF Lapeer

Tracy S. Russell  
Witness

By: [Signature]  
Dale Kerbyson

Its: City Manager

Date: 12-27-11

FOR THE Township OF Lapeer

Judith Mason  
Witness

By: [Signature]  
Dawn M. Walker, CMC

Its: Clerk

Date: 12-28-11

FOR THE Village OF North Branch

Patricia A. Lucas  
Witness

By: [Signature]  
M. Kelly Martin

Its: Village President

Date: 12-27-11

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

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FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

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Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

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**PARTIES GEOGRAPHICALLY LOCATED WITHIN THE GENESEE COUNTY**

FOR THE COUNTY OF GENESEE, MICHIGAN

Julie A. Hips  
Witness

By: Jamie W. Curtis

Print Name: Jamie Curtis

Its: County Commissioner & Board Chairperson

Date: 12-22-11

FOR THE TOWNSHIP OF DAVISON

Julie A. Hips  
Witness

By: Kurt Soper

Print Name: Kurt Soper

Its: Supervisor

Date: 12/22/11

FOR THE CITY OF FLINT

Julie A. Hips  
Witness

By: Dayne Walling Michael K. Brown

Print Name: Dayne Walling

MICHAEL K. BROWN

Its: Mayor

EMERGENCY FINANCIAL  
MANAGER

Date: 12-22-11 12-22-11

FOR THE CHARTER TOWNSHIP OF GRAND BLANC

Julie A. Hips  
Witness

By: Keith J. Edwards

Print Name: Keith Edwards

Its: Township Superintendent

Date: 12/22/11

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FOR THE CITY OF BURTON

Julie A. Happs  
Witness

By: Paula K. Zelenko  
Print Name: Paula K. Zelenko  
Its: Mayor  
Date: 1-4-2012

FOR THE CITY OF FENTON

Julie A. Happs  
Witness

By: Sue Osborn  
Print Name: SUE OSBORN  
Its: MAYOR  
Date: 12-29-11

FOR THE CHARTER TOWNSHIP OF FLINT

Julie A. Happs  
Witness

By: Karyn Miller, Karyn Miller  
Print Name: Karyn Miller  
Its: Supervisor  
Date: 1-4-12

FOR THE CITY OF GRAND BLANC

Julie A. Happs  
Witness

By: P-93  
Print Name: Paul Brake  
Its: City Manager  
Date: 12-22-11

Execution Copy  
12/22/11

FOR THE CHARTER TOWNSHIP OF MT. MORRIS

Julie A. Lips  
Witness

By: Larry Green

Print Name: LARRY GREEN

Its: SUPERVISOR OF MT MORRIS TWP.

Date: 12-22-2011

FOR THE CHARTER TOWNSHIP OF MUNDY

Julie A. Lips  
Witness

By: David Giger

Print Name: DAVID GIGER

Its: SUPERVISOR MUNDY TWP.

Date: 1-4-2012

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_



Execution Copy  
12/22/11

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_

\_\_\_\_\_  
Witness

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Execution Copy  
12/22/11

PARTIES GEOGRAPHICALLY LOCATED WITHIN SHIAWASSEE COUNTY

FOR THE COUNTY OF SHIAWASSEE, MICHIGAN

Witness Justin Horvath  
Justin Horvath

By: Margaret McQuay  
Its: County Administrator  
Date: 1-4-12

FOR THE City OF PERRY

Witness Justin Horvath  
Justin Horvath

By: Ross DeLau  
Its: MAYOR  
Date: 12-29-11

FOR THE CITY OF DURAND

Witness Justin Horvath  
Justin Horvath

By: Angie Kelly  
Its: CITY CLERK  
Date: 1-2-2012

FOR THE Township OF Vernon

Witness Justin Horvath  
Justin Horvath

By: Charlotte Clarke  
Its: Township clerk  
Date: 1-2-2012

Execution Copy

12/22/11

FOR THE Village OF Vernon

Justin Horvath  
Witness

Justin Horvath

By: Ellen R. Glass

Its: Village Clerk

Date: 1/3/2012

FOR THE VILLAGES OF LENNON

Justin Horvath  
Witness

Justin Horvath

By: William George

Its: VILLAGE CLERK

Date: 1-3-2012

FOR THE VILLAGE OF MOTTICE

Justin Horvath  
Witness

Justin Horvath

By: Harold D. Dickerson

Its: VILLAGE PRESIDENT

Date: 1-3-2012

FOR THE Township OF Perry

Justin Horvath  
Witness

Justin Horvath

By: Sandra Michael

Its: clerk

Date: 1-3-12

FOR THE City OF Corning

Brent Jones  
Witness

Brent Jones

By: Jan A. ...

Its: 1-3-12 City Manager

Date: 1-3-12

Execution Copy  
12/22/11

FOR THE City OF Owosso  
By: [Signature]  
Its: Mayor  
Date: 1/3/12  
Witness Brent Jones

FOR THE \_\_\_\_\_ OF \_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_  
Witness \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_  
Witness \_\_\_\_\_

FOR THE \_\_\_\_\_ OF \_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_  
Witness \_\_\_\_\_

Execution Copy  
12/22/11

**EXHIBIT A**

**(Sections 9.01 and 9.02)**

Initial Annual Fee (first three term years)

1. Participating County Party Annual fee - \$10,000
2. Local Government Party Annual Fee for first three (3) term years, see Section 9.01, paid through County Party

