RESOLUTION OF TOWNSHIP BOARD OF KAWKAWLIN TOWNSHIP

A motion made by Rozek and supported by Wetters that the following resolution be adopted:

RESOLVED, That the Township Board of Kawkawlin Township create a special assessment district for the purpose of providing street lighting in such special assessment district as follows:

Lots 1 through 18, Cottage Grove Subdivision, a part of the South Half of the Southeast Quarter of Section 3, Town 15 North, Range 4 East, Kawkawlin Township, Bay County, Michigan.

IT IS FURTHER RESOLVED, That the Supervisor of Kawkawlin Township is hereby directed to make a special assessment district on all Lands and premises hereinbefore described, subject to taxation within the said special assessment district, to defray the expenses of lighting Marian Drive, and to defray all the expenses to be assessed against said special assessment district.

IT IS FURTHER RESOLVED, That the Township Board shall contract with the Consumers Power Company for services in the lighting in said special assessment district, that is the Township shall furnish the power, no other services, but that these costs are to be charged against the special assessment district and not a charge to be paid by the Township of Kawkawlin. The Township of Kawkawlin shall in no way or in no manner have any responsibility for the light poles or fixtures attached thereto.

The motion was carried by the following votes: Ayes Kozlowski, Goss, Parsons, Rozek and Wetters. Nay: None.

I, HEREBY CERTIFY the foregoing to be a copy of the resolution passed by the Kawkawlin Township Board on October 12, 1966.

I, Hereby, affix my hand this fourteenth day of October, 1966

Lloyd W. Goss, Clerk

TIHOWAY WELLEY OF THE BOARD OF MAKE WITH TOWNSHITE

a motion made by Rosek and supported by Wetters that the following resolution be edopted:

RESCRIVED, That the Township Board of Hawkinwlin Township carente a special assessment district for the purpose of providing street lighting in such openial assessment district as follows:

lots 1 through 18, Cothage Grove Subdivision, aftert of the Southeast uarter of the Southeast uarter of testion 3, Morn 15 Worth, Renje 4 asst, Euwiaw in Township, Bay Jouaty, Michigan.

If IE FURCES a trouver, That the dupervisor of Hawkewith Covusin is hereby directed to make a special assessment district on all Lands and premises hereinbefore described, subject to faxition within the said special assessment district, to defray the expenses of highting faries drive, and to defray all the capenses to be assessed a paint special assessment district.

If Is suching Riscolving, that the Township Board shall occurracy with the Conguers lower Company for services in the lighting in acid special assessment district, that us the Rownship shall furnish the power, no other services, but that those costs are to be charged against the special ansensent district and not a charge to be paid by the foundin of Kawkawlin. Free Township of Lawrenia shall in to way or in no namer have any responsibility for the light roles of firture attached thereto.

The mobion was carried b the following votes: Aye: Kallowski, John, Parsons, Assek and Metters. Name: Name.

I, LEREBY SIGIRY whe foregoing to be a copy of the resolution readed by the Hawkawlin Pownship Board on Cotober 12, 1956.

I, Hereby, affix my hand this fourteenth lay of Cotober, 1366.

Lloyd J. Goss, Clerk

Moved by Byron Ruhstorfer supported by Patrick Confer to raise one mill for contigent purposes. Motion Carried.

I, HEREBY, CERTIFY that the foregoing is an excerpt of the minutes of the Annual Meeting of the Electors of Kawkawlin Township, held at the Kawkawlin Township Hall on April 2, 1966.

Dated this Nineteenth Day of October, 1966.

Lloyd W. Goss, Clerk

You'd by Byron Ruhetorier supported by Febtick Confer to raise one mill for contigent curvoses. Motion Carried.

I, HERBY, CHRITFY that the foregoing is an excerpt of the minutes of the innual Moeting of the Electors of Wawkawlin Township, held at the Kawkawlin Rownship hall on April 2, 1956.

Dated this Hinsteenth Jcy of Cotober, 1966.

Lloyd W. Goss, Clerk

RESOLUTION

Township of Kawkawlin County of Bay, Michigan

Minutes of a Regular Meeting of the Township Board of the Township of Kawkawlin, County of Bay, Michigan, held in the Kawkawlin Township Hall on August 13, 1973, at 7:45 P.M., Eastern Standard Time.

