

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT  
EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING  
PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS  
#23-005

At a regular meeting of the Township Board of the Charter Township of White Lake, Oakland County, Michigan, held on February 21, 2023.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

WHEREAS, the Charter Township of White Lake (the “Township”) proposes to issue its revenue bonds, in one or more series (the “Bonds”) under Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), to finance improvements to the Township’s sanitary sewer system (the “System”), including, without limitation, the repair and rehabilitation of gravity sanitary main, gravity manholes, and pressure manholes, as well as all work, equipment and appurtenances necessary or incidental to these improvements and such other improvements as the Township may approve (the “Project”); and

WHEREAS, it is anticipated that the Township’s Sewer Fund will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the “Reimbursement Regulations”) specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the Township intends by this resolution

to qualify amounts advanced by the Township to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations; and

WHEREAS, a notice of intent to issue the Bonds must be published in order to comply with the requirements of Section 33 of Act 94.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of White Lake, Oakland County, Michigan, as follows:

1. The Project shall consist of the sewage disposal system improvements described in the preamble hereto.

2. The maximum principal amount of Bonds expected to be issued for the Project is \$5,000,000.

3. The Township hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the Township's advances to the Project as described in the preamble and as anticipated by this resolution.

4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.

5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the Township.

6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

RESOLUTION DECLARED ADOPTED.

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

STATE OF MICHIGAN    )  
                                  ) SS  
COUNTY OF OAKLAND )

I hereby certify that the foregoing is a true and complete copy of a resolution adopted at a regular meeting of the Township Board of the Charter Township of White Lake, Oakland County, Michigan, held on February 21, 2023, the original of which is on file in my office. I further certify that notice of the meeting was given pursuant to and in compliance with the Open Meetings Act, as amended.

\_\_\_\_\_  
Anthony Noble, Clerk  
Charter Township of White Lake

## EXHIBIT A

### NOTICE OF INTENT TO ISSUE BONDS BY THE CHARTER TOWNSHIP OF WHITE LAKE, MICHIGAN

NOTICE IS HEREBY GIVEN, that the Charter Township of White Lake, Oakland County, Michigan (the "Township"), intends to issue revenue bonds, in one or more series, in the principal amount of not to exceed \$5,000,000 for the purpose of defraying the cost of improvements to the Township's sanitary sewer system (the "System"), including, without limitation, the repair and rehabilitation of gravity sanitary main, gravity manholes, and pressure manholes, as well as all work, equipment and appurtenances necessary or incidental to these improvements and such other improvements as the Township may approve, and to pay the costs of issuing the bonds and capitalized interest, if any.

The bonds will mature in not to exceed forty (40) years after the date of original issuance, and will bear interest from their date at a rate or rates to be determined at the time of sale thereof but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution of the Township Board and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution. The Township will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due and to provide for such other expenditures and funds for the System as are required by the resolution authorizing the issuance of bonds. In addition, the bonds may be secured by the full faith and credit of the Township as limited by applicable constitutional, and statutory limitations on the taxing power of the Township.

#### RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the Township Board of the Charter Township of White Lake, to and for the benefit of the electors of the Township in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the Township, whichever is the lesser, shall have been filed with the undersigned Township Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the Township qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of said bonds and the subject matter of this notice may be secured at the office of the Township Clerk of the Charter Township of White Lake, 7525 Highland Road, White Lake, Michigan 48383.

This notice is given pursuant to the provisions of Act 94, Public Acts of Michigan, 1933, as amended.

Anthony Noble  
Township Clerk  
Charter Township of White Lake

Rik Kowall, Supervisor  
Anthony Noble, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Liz Fessler Smith  
Andrea C. Voorheis  
Michael Powell