**ST. CLAIR TOWNSHIP**  
1539 S. Bartlett Rd. St. Clair, MI 48079  
Phone (810) 329-9042 Fax (810) 329-1198  
[www.twp.stclair.mi.us](http://www.twp.stclair.mi.us)

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**RESOLUTION NO. 11-14**

**ST. CLAIR TOWNSHIP  
ST. CLAIR COUNTY, MICHIGAN**

**APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL. 125.2951-125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes, and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act. No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 8); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

**Whereas**, the Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board").

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Supervisor is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies; and

**ST. CLAIR TOWNSHIP**

1539 S. Bartlett Rd. St. Clair, MI 48079  
Phone (810) 329-9042 Fax (810) 329-1198  
[www.twp.stclair.mi.us](http://www.twp.stclair.mi.us)

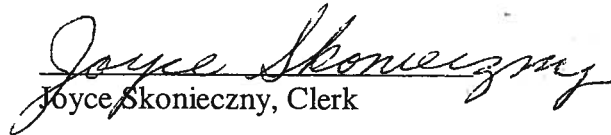
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**Be It Finally Resolved** that the Supervisor is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Interlocal Agreement.

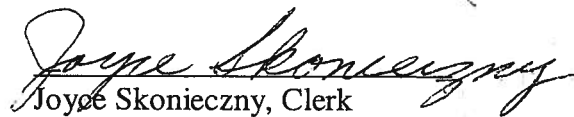
Ayes: 7 Nays: 0

Resolution declared adopted this 5<sup>th</sup> day of December 2011.

  
Joyce Skonieczny, Clerk

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of St. Clair, County of St. Clair, Michigan at a regular meeting held on December 5, 2011 and that said meeting was conducted and public notice was given in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan 1976, and that minutes were kept and will be or have been made available as required by said Act.

  
Joyce Skonieczny, Clerk

**RESOLUTION NO. 11 – 19**

**CITY OF ST. CLAIR  
COUNTY OF ST. CLAIR, MICHIGAN**

**RESOLUTION APPROVING THE INTERLOCAL AGREEMENT  
CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**

**WHEREAS**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**WHEREAS**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**WHEREAS**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**WHEREAS** this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

**WHEREAS**, the Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board").

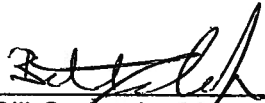
**NOW, THEREFORE, BE IT RESOLVED** that the Act 7 Interlocal Agreement be, and hereby is, approved and the City Superintendent is authorized to execute and deliver it on behalf of this unit of government; and

**BE IT FURTHER RESOLVED** that the City Superintendent is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies; and



**BE IT FINALLY RESOLVED** that Scott Adkins, City Superintendent, is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Interlocal Agreement.

**RESOLUTION DECLARED ADOPTED**

  
\_\_\_\_\_  
Bill Cedar Jr., Mayor  
City of St. Clair, Michigan

**CERTIFICATION**

The foregoing is a true and complete copy of a Resolution duly adopted by the City Council in the City of St. Clair, St. Clair County, Michigan, at a Regular Meeting of the City Council held on the 5th day of December 2011, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, the same being the Open Meetings Act, and the minutes of said meeting have been or will be made available as required by said Act.

Members Present: Mayor Cedar, Members Burns, Foley, Kindsvater, Krebs, LaPorte, McCartney

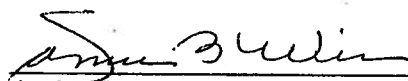
Members Absent: None

It was moved by Member LaPorte and supported by Member Kindsvater to adopt the Resolution contingent on St. Clair County approval of the Inter-Local Agreement.

Members Voting Yes: Foley, Kindsvater, LaPorte, Cedar

Members Voting No: Burns, Krebs, McCartney

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

  
\_\_\_\_\_  
Janice B. Winn, City Clerk  
City of St. Clair, Michigan

Kimball Township  
2160 Wadhams Road  
Kimball, Michigan 48074



Phone (810) 987-9797  
Fax (810) 982-2342

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RESOLUTION 2011-24  
OF THE

TOWNSHIP OF KIMBALL, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

**Whereas**, the Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board").

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Township Clerk ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies; and

Be it Finally Resolved that \_\_\_\_\_ is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Interlocal Agreement.

Ayes: 5 Nays: 0 Absent: 2

Resolution declared adopted this 20 day of December 2011.

  
Clerk.

**RESOLUTION 11-45  
COUNTY OF ST. CLAIR BOARD OF COMMISSIONERS**

**APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

**Whereas**, the Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board").

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Chairperson, Jeffrey L. Bohm, ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies; and

**Be it Finally Resolved** that Commissioner Howard Heidemann is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Interlocal Agreement.

Ayes: 5      Nays: 2

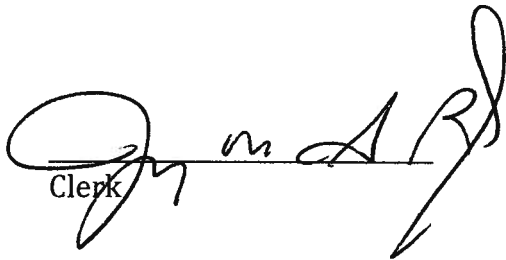
Resolution declared adopted this 7<sup>th</sup> day of December 2011.

STATE OF MICHIGAN      )

County of St. Clair      )

I, Jay DeBoyer, Clerk of the County of St. Clair and of the County Board of Commissioners, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Board at its regular meeting on December 7, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County of St. Clair this 5<sup>th</sup> Day of January 2012 at Port Huron, Michigan.