PRESENT: Board Members Fred Dore, Lloyd Goss, Robert Lukowski, Lloyd Pajot and Thomas Schindler

ABSENT: None.

The following preamble and resolution were offered by Board Member Lloyd Goss and supported by Board Member Fred Dore:

WHEREAS, present population trends indicate that growth from surrounding communities is projecting into the Township of Kawkawlin;

AND WHEREAS, the Township Board desires to provide for effective township planning in anticipation of the expected continuation of such growth and the desire of people, businesses and plants and industries to locate in Kawkawlin Township;

AND WHEREAS, the Planning Consultants contacted by the Township have recommended that the Township come under the provisions of the so-called Rural Township Planning Commission Act being Act 168 of the Michigan Public Acts of 1959, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. A Township Planning Commission is hereby created pursuant to the provisions of Act 168 of the Michigan Public Acts of 1959, as amended, with power to make, adopt, extend, add to or otherwise amend, and to carry out plans for the unincorporated portion of the Township of Kawkawlin in accordance with and pursuant to the provisions of said Act.
- 2. The creation of said Planning Commission shall become effective SIXTY (60) DAYS after publication of this Resolution in a newspaper having general circulation in the Township of Kawkawlin.
- 3. The Planning Commission shall consist of seven members who shall be representative of major interests as they exist in the Township of Kawkawlin, such as agriculture, recreation, education, public health, government, commerce, transportation, and industry. All members shall be qualified electors and property owners of the Township of Kawkawlin. One member of the Township Board shall be a member of the Planning Commission. All Members of the Planning Commission shall be appointed by the Kawkawlin Township Supervisor with the approval of the Kawkawlin Township Board.
- 4. All powers, duties and responsibilities provided by Act 184 of the Michigan Public Acts of 1943, as amended, being Sections 125.271 to 125.301 of the Compiled Laws of 1948, for zoning boards created thereunder, are hereby transferred to the Planning Commission herein created and as established under Act 168 of the Michigan Public Acts of 1959, as amended. The Chairman of the Planning Commission shall be designated as the first member of the Kawkawlin Township Zoning Board of Appeals.

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- 5. The Kawkawlin Township Clerk shall transmit copies of this Resolution to the Secretary of State and to the Planning Commission of the County of Bay, within TEN(10) DAYS after adoption.
- 6. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Board Members Lloyd Pajot, Lloyd Goss, Fred Dore, Robert Lukowski and Thomas Schindler

Nays: None

RESOLUTION DECLARED ADOPTED.

Lloyd W. Goss, Township Clerk

I hereby certify that the attached constitutes a true and complete copy of a Resolution adopted by the Township Board of the Township of Kawkawlin, County of Bay, at a Regular Meeting held on August 13, 1973.

Lloyd W. Goss, Township Clerk

RESOLUTION

At a meeting of the Kawkawlin Township Board held on October

14, 1974, at the Township Hall, Bay County, Michigan.

PRESENT: Field Dore, Lloyd Boss, Robert Lukowski Lloyd Pajot and Thomas Schindler.

Moved by Schindler and seconded by Lukowski that the following resolution be adopted:

WHEREAS, the Kawkawlin Township Board finds that it would be in the best interests of the township that water service be furnished to such area as herein described through the Bay County Department of Public Works established under the provisions of Act 185 Public Acts of Michigan of 1957, as amended.

RESOLVED that the Kawkawlin Township Board does hereby consent to water service being provided by the County of Bay, State of Michigan, acting by and through its said Department and Board of Public Works to the Township of Kawkawlin for distribution to the individual users, present and future, within the district hereinafter described as follows: That portion of Section 36 T 15 N R 4 E Kawkawlin Township, Bay County, Michigan, bounded on the east by Two Mile Road, on the north by Beaver Road, on the west by Old Kawkawlin Road (AuSable State Road) and on the south by the Kawkawlin River and Boy Scout Road, called the Bay County-Kawkawlin Township Water Supply System No. 1, and further the first project in said district is a water line extension on Lauria Road shown on Exhibit A which is the engineers' preliminary estimate and plan of proposed Lauria Road extension, and does hereby grant to the County of Bay an easement to use roads, streets and alleys in the Township of Kawkawlin for the purpose of laying, constructing, acquiring, improving, enlarging, extending, maintaining, replacing and operating said water

lines within the area heretofore described in Exhibit A, and for all lines connecting lines in the aforesaid area to the sources of water supply in the City of Bay City, said easement being contingent upon the consummation of a contract between the County of Bay and the City of Bay City for providing a potable water supply to the Township of Kawkawlin and the individual users in said described district and to continue for the duration of such contract, but not exceeding any limits provided by law.