## WHITE LAKE TOWNSHIP DEPARTMENT OF PUBLIC SERVICES

7525 Highland Road, White Lake, Michigan 48383-2900, (248) 698-7700, [www.whitelaketwp.com](http://www.whitelaketwp.com)

February 13, 2023

Township Board of Trustees  
7525 Highland Rd  
White Lake, MI 48383

**RE: RESOLUTION # 23-005; CWSRF 5800-1 ACT 94 NOTICE OF INTENT**

Honorable Board of Trustees,

In December 2019, White Lake completed a waste water asset management plan (WWAMP) for the sewer system following three years of inspections of the system through the SAWW Grant. Necessary maintenance projects were ranked and prioritized for over 20 years. In January 2022, the Federal government announced that infrastructure grants through American Rescue Plan Act (ARPA) and the American Water Infrastructure Act (AWIA) would be flowing through the CWSRF funds for qualifying projects. The project plan that was approved by the Township Board at the February 2022 meeting in an attempt to get access to these grants. Proposed projects that have been identified to be included in the Project Plan are cast in place pipe lining of 14,011 feet of gravity sewer main, cast in place lining of 22 gravity manholes, cast in place lining of 21 pressure manholes. These were some of the highest priority projects from the first five years of the WWAMP. DPS was notified on October 31<sup>st</sup>, 2022 by the State that the \$2.85 M project was approved for funding including \$285,000 in principal forgiveness through ARPA.

Attached is the Notice of Intent to sell municipal bonds for Clean Water State Revolving Fund (CWSRF) Project 5800-01. This is the next step in the milestone schedule required by the State to qualify for funding of the project. At the advice of our financial advisors and our bond counsel, the not to exceed amount on the resolution has been set far above estimated total to ensure that the Board has the ability to make decisions in the event that the bids come back higher than the estimates. The milestone schedule required by CWSRF does not allow for this to be done twice due to a 45-day advertisement requirement. We did the same thing on the Bogie Lake Watermain Project per bond counsel advice for the same reason.

**I request the Board approve the resolution #23-005.** This will allow us to meet the deadlines outlined in the milestone schedule and keep the project plan moving toward the next steps.

Sincerely,

Aaron Potter  
Director, Department of Public Services  
Charter Township of White Lake

**Michigan Department of Environment, Great Lakes, and Energy (EGLE)  
Clean Water State Revolving Fund (CWSRF) Project Milestone Schedule  
for Quarter 4 Financing in Fiscal Year 2023  
Anticipated Loan Closing on August 28th, 2023**

Applicant Name: Charter Township of White Lake

Project Number: 5800-01

Project Description: Cured-in-Place Pipe Lining for structurally deficient gravity mains (14,011 linear feet), gravity manholes (22), and pressure manholes (21).

<u>Milestone</u>	<u>By No Later Than</u>
EGLE Comments on CWSRF Project Plan	1/9/2023
Submit Answers to EGLE Comments	2/6/2023
Submit Corrections for All Remaining Planning Deficiencies (if any)	3/6/2023
Publication of Environmental Assessment	4/17/2023
Public Notice Clearance	5/18/2023
EGLE Approval of CWSRF Project Plan	5/19/2023
Submit 90% Draft Plans & Specifications	2/13/2023
EGLE Comments on 90% Draft Plans & Specifications	3/13/2023
Submit 100% Bid Ready Final Plans & Specifications	4/10/2023
Submit Part 41 Construction Permit Application(s)	4/10/2023
Issuance of Part 41 Construction Permit(s)	5/18/2023
EGLE Approval of 100% Bid Ready Final Plans & Specifications	5/19/2023
Submit CWSRF Application Part I	5/15/2023
Submit CWSRF Application Part II	5/15/2023
EGLE Comments on Application Part II (if any)	6/16/2023
Submit CWSRF Application Part III (excluding Resolution of Tentative Contract Award(s))	7/5/2023
Publication of Bid Advertisement(s)	5/24/2023
Opening of Bids	6/26/2023
Submit Resolution of Tentative Contract Award(s) by Governing Body	7/19/2023
EGLE Order of Approval	8/7/2023
Borrower's Pre-Closing with MFA	8/21/2023
MFA Loan Closing	8/28/2023
Submit Notice(s) to Proceed	10/27/2023

As the authorized representative for this project, I understand that failure to adhere to this schedule may result in the bypass of this project and the assignment of funds reserved for it to other projects on Michigan's Project Priority List in accordance with the provisions of Section 5310 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Accepted on 11-23-22

By: *Aaron Foster*

Applicant's Authorized Representative

Accepted on 11/29/22

By: *Sarah Peterson*

Project Manager, Finance Division  
Water Infrastructure Funding and Financing Section

Approved on 11/30/2022

By: *Chabell Hartman*

Unit Supervisor, Finance Division  
Water Infrastructure Funding and Financing Section