  
Clerk

**City of Marysville  
COUNTY OF ST. CLAIR, MICHIGAN**

**RESOLUTION APPROVING THE INTERLOCAL AGREEMENT CREATING THE I-69  
INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**

Minutes of a Regular Meeting of the City Council of the City of Marysville, County of St. Clair, Michigan, held on the 5<sup>th</sup> day of December 2011 in the Council Chambers in the City of Marysville at 7:30 o'clock p.m., local time.

**PRESENT:** Mayor Orr, Mayor Pro-Tem Johns, Council members Anglebrandt, Damman, Dunn and Wessel

**ABSENT:** Council member Wagenschutz

The following preamble and resolution were offered by Council member Anglebrandt and supported by Council member Dunn.

**WHEREAS**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951-125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**WHEREAS**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**WHEREAS**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**WHEREAS**, The City of Marysville has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of the City of Marysville to approve Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

**WHEREAS**, the Interlocal Agreement provides that the City of Marysville shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board").

**NOW THEREFORE, BE IT RESOLVED**, that the Act 7 Interlocal Agreement be, and hereby is, approved and G. Jason Hami ("Local Official") is authorized to execute and deliver it on behalf of the City of Marysville; and

**BE FURTHER IT RESOLVED**, that G. Jason Hami is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to the City of Marysville as may be required by State of Michigan officers or agencies; and

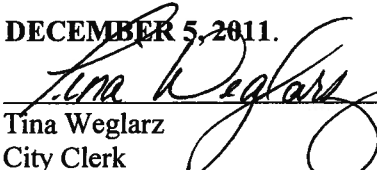
**BE IT FINALLY RESOLVED**, that G. Jason Hami is hereby appointed to the Corporation Board to represent the City of Marysville pursuant to the Interlocal Agreement.

**AYES:** Mayor Orr, Council members Anglebrandt, Damman, Dunn and Wessel

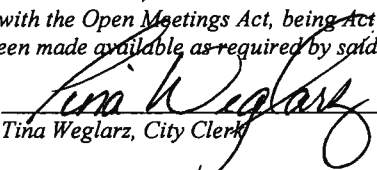
**NAYS:** Mayor Pro-Tem Johns

**ABSENT:** Council member Wagenschutz

**RESOLUTION DECLARED ADOPTED ON DECEMBER 5, 2011.**

  
\_\_\_\_\_  
Tina Weglarz  
City Clerk

*I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Marysville, County of St. Clair, State of Michigan, at a Regular Meeting held on December 5, 2011 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 the minutes of said meeting were kept and will be or have been made available as required by said Act.*

  
\_\_\_\_\_  
Tina Weglarz, City Clerk

Councilmember Archibald offered and moved the adoption of the following resolution:

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**

WHEREAS, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951-125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

WHEREAS, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

WHEREAS, it is further provided in Act 274 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

WHEREAS, the City of Port Huron has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of the City of Port Huron to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

WHEREAS, the Interlocal Agreement provides that the City of Port Huron shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board").

NOW, THEREFORE, BE IT RESOLVED that the Act 7 Interlocal Agreement be, and hereby is, approved and the City Manager is authorized to execute and deliver it on behalf of the City of Port Huron; and

BE IT FURTHER RESOLVED, that the City Manager is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to the City of Port Huron as may be required by State of Michigan officers or agencies; and

BE IT FINALLY RESOLVED, that the City Manager is hereby appointed to the Corporation Board to represent the City of Port Huron pursuant to the Interlocal Agreement.

*MOTION ADOPTED BY THE FOLLOWING VOTE:*

*Yes: Mayor Repp; Councilmembers Archibald, Cole, Lewandowski and Ruiz.*

*No: Councilmember Harris and Moeller.*

*Absent: None.*

*I hereby certify that the above is a true and correct copy of a resolution adopted at a regular meeting of the Port Huron City Council on Monday, December 12, 2011.*

  
\_\_\_\_\_  
Susan M. Child, CMC  
City Clerk

**RESOLUTION  
OF THE**

**Board of Commissioners of Lapeer County, Michigan  
APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Chairman of the Board is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 7 Nays: None

Resolution declared adopted this 8<sup>th</sup> day of December 2011.



Marlene M. Bruns  
Lapeer County Clerk



**RESOLUTION  
OF THE**

**Village of Almont of Lapeer County, Michigan  
APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL  
TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

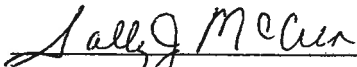
**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Village Manager is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Village Manager is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes:   6   Nays:   1

Resolution declared adopted this 15th day of November 2011.

  
\_\_\_\_\_  
Sally McCrea  
Clerk/Treasurer

**RESOLUTION  
OF THE**

**Attica Township of Lapeer County, Michigan  
APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Whereas**, the Act 7 Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation ("Corporation Board"), as well as one alternate.

**Now, Therefore, Be It Resolved:**

- 1) That the Act 7 Interlocal Agreement be, and hereby is, approved;
- 2) That <sup>Di</sup>Chad Lewis ("Local Official") is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Act 7 Interlocal A and is authorized to execute and deliver it on behalf of this unit of government;
- 3) That the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

- 4) That Bud Fackler is hereby appointed as the alternate to represent this unit of government pursuant to Article 6.01 (a) of the Act 7 Interlocal Agreement.

Ayes: *Ochadlew, Herpolsheimer, Mason, Madeline, Lacey*  
Nays: *none*  
Abstain: *none*

Resolution declared adopted.