RESOLVED FURTHER, that the said district to be served thereby shall be known as the Bay County-Kawkawlin Township Water Supply System No. 1, and shall consist of the territory previously described.

Adopted by the following vote:

Aye: Pajot, Yoss, Dore, Lukowski, Schindler Nay: Jone.

I, LloyD W. Goss, Clerk of the Township of Kawkawlin, do hereby certify that the above is a true and correct copy of a Resolution of the Kawkawlin Township Board taken of the Mt day of Other, 19 74. That I have compared the same with the original, and it is a true transcript therefrom.

yd W. Doss

CLERK

RAWKAWLIN TOWNSHIP RESOLUTION

Re: Kawkawlin Township Water Extensions

WHEREAS, the residents along Parish Road, Cottage Grove and Marion Drive are requesting the Kawkawlin Township Board to approve water extensions along said roadways.

THEREFORE BE IT RESOLVED the Kawkawlin Township Board authorizes the Bay County Department of Water and Sewer and the engineering firm of Wade-Trim/Edmands, to provide engineering services, drawings, construction engineering, inspection and construction of said water main extensions. Attached is the engineering cost estimate.

BE IT FURTHER RESOLVED the Kawkawlin Township Board shall provide a maximum of \$ 18 000.00 to be used from the Kawkawlin/Fraser Township water funds and \$ 140 000 from Kawkawlin Township General Fund as aid to construction. This extension shall be part of the Kawkawlin/Fraser Townships Water System.

DATED this ______, 1991.

KAWKAWLIN TOWNSHIP

Lloyd Pajot, Supervisor

William Hartley, Clerk

Roy De Lorge, Treasurer

Kawkawlin-Fraser Water Supply System Water Connection Charge

For each Direct Service Connection to a water transmission main that was constructed prior to September 1991, there shall be a charge of \$2,000.

For each Direct Service Connection to a water transmission main constructed by the Township after September 1991, there shall be a charge of \$2,000 up front plus an additional \$2,100 extension fee. The \$2,100 extension fee may be deferred and spread on the property taxes for a period of ten (10) years in annual installments, together with interest.

Prior to September 1991, and after September 1991, the Indirect Service Connection fee shall be \$1,000.

A Direct Connection is defined as a connection made to any water supply system transmission line installed at the Township expense.

An Indirect Connection is defined as a connection to a transmission water line that is added to the water supply system after its original construction whereas the cost of installation has been paid for from private funds and not at Township expense or by special assessment. OLD/ckf 09/03/97

Heart Resolution by avuilal/ Glass. Year - De Lorge, auntal Klass, McNally, Beson

RESOLUTION	NO.	9
AUDUDU AIUI (1,0.	

A RESOLUTION AUTHORIZING THE TRANSFER OF CERTAIN LIMITED PARTNERSHIP INTERESTS IN FALCON TELECABLE

WHEREAS, Falcon Telecable ("Falcon") is a limited partnership which owns and operates a cable television system in Kawkawlin Township, Michigan pursuant to a franchise granted by the Town, and;

WHEREAS, Falcon has requested the Town to consent to the redemption of the limited partnership interests owned by The Mutual Insurance Company of New York ("MONY") and to the investment of Hellman & Friedman and affiliates ("H & F") in Falcon, and;

WHEREAS, the Town desires to approve these transactions;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The redemption of the limited partnership interests in Falcon Telecable owned by MONY and the admission of H & F as a limited partner is hereby approved.

This Resolution passed on $\frac{9/9}{2}$, 1991.