*Nancy Herpolsheimer*  
Nancy Herpolsheimer, Clerk  
Attica Township

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Lapeer Township Board, County of Lapeer, Michigan at a special meeting held on Dec. 21, 2011 in compliance with Act No. 267 of the Michigan Public Acts of 1976.

*Nancy Herpolsheimer*  
Nancy Herpolsheimer, Clerk  
Attica Township

**RESOLUTION 2011-11**  
**City of Imlay City, Lapeer County, Michigan**  
**APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Whereas**, the Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor next Michigan Development Corporation Board

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and D. Wayne O'Neal, City Manager ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and D. Wayne O'Neal is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Interlocal Agreement:


**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.


Ayes: 6

Nays: 0

Absent: 1

Resolution declared adopted this 15th day of November, 2011.

  
\_\_\_\_\_  
Janice L. Zuhlke  
City Clerk/Treasurer

  
\_\_\_\_\_  
Margaret Guerrero  
Mayor

**RESOLUTION  
OF THE  
City of Lapeer of Lapeer County, Michigan  
APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

At a regular meeting of the Lapeer City Commission of the City of Lapeer, County of Lapeer, Michigan, held in said City on the 21<sup>st</sup> day of November, 2011, there were:

PRESENT: Commissioners Robinet, Lyons, Bennett, Marquardt & Bostick-Tullius.  
ABSENT: None.

MOVED BY: Commisisoner Bostick-Tullius      SECONDED BY: Commissioner Marquardt

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Whereas**, the Act 7 Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation Board ("Corporation Board") as well as one alternate.

**Now, Therefore, Be It Resolved:**

- 1) That the Act 7 Interlocal Agreement be, and hereby is, approved.
- 2) That Dale Kerbyson ("Local Official") is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Act 7 Interlocal Agreement and is authorized to execute and deliver it on behalf of this unit of government.

- 3) That the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by the State of Michigan officers or agencies.
- 4) That Tracey S. Russell is hereby appointed as the alternate to represent this unit of government pursuant to Article 6.01 (a) of the Act 7 Interlocal Agreement.

AYES: Commissioners Robinet, Lyons, Bennett, Marquardt & Bostick-Tullius.

NAYS: None.

ABSTAIN: None.

ABSENT: None.

RESOLUTION DECLARED ADOPTED.



Donna L. Cronce, MMC  
City Clerk, City of Lapeer

**CERTIFICATION:**

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Lapeer City Commission, County of Lapeer, Michigan at a regular meeting held on November 21, 2011 in compliance with Act No. 267 of the Michigan Public Acts of 1976.



Donna L. Cronce, MMC  
City Clerk, City of Lapeer

**RESOLUTION  
OF THE**

**Township of Lapeer of Lapeer County, Michigan  
APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Whereas**, the Act 7 Interlocal Agreement provides that this local unit of government shall appoint one member of the I-69 International Trade Corridor Next Michigan Development Corporation ("Corporation Board"), as well as one alternate.

**Now, Therefore, Be It Resolved:**

- 1) That the Act 7 Interlocal Agreement be, and hereby is, approved;
- 2) That Dawn M. Walker, Lapeer Township Clerk is hereby appointed to the Corporation Board to represent this unit of government pursuant to the Act 7 Interlocal A and is authorized to execute and deliver it on behalf of this unit of government;
- 3) That the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.



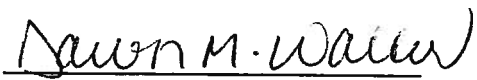
- 4) That John Rutzen, Lapeer Township Trustee is hereby appointed as the alternate to represent this unit of government pursuant to Article 6.01 (a) of the Act 7 Interlocal Agreement.

Ayes: Jarvis, Taylor, Blaine, Rutzen, Walker

Nays: None

Abstain: None

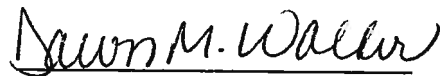
The Supervisor declared the Resolution adopted.



Dawn M. Walker, CMC  
Clerk of Lapeer Township

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Lapeer Township Board, County of Lapeer, Michigan at a special meeting held on December 19, 2011 in compliance with Act No. 267 of the Michigan Public Acts of 1976.



Dawn M. Walker, CMC  
Clerk of Lapeer Township

**RESOLUTION  
OF THE**

                    Village                     **OF** North Branch                    , MICHIGAN

**APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

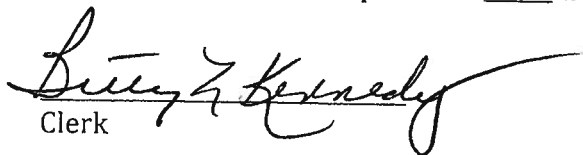
**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Village President ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 6      Nays: 0

Resolution declared adopted this 3rd day of November 2011.

  
Clerk



**MICHAEL J. CARR**  
GENESEE COUNTY CLERK

OFFICE OF THE COUNTY CLERK  
GENESEE COUNTY COURTHOUSE  
900 SOUTH SAGINAW STREET  
FLINT, MICHIGAN 48502

ADMINISTRATION (810) 257-3282  
COURT RECORDS (810) 257-3220  
ELECTIONS (810) 257-3283  
VITAL RECORDS (810) 257-3225

**CERTIFIED COPY OF RECORD**

STATE OF MICHIGAN     )  
                                  ) **SS.**  
County of Genesee     )

I, **MICHAEL J. CARR**, County Clerk of the County of Genesee, Michigan, and Clerk of the Genesee County Board of Commissioners, and Clerk of the Circuit Court for said County, do hereby certify that I have compared the foregoing copy of Resolution Approval of an Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation with original record thereof now remaining in my office, and that the attached is a true and correct copy therefrom, and of the whole of such original record.

**In Testimony Whereof**, I have hereunto set my hand, and affixed the seal of said Court and County, this 22<sup>nd</sup> day of December A.D. 2011.

GENESEE COUNTY BOARD  
OF COUNTY COMMISSIONERS  
Resolution No.: 11-480  
Date Adopted : November 30, 2011

**MICHAEL J. CARR, Clerk**

BY: *D.M.G. [Signature]*  
Deputy County Clerk

TO THE HONORABLE CHAIRPERSON AND MEMBERS OF THE GENESEE COUNTY BOARD OF COMMISSIONERS, GENESEE COUNTY, MICHIGAN

LADY AND GENTLEMEN:

WHEREAS, subject to the approval of the Michigan Strategic Fund (the "MSF"), the Next Michigan Development Act, 2010 P.A. 275, MCL 125.2951-2959 ("Act 275"), allows for the creation of a Next Michigan Development Corporation ("NMDC") among local government parties for economic development purposes; and

WHEREAS, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, 1967 P.A. 7, MCL 124.501-512 ("Act 7"); and

WHEREAS, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

WHEREAS, this Board of Commissioners has been presented with an Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (the "Interlocal Agreement") for economic development purposes and deems it to be in the best interests of Genesee County to approve the Interlocal Agreement and become a voting participant in the NMDC.

NOW THEREFORE BE IT RESOLVED, by this Board of Commissioners of Genesee County, Michigan, that the request by the Genesee County Metropolitan Planning Commission to approve the Interlocal Agreement

(Request and Interlocal Agreement on file with the minutes of the November 10, 2011, meeting of the Community & Economic Development Committee), is approved; and

BE IT FURTHER RESOLVED that the Board Chairperson is authorized to execute the Interlocal Agreement on behalf of Genesee County, Michigan, and to consent to non-material adjustments and corrections to the Interlocal Agreement as may be required by State of Michigan officers or agencies.

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

C111011VIA2  
ACT:ms  
11-10-11  
11-30-C2

C2

RESOLUTION  
OF THE

DAVISON TOWNSHIP BOARD OF TRUSTEES OF DAVISON, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the SUPERVISOR ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 3 Nays: 2

Resolution declared adopted this 15 day of DECEMBER 2011.

Karen M. Miller  
Clerk



# City of Flint, Michigan

## Certified Copy

Resolution: 111442

Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
www.cityofflint.com

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File Number: 111442

### Act 7 Interlocal Agreement/Creation of the I-69 International Trade Corridor Next Michigan Development Corporation

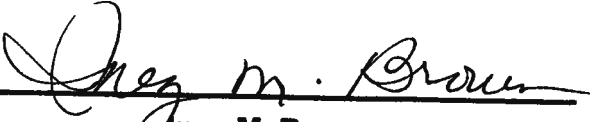
Resolution resolving that the Flint City Council approves the Act 7 Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) and authorizes the Mayor to execute and deliver the agreement on behalf of the City of Flint, AND, resolving that the Mayor is hereby authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to the Flint City Council as may be required by the State of Michigan officers and/or agencies.

State of Michigan  
County of Genesee

I, Inez M. Brown, hereby certify that the foregoing is a true and complete copy of Resolution No. 111442, offered and passed with the following vote by the Flint City Council at a meeting held on 11/14/2011.

The motion was made by Councilperson Lawler and seconded by Councilperson Freeman.

Aye: 9 Councilperson Loyd, Councilperson Poplar, Councilperson Nolden,  
Councilperson Freeman, Councilperson Lawler, Councilperson  
Neeley, Vice President Weighill, Councilperson Sarginson,  
President Kincaid

  
\_\_\_\_\_  
Inez M. Brown

  
\_\_\_\_\_  
Date Certified

**RESOLUTION  
OF THE**

Charter Township **OF** Grand Blanc, MICHIGAN

**APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Township Superintendent ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 7 Nays: 0

Resolution declared adopted this 29th day of November 2011.

Catherine Lane  
Clerk Catherine Lane



**Charter Township of Grand Blanc**  
**Resolution Approving Interlocal Agreement Creating the**  
**I-69 International Trade Corridor “Next Michigan Development Corporation”**

**360-2011 – Resolution for Approving the “Next Michigan Development Corporation”**

Motion by Trustee Anderson, supported by Trustee Bush, to adopt the Resolution Approving a Certain Interlocal Agreement Creating the I-69 International Trade Corridor “Next Michigan Development Corporation” proposed at the November 20, 2011, meeting by Janice Karcher, Vice President of Economic Development for the Genesee Regional Chamber of Commerce, committing the Township to this program for twenty-five (25) years. Roll call vote. Ayes: Anderson, Bush, Kent, Thompson, Guzak, Lane, Hoffman. Nays: 0. Motion approved.

STATE OF MICHIGAN )  
  ) SS  
COUNTY OF GENESEE )

**CERTIFICATION**

I, Catherine Lane, the duly qualified Clerk of the Charter Township of Grand Blanc, Genesee County, Michigan, do hereby certify the foregoing is a true and complete copy of the Resolution adopted by the Township Board of the Charter Township of Grand Blanc at a Special Meeting held in the Grand Blanc Township Government Center, 5371 South Saginaw Street, P.O. Box 1833, Grand Blanc, Michigan, on the 29th day of November 2011, by a majority of the members of the Board present and voting, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 29th day of November 2011.