ATTEST:

Sillion Chartley By:

Clerk (SEAL)



August 29, 1991

CONSENT REQUEST

Mr. Lloyd Pajot Township Supervisor 1800 Parish Road Kawkawlin, Michigan 48631

Dear Mr. Pajot:

Falcon Telecable ("Falcon") is in the process of enhancing its overall financial strength. A total of \$35 million will be invested in Falcon by a partner of Falcon's general partner, the nationally known investment firm of Hellman & Friedman and affiliates ("H & F"). A portion of the investment will be used by Falcon to redeem the limited partnership interest currently held by The Mutual Life Insurance Company of New York ("MONY").

The purpose of this letter is to inform you that this transaction will take place and to request the Town to consent to this change in the limited partnership by adopting the enclosed resolution.

Please note that there will be absolutely no change in the management of Falcon or in the operation of the Kawkawlin Township cable system as a result of this transaction. Falcon Telecable will continue to own and operate the Kawkawlin Township franchise, thus there will not be any transfer of the franchise.

If you have any questions regarding this matter please do not hesitate to write or call me at your convenience.

Sincerely yours,

Howard J. Gan Vice President

Howard Ala

cc: Pam Weishuhn, Regional Manager

Tom Hatchell, Divisional Vice President



TOWNSHIP OF KAWKAWLIN COUNTY OF BAY STATE OF MICHIGAN

Minutes of a regular meeting of the Board of Trustees of the Township of Kawkawlin,
Bay County, Michigan, held in said Township on the 27th day of December, 1993, at
7:30 P.m., Prevailing Eastern time.
PRESENT: Members Pajot, Hartley, DeLorge, McNally & Reder
ABSENT: Members None
The following preamble and resolution were offered by Member
and supported by Member Reder:
WHEREAS, The Township of Kawkawlin has presented to the Board of County Road
Commissioners of the County of Bay a request that the County of Bay through the said Board
of County Road Commissioners issue bonds in order to refinance the original \$28,000,000
County of Bay, State of Michigan, Bay County West Side Regional Sewage Disposal System
Bonds, 1978 Series, in order to take advantage of lower interest rates currently prevailing; and
WHEREAS, This Township of Kawkawlin recommends to said Board that the
refinancing project be commenced and that the Board of County Road Commissioners of the
County of Bay be authorized to undertake initial steps towards the refinancing of the said bond
issue, subject, however, to certain conditions;

NOW THEREFORE, BE IT RESOLVED THAT:

1. This Board does hereby give its initial and tentative approval to the aforesaid refinancing project and does authorize the Board of County Road Commissioners of the County

of Bay to undertake the refinancing of the original \$28,000,000 County of Bay, State of Michigan, Bay County West Side Regional Sewage Disposal System Bonds, 1978 Issue, subject to this Board's final approval.

- 2. The Board of County Road Commissioners of the County of Bay shall contract for the necessary services to refinance said bonds.
- 3. The Board of County Road Commissioners of the County of Bay shall employ the following consultant in connection with the project:

As bond counsel:

Miller, Canfield, Paddock & Stone Detroit, Michigan

- 4. The said Township shall undertake to provide by contract for the payment of its pro rata share of cost of the necessary financing pursuant to the apportionment set forth in a contract dated March 1, 1978, as amended by contract dated May 23, 1978 between and among all units of government in the West Side Regional Sewage Disposal System, and shall further reimburse the Board of County Road Commissioners of the County of Bay for its pro rata share of expenses incurred in connection with the refinancing project should the refinancing not be completed for any reason whatsoever.
- 5. All agreements between the Board of County Road Commissioners of the County of Bay and the aforesaid Township shall be subject to final approval and ratification by the Board of Commissioners of the County of Bay.
- 6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES:	Members	Pajot,Hartley,DeLorge,McNally & Reder				
NAYS:	Members	None				

ABSENT:	Members	None			•	*** *	-	
Whormir.	14101110013	HOLIC	•	 				

RESOLUTION DECLARED ADOPTED.

Welliam Chartley

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Trustees of the Township of Kawkawlin, Michigan, at a meeting held on December 27, , 1993, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting was kept and will be or have been made available as required by said Act.

William C. Hartley

WHD/mmj/kwkwn-bd.min

Township of Kawkawlin County of Bay, State of Michigan

Minutes of a <u>Regular</u> Meeting of the Township Board of the
Township of Kawkawlin, County of Bay, State of Michigan (the
"Township"), held in the Township Hall on the 25th.day of April,
1994, at _7:30 o'clock p.m., Eastern Daylight Time.
PRESENT: Members Pajot, Hartley, DeLorge & Reder
ABSENT: Members McNally
The following preamble and resolution were offered by Member
Hartley and supported by Member
DeLorge :

WHEREAS, this Board on behalf of the Township, together with the Township Boards of the Charter Townships of Monitor, Williams and Bangor, the Township Board of the Township of Frankenlust and the City Commission of the City of Auburn, have deemed it reasonable and necessary to establish an authority pursuant to Act 233, Public Acts of Michigan, 1955, as amended; and

WHEREAS, Articles of Incorporation establishing the Bay Area Utilities Authority (the "Authority") have been prepared and have been carefully reviewed by this Board; and

WHEREAS, it is necessary to appoint representatives of this Township to the Board of Trustees of the Authority and to provide for other matters relative to the Authority;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Articles of Incorporation establishing the Bay Area Utilities Authority attached hereto be and the same are hereby

approved and adopted.

- 2. The Supervisor and Township Clerk be and the same are hereby directed to endorse the fact of such adoption upon the Articles of Incorporation in the form and manner provided therein.
- 3. The following persons are hereby appointed to the Board of Trustees of the Authority as the Township's representatives for the office stated beside their respective names:

		Pajot		As	Member		
		Hartle	ey	As	Alternate		
4.	That	all resolut	ions and p	parts of	resolutions	insofa	c as
they co	onflict w	ith the pr	ovisions	of this	resolution	be and	the
same he	ereby are	rescinded.					
AYES:	Membe	rs <u>Pajot</u>	Hartley, DeL	orge & Re	der		
NAYS:	Membe	rs	lone				
RESOLUT	TION DECL	ARED ADOPT	ED.				

William C. Hartley

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Kawkawlin, County of Bay, Michigan, at a Regular meeting held on April 25, 1994, 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 that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Township Cler

William C. Hartley

DEFS2\301942.1\103936-00001

BAY COUNTY, MICHIGAN

1836 E. Parish Road, Kawkawlin, Michigan 48631

Lloyd W. Pajot Supervisor MELVIN McNALLY
Trustee

BERNARD REDER

April 28,1994 Kawkawlin,MI 48631

To Whom It May Concern:

WILLIAM C. HARTLEY

DeLORGE

Clerk

I, William C. Hartley hereby certify that at a Regular Meeting of the Kawkawlin Township Board held at 7:30 p.m. on Monday april 25,1994 that the following Resolution was offered by DeLorge and supported by Reder to allow Marcella M. Bleshenski to remove Parcel # 1 The W. 128 Feet of the E. 452 Feet of the N. 235 Feet and Parcel # 2 The N. 235 Feet of the E. 324 Feet Thereof, being the residential premises at 348 E. Linwood Road . Both Parcels are located in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$, Section 6 Town 15 N. Range 4 E.

It was determined at this meeting that both parcels listed above were existing home sites prior to the original P.A. 116 agreement entered into by the Bleshenski's.

AUTHENTICATION OF RECORD

I, William C. Hartley, Clerk of Kawkawlin Township hereby authenticate the following to be true:

- 1. That at a Regular Board Meeting held on April 25,199∯ the above Resolution was offered by DeLorge & supported by Reder.
- 2. That members Pajot, Hartley, DeLorge & Reder in favor of said Resolution.
- 3. That no members voted nay, against said Resolution.
- 4. That McNally was absent.
- 5. That the above resolution was declared adopted.