  
\_\_\_\_\_  
Catherine Lane, Township Clerk

RESOLUTION  
OF THE

CITY OF BURTON, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

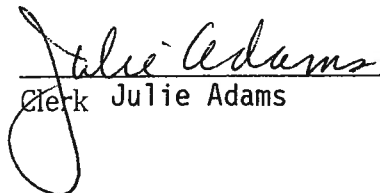
**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Mayor ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 7 Nays: 0

Resolution declared adopted this 19th day of December 2011.

  
Clerk Julie Adams

RESOLUTION NO. 11-26  
OF THE

CITY OF FENTON, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

Whereas, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

Whereas, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

Whereas, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

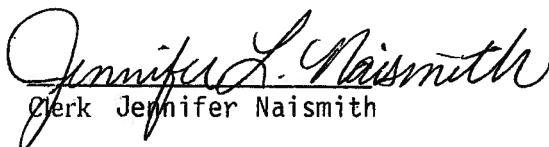
Whereas, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

Now, Therefore, Be It Resolved that the Act 7 Interlocal Agreement be, and hereby is, approved and the MAYOR ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

Be It Further Resolved that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 7 Nays: 0

Resolution declared adopted this 12th day of December 2011.

  
Clerk Jennifer Naismith

**RESOLUTION  
OF THE  
CHARTER TOWNSHIP OF FLINT, MICHIGAN  
APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

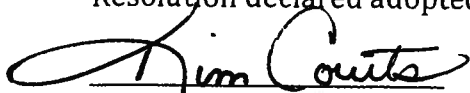
**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Charter Township of Flint Supervisor ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 7 Nays: 0

Resolution declared adopted this 7th day of November 2011.

  
Clerk



# City of Grand Blanc

203 E. Grand Blanc Rd.  
Grand Blanc, MI 48439

[www.cityofgrandblanc.com](http://www.cityofgrandblanc.com)

810-694-1118  
Fax 810-694-9517

**MAYOR**  
Michael N. Matheny

**CITY COUNCIL**  
James E. Bappert  
John A. Freel  
Connie S. Lesley  
Susan J. Soderstrom  
Steven J. Robinson  
Michael R. Wolfgram

**CITY MANAGER**  
Paul J. Brake

**CITY CLERK-  
TREASURER**  
Bethany J. Smith

**FINANCE DIRECTOR-  
ASST. CITY MGR.**  
Wendy L. Jean-Buhner

**CITY ATTORNEY**  
Walter P. Griffin

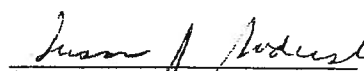
**CITY ASSESSOR**  
Cathy E. Groce

**RESOLUTION  
OF THE  
CITY OF GRAND BLANC, MICHIGAN  
APPROVING A CERTAIN  
INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**


- WHEREAS,** subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and
- WHEREAS,** Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and
- WHEREAS,** it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and
- WHEREAS,** this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.
- NOW, THEREFORE, BE IT RESOLVED** that the Act 7 Interlocal Agreement be, and hereby is, approved and the City Manager Paul Brake is authorized to execute and deliver it on behalf of this unit of government; and
- BE IT FURTHER RESOLVED** that the City Manager is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 4 Nays: 0

Resolution declared adopted this 16th day of November 2011.

  
Susan J. Soderstrom, Mayor



  
Bethany J. Smith, City Clerk

RESOLUTION  
OF THE

Greater Township of Mt. Morris OF Mt. Morris, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Supervisor Jerry Dean ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 5 Nays: 2

Resolution declared adopted this 14 day of November 2011.

Brenda Ashley  
Clerk

**RESOLUTION NO. 11-16**

**CHARTER TOWNSHIP OF MUNDY, MICHIGAN**

**APPROVING A CERTAIN  
INTERLOCAL AGREEMENT CREATING THE 1-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the 1-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Charter Township of Mundy Representative ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Motion was made by Treasurer Joe Oskey and supported by Trustee Dennis Owens to adopt the foregoing Resolution.

**AYES:** David L. Guigear, Tonya L. Ketzler, Joe Oskey, Betty Harrison, and Dennis Owens

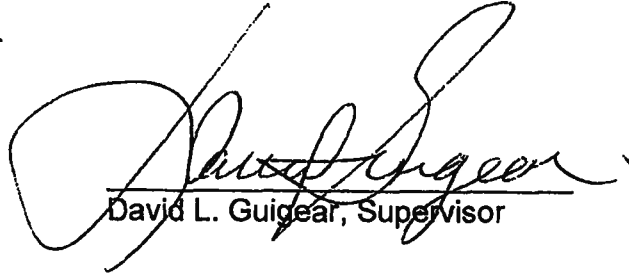
**NAYS:** Bill Morey

**ABSENT:** Mark Frost

**ABSTAIN:** None

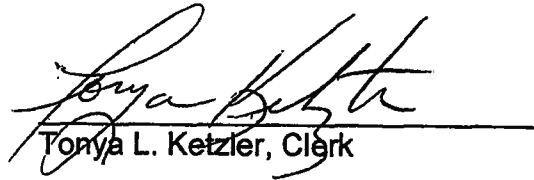
RESOLUTION DECLARED ADOPTED.

DATED: December 12, 2011

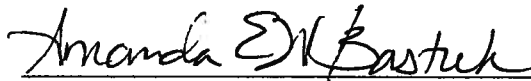
  
David L. Guigear, Supervisor

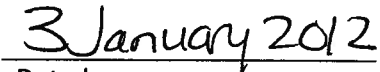
I, Tonya L. Ketzler, Clerk of the Charter Township of Mundy do hereby certify that Resolution No. 11-16 was duly adopted at a regular board meeting of the Charter Township of Mundy Board held on December 12, 2011.