Signed:

William C. Hartley, Clerk

Kawkawlin Township

Respectfully yours,

William C. Hartley, Clerk

BAY COUNTY, MICHIGAN



1836 E. Parish Road, Kawkawlin, Michigan 48631

Lloyd W. Pajot Supervisor

MELVIN McNALLY Trustee

BERNARD REDER Trustee

RESOLUTION OF APPROVAL

At the	Regular meeting of the Kawkawlin Township Board
held on	May 9,1994 , The Kawkawlin Township Board
to the	following action.
	·
Motion	made by McNally and supported by DeLorge
install Beaver spread	ge the \$2,000.00 upfront hook up charge plus an additional \$2,100.00 ation fee for hook up to the Mackinaw Road Water Line Extension N. of Road. The \$2,100.00 can be paid upfront along with the \$2,000.00 or on their property taxes for a period of 10 years in annual installments, or with interest at 7%.
	·
Roll Ca	11Vote: Ayes: Pajot, Hartley, DeLorge, McNally & Reder
Ø	Nays: <u>O (None)</u>
•.•	Absent: 0 (None)
	•
	CLERK'S Certification
State o	f Michigan) _{cc}
Lounty I hereb	of Bay) ^{SS} y certify that the foregoing is a true and complete copy of a resolution and adopted by the:
Kawkawl	in Township Board at a <u>Regular</u>
•	in Township Board at a <u>Regular</u> (Regular or special)
meeting	held on the 9th. Day of May ,1994 (Month) (Year)
•	(Signed) William C. Hartley
	William C. Hartley, Clerk
	Kawkawlin Township
Sea1	1836 E. Parish Road Kawkawlin,MI 48631

BAY COUNTY, MICHIGAN

IAM C HARTLEY

1836 E. Parish Road, Kawkawlin, Michigan 48631

MEI VIEL MALIALE :

DelORGE

Lloyd W. Pajot Supervisor For Roy DeLorge BERNAPID FITTIP

Mr. David Timm
Michigan Department of Public Health
3423 N. Logan/Martin Luther King Blvd.
P.O. Box 30195
Lansing, Mi. 48909
Division of Water Supply BE&OH

Linguist 8,1994,
At a regular meeting of the Kawkawlin Township Board on August 8,1994,
to was offered by name and
that kawkansan
and supported by DeLorge
ship will agree to limit the number of water taps to four, on each of the
ship will agree to limit the number of waster
two inch line extensions (namely, Mackinaw Road, Schmidt Road, and Seidler
two juch line extensions (names).
Road. Kawkawlin Township will also provide a master plan for water dis-
Road. Kawkawiin lownonze
tribution before any more extensions are requested.
tribution perore and mass

- I William C. Hartley, Clerk Of Kawkawlin Township certify the following to be true.
- 1. That the above Resolution was Offered by Hartley & supported by Delorge at a Regular Board Meeting held on August 8,1994.
- 2. That the following voted yea in favor of said Resolution: Pajot, Hartley, DeLorge & Reder
- 3. That the following voted may against: NONE
- 4. That the following member was absent: McNally
- 5. Resolution declared adopted.

William C. Hartley, Clerk

Kawkawlin Township 1195 E. Beaver Road Kawkawlin,MI 48631

BAY COUNTY, MICHIGAN

1836 E. Parish Road, Kawkawlin, Michigan 48631

Lloyd W. Pajot Supervisor MELVIN McNALLY
Trustee

BERNARD REDER Trustee



WILLIAM C. HARTLEY

RESOLUTION OF APPROVAL

At the regular meeting of the KAWKAWLIN TOWNSHIP BOARD
held on <u>November 13,1995</u> , the <u>KAWKAWLIN TWP. BOARD</u>
took the following action:
Motion made by McNally supported by DeLorge
Be is resolved that the townships of Kawkawlin, along with Fraser, agree to be the applicant of record for Application 95-253 for the Linwood scenic Point Project. The total cost is to be \$54,725.00, and the Michigan Natural Resources Trust Fund will fund \$34,500.00, and the local match will be \$20,225.00. The source of the local match will be as follows:
Local Donations 15,000.00 Bay City Community Fd. 2,000.00 Saginaw Bay Walleye Club 2,000.00 Linwood Civic Imp.Club 225.00 Northern Bay Community Fd. 1,000.00 Total $20,225.00$
Roll Call Vote Ayes: Pajot, Hartley, Delorge, McNally & Reeves Nays: NONE Absent: NONE
••

I HEREBY certify that the foregoing is a true and complete copy of a Resolution offered and adopted by the KAWKAWLIN TOWNSHIP BOARD at a Regular meeting held on the 13th. day of November, 1995

SIGNED William C. Hartley

William C. Hartley Kawkawlin Township Clerk Kawkawlin Township 1836 E. Parish Road

Kawkawlin,MI 48631

Minutes of a regular meeting of the Board of Trustees of the Township of Kawkawlin, held on November 13, 1995 at the Kawkawlin Township Hall, 1836 Parish Rd., 7:30 P.M.