DATED: December 12, 2011

  
Tonya L. Ketzler, Clerk

I, Amanda EW Bastuk, Mundy Township Deputy Clerk certify that this document is a true copy of the original.

  
Amanda EW Bastuk  
Deputy Clerk

  
Dated



**RESOLUTION NO. 11-12-17  
BOARD OF COMMISSIONERS  
SHIAWASSEE COUNTY**

**Resolution Authorizing the Execution of an Interlocal Agreement Creating the I-69 International Trade Corridor Next Michigan Development Corporation**

**WHEREAS**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**WHEREAS**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**WHEREAS**, Act 275 provides that the Act 7 Interlocal Agreement be approved by the governor of the State of Michigan before being submitted to the MSF; and

**WHEREAS**, the Shiawassee County Board of Commissioners has been presented with the attached Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of the County to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC; and

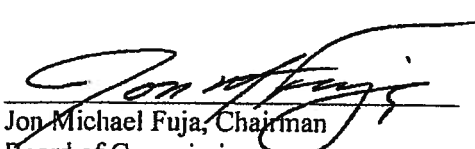
**WHEREAS**, the Shiawassee Economic Development Partnership Board of Directors has approved funding this initiative so that any Shiawassee County municipalities that join will not have to contribute any dollars to the effort.

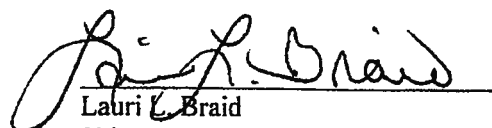
**THEREFORE BE IT RESOLVED**, that the Shiawassee County Board of Commissioners has heretofore determined that it is advisable and in the public interest to enter into an Interlocal Agreement with nearby counties and local units of government that will create the I-69 International Trade Corridor Next Michigan Development Corporation.

**BE IT FURTHER RESOLVED**, that the County Administrator be instructed and authorized to execute for and on behalf of the County of Shiawassee an agreement substantially in the form attached.

**BE IT FURTHER RESOLVED**, that the County Administrator is further authorized to consent to nonmaterial adjustments and corrections to the form of the attached agreement as may be required by State of Michigan officers or agencies.

I hereby certify that the foregoing Resolution was adopted by the Shiawassee County Board of Commissioners at its regular meeting of December 8, 2011.

  
Jon Michael Fuja, Chairman  
Board of Commissioners

  
Lauri Braid  
Shiawassee County Clerk

RESOLUTION  
OF THE

City OF Perry, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

Whereas, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

Whereas, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

Whereas, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

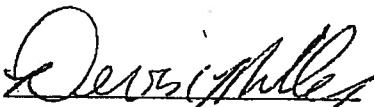
Whereas, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

Now, Therefore, **Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the City Mayor ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 6 Nays: 0

Resolution declared adopted this 20th day of December 2011.

  
Clerk

**RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL  
AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**

Whereas, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

Whereas, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

Whereas, Act 275 provides that the Act 7 interlocal agreement be approved by the governor of the state of Michigan before being submitted to the MSF; and

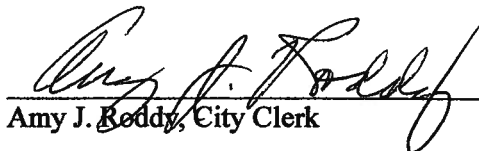
Whereas, this city council has been presented with the attached interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 interlocal agreement) for economic development purposes and deems it to be in the best interest of the city of Durand to approve the Act 7 interlocal agreement and become a voting participant in the NMDC.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Durand:

- FIRST: that the city of Durand has heretofore determined that it is advisable and in the public interest to enter into an interlocal agreement with nearby counties and local units of government that will create the I-69 International Trade Corridor Next Michigan Development Corporation,
- SECOND: that the mayor and clerk be instructed and authorized to execute for and on behalf of the city of Durand an agreement substantially in the form attached;
- THIRD: that the mayor and clerk are further authorized to consent to nonmaterial adjustments and corrections to the form of the attached agreement as may be required by state of Michigan officers or agencies.

Ayes: 6 Nays: \_\_\_\_\_

Resolution declared adopted this 5 day of DECEMBER 2011.

  
\_\_\_\_\_  
Amy J. Reddy, City Clerk

**RESOLUTION  
OF THE**

Vernon Township OF Shiawassee County, MICHIGAN

**APPROVING A CERTAIN**

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Vernon Township Board ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 5 Nays: 0

Resolution declared adopted this 12 day of December 2011.

Charlotte Clarke  
Clerk

**RESOLUTION  
OF THE VILLAGE OF VERNON OF SHIAWASSEE COUNTY, MICHIGAN  
APPROVING A CERTAIN  
INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR NEXT  
MICHIGAN DEVELOPMENT CORPORATION**

**WHEREAS**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**WHEREAS**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**WHEREAS**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**WHEREAS**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**NOW, THEREFORE, BE IT RESOLVED** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Village Clerk is authorized to execute and deliver it on behalf of this unit of government; and

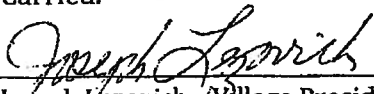
**BE IT FURTHER RESOLVED** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

At a regular meeting of the Village of Vernon Council held on December 21, 2011, adoption of the foregoing resolution was moved by Borkowski and supported by Winkowski.