PRESENT: Delorge, Hartley, Pajot, McNally, Reeves

ABSENT: None

The following preamble and resolution were offered by Roy Delorge and supported by Melvin McNally.

> Resolution Establishing Industrial Development District for Saginaw Bay Plastics Inc. Dave Burke, Vice-President

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, this Board of Trustees has the authority to establish "Industrial Development Districts" within The Township of Kawkawlin; and WHEREAS, The Kawkawlin Board of Trustees by its own legislative power has petitioned to establish an Industrial Development District on the property located in the Township of Kawkawlin hereinafter described; and WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Bay City Democrat and/or public posting of the hearing on the establishment of the proposed district; and WHEREAS, November 13, 1995 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the Township of Kawkawlin were afforded an opportunity to be heard thereon; and WHEREAS, the Board of Trustees deems it to be in the public interest of the Township of Kawkawlin to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Township of Kawkawlin that the following described parcel of land situated in the Township of Kawkawlin, Bay County, and State of Michigan, to wit: COM ON W 1/4 COR TH S 445 FT TH E 611.72 FT TO WLY ROW OF HURON RD TH N 17D 08M W 465.24 FT ALG ROW TO E & W 1/4 LI TH W TO BEG. EX NLY 100 FT THRF SEC. 36, T15N R4E, be and here is established as an Industrial Development District ursuant to the provisions of Act No. 198 of the Public Acts of 1974 to be known as Kawkawlin Industrial Development District No. KO1:

AYES: 5

NAYS: 0

RESOLUTION DECLARED ADOPTED.

CLERK Welliam C. Ha I hereby certify that the foregoing constitutes a true copy of a resolution adopted by the Board of Trustees of the Township of Kawkawlin, County of Bay, Michigan, as a regular meeting held on November 13, 1995.

CLERK Wellion C. Harthy

Minutes of a regular meeting of the Board of Trustees of the Township of Kawkawlin, held on November 13, 1995 at the Kawkawlin Township Hall, 1836 Parish Rd., 7:30 P.M.

PRESENT: Delorge, Hartley, Pajot, McNally, Reeves.

ABSENT: None

The following preamble and resolution were offered by Roy Delorge and supported by Melvin McNally.

> Resolution Establishing Industrial Development District for XLT Engineering Inc.

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, this Board of Trustees has the authority to establish "Industrial Development Districts" within The Township of Kawkawlin; and WHEREAS, The Kawkawlin Board of Trustees by its own legislative power has petitioned to establi . an Industrial Development District on the property located in the Township of Kawkawlin hereinafter described; and WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Bay City Democrat and/or public posting of the hearing on the establishment of the proposed district; and WHEREAS, November 13, 1995 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the Township of Kawkawlin were afforded an opportunity to be heard thereon; and WHEREAS, the Board of Trustees deems it to be in the public interest of the Township of Kawkawlin to establish the Industrial Development District as

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Township of Kawkawlin that the following described parcel of land situated in the Township of Kawkawlin, Bay County, and State of Michigan, to wit: COM AT INTER OF W LI OF SEC & ELY LI OF US-23 TH SELY ALG US-23 500 FT TH NELY AT RT ANGS 300 FT TH NWLY PARA TO US-23 500 FT TH SWLY 300 FT TO BEG. EX NWLY 125 FT THRF & EX SELY 250 FT THRF SEC. 36, T15N, R4E, be and here is established as an Industrial Development District pursuant to the provisions of Act No. 198 of the Public Acts of 1974 to be known as Kawkawlin Industrial Development District No. KO2.

AYES: 5

proposed;

NAYS: 0

RESOLUTION DECLARED ADOPTED.