Yeas: Trustees Borkowski, Heldreth, Steele, Winkowski, President Lezovich

Nays: None

Carried.

  
\_\_\_\_\_  
Joseph Lezovich - Village President

I, Ellen R. Glass, the duly appointed and sworn Clerk of the Village of Vernon do attest that the foregoing is a true and correct copy of a resolution approved by majority of the members of the Village of Vernon Council at a regular meeting held on December 21, 2011.

  
\_\_\_\_\_  
Ellen R. Glass - Village Clerk

*Board appointed Trustee Borkowski to represent the Village on the board and Trustee Winkowski for alternate.*

RESOLUTION

11-05

OF THE

VILLAGE OF LENNON, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE 1-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951-125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act NO.7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the . MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the 1-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Village Clerk("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 5 Nays: 1

Resolution declared adopted this 12 day of December 2011.



Clerk

RESOLUTION  
OF THE

Village OF Morenci, MICHIGAN

APPROVING A CERTAIN

INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Village President ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 4 Nays: 0

Resolution declared adopted this 13<sup>th</sup> day of December 2011.

Karan Mc Guire  
Clerk

RESOLUTION  
OF THE

Township OF Perry, MICHIGAN

APPROVING A CERTAIN

**INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE  
CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION**

**Whereas**, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

**Whereas**, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

**Whereas**, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before being submitted to the MSF; and

**Whereas**, this legislative body has been presented with a certain Interlocal Agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 Interlocal Agreement) for economic development purposes and deems it to be in the best interest of this governmental unit to approve the Act 7 Interlocal Agreement and become a voting participant in the NMDC.

**Now, Therefore, Be It Resolved** that the Act 7 Interlocal Agreement be, and hereby is, approved and the Township Clerk ("Local Official") is authorized to execute and deliver it on behalf of this unit of government; and

**Be It Further Resolved** that the Local Official is further authorized to consent to non-material adjustments and corrections to the form of the Act 7 Interlocal Agreement submitted to this legislative body as may be required by State of Michigan officers or agencies.

Ayes: 5 Nays: 0

Resolution declared adopted this 7<sup>th</sup> day of December 2011.

Sandra Michalek  
Clerk



## RESOLUTION 12-05-11-01

### RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR NEXT MICHIGAN DEVELOPMENT CORPORATION

Whereas, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

Whereas, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

Whereas, Act 275 provides that the Act 7 interlocal agreement be approved by the governor of the state of Michigan before being submitted to the MSF; and

Whereas, this city council has been presented with the attached interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 interlocal agreement) for economic development purposes and deems it to be in the best interest of the city of Corunna to approve the Act 7 interlocal agreement and become a voting participant in the NMDC.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Corunna:

- FIRST: that the city of Corunna has heretofore determined that it is advisable and in the public interest to enter into an interlocal agreement with nearby counties and local units of government that will create the I-69 International Trade Corridor Next Michigan Development Corporation,
- SECOND: that the mayor and other city officials be instructed and authorized to execute for and on behalf of the city of Corunna an agreement substantially in the form attached;
- THIRD: that the mayor and other city officials are further authorized to consent to nonmaterial adjustments and corrections to the form of the attached agreement as may be required by state of Michigan officers or agencies.

Ayes: ALL Nays: NONE

Resolution declared adopted this 5<sup>th</sup> day of DECEMBER 2011.

Nicholas Crowley  
Clerk



**RESOLUTION NO. 189-2011**

**AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT  
CREATING THE I-69 INTERNATIONAL TRADE CORRIDOR  
NEXT MICHIGAN DEVELOPMENT CORPORATION**

Whereas, subject to the approval of the Michigan Strategic Fund (MSF) the Next Michigan Development Act, Act 275, 2010 PA 275, MCL 125.2951- 125.2159 (Act 275), allows for the creation of a Next Michigan Development Corporation (NMDC) among local governmental parties for economic development purposes; and

Whereas, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of Michigan, 1967, (Ex Session) MCL 124.501 to 124.512 (Act 7); and

Whereas, Act 275 provides that the Act 7 interlocal agreement be approved by the governor of the state of Michigan before being submitted to the MSF; and

Whereas, this city council has been presented with the attached interlocal agreement creating the I-69 International Trade Corridor Next Michigan Development Corporation (Act 7 interlocal agreement) for economic development purposes and deems it to be in the best interest of the city of Owosso to approve the Act 7 interlocal agreement and become a voting participant in the NMDC.

**NOW, THEREFORE, BE IT RESOLVED** by the city council of the city of Owosso:

- FIRST:** that the city of Owosso has heretofore determined that it is advisable and in the public interest to enter into an interlocal agreement with nearby counties and local units of government that will create the I-69 International Trade Corridor Next Michigan Development Corporation,
- SECOND:** that the mayor and other city officials be instructed and authorized to execute for and on behalf of the city of Owosso an agreement substantially in the form attached\*;
- THIRD:** that the mayor and other city officials are further authorized to consent to nonmaterial adjustments and corrections to the form of the attached agreement as may be required by state of Michigan officers or agencies.

Motion supported by Councilperson Cook.

Roll Call Vote.

**AYES:** Councilpersons Bailey, Fox, Erfourth, Cook, Eveleth, Mayor Pro-Tem Popovitch and Mayor Frederick.

**NAYS:** None.

*I hereby certify that the foregoing document is a true and complete copy of a resolution passed by the Owosso City Council at the regular meeting of December 5, 2011.*

  
Amy K. Kirkland, City Clerk