CLERK William C. Harthy

I hereby certify that the foregoing constitutes a true copy of a resolution adopted by the Board of Trustees of the Township of Kawkawlin, County of Bay, Michigan, as a regular meeting held on November 13, 1995.

CLERK William C. Hartley

Minutes of a regular meeting of the Township Board of Trustees of the Township of Kawkawlin, held on December 11, 1995 at the Kawkawlin Township Hall, 1836 Parish Rd., at 7:30 P.M.

PRESENT: Delorge, Hartley, Pajot, McNally, and Reeves

ABSENT: None

The following preamble and resolution were offered by Lloyd W. Pajot and supported by Roy DeLorge.

RESOLUTION APPROVING APPLICATION OF SAGINAW BAY PLASTICS INC. FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A NEW FACILITY

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on November 13. 1995, this Township Board of Trustees by resolution established the Kawkawlin Township Industrial Development District No. KO2, as requested by Dave Burke, Vice-President; and WHEREAS, Dave Burke, Vice-President, has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the Industrial Development No. KO2; and WHEREAS, before acting on said application, the Township of Kawkawlin held a hearing on December 11, 1995 at the Kawkawlin Township Hall, at 1836 Parish Rd., at 7:30 P.M. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and WHEREAS, construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before December 11, 1995, the date of acceptance of the application for the Industrial Facilities Exemption Certificate; and WHEREAS, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create

WHEREAS. completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the Township of Kawkawlin; and WHEREAS. the aggregate SEV of real and personal property exempt from ad valorum taxes within the Township of Kawkawlin, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Township Board of Trustees of the Township of Kawkawlin that:

- 1. The Township Board of Trustees finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act 198 of 1974 and Act 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the Township of Kawkawlin, or imparing the financial soundness of a taxing unit which levies ad valorum property taxes in the Township of Kawkawlin.
- 2. The application of Dave Burke, Vice-President of Saginaw Bay Plastics Inc., for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the Kawkawlin Township Industrial Development District No. KO2, to wit: COM ON W 1/4 COR TH S 445 FT TH E 611.72 FT TO WLY ROW OF HURON RD TH NH 17D 08M W 465.24 FT ALG ROW TO E & W 1/4 LI TH W TO BEG. EX NLY 100 FT THRF SEC. 36, T15N, R4E be and the same is hereby approved.
- 3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of (1-12) years of completion.

AYES: 5

NAYS: 0

RESOLUTION DECLARED ADOPTED.

CLERK

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Township Board of Trustees of the Township of Kawkawlin, County of Bay, Michigan, at a regular meeting held on December 11, 1995.

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RETAIN THIS IMAGE RETAIN THIS IMAGE RETAIN THIS IMAGE

RETAIN THIS IMAGE RETAIN THIS IMAGE RETAIN THIS IMAGE

RETAIN THIS IMAGE RETAIN THIS IMAGE RETAIN THIS IMAGE Minutes of a regular meeting of the Board of Trustees of the Township of Kawkawlin, held on November 13, 1995 at the Kawkawlin Township Hall, 1836 Parish Rd., 7:30 P.M.

PRESENT: Delorge, Hartley, Pajot, McNally, Reeves.

ABSENT: None

The following preamble and resolution were offered by Roy Delorge and supported by Melvin McNally.

Resolution Establishing Industrial Development District for XLT Engineering Inc.

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, this Board of Trustees has the authority to establish "Industrial Development Districts" within The Township of Kawkawlin; and WHEREAS, The Kawkawlin Board of Trustees by its own legislative power has petitioned to estable an Industrial Development District on the property located in the Township of Kawkawlin hereinafter described; and WHEREAS, construction, acquisitions, alterations, or installation of a sposed facility has not commenced at the time of filing the request to establish this district; and WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Bay City Democrat and/or public posting of the hearing on the establishment of the proposed district; and WHEREAS, November 13, 1995 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District

and all residents and taxpayers of the Township of Kawkawlin were afforded an opportunity to be heard thereon; and WHEREAS, the Board of Trustees deems it to be in the public interest of the Township of Kawkawlin to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Township of Kawkawlin that the following described parcel of land situated in the Township of Kawkawlin, Bay County, and State of Michigan, to wit: COM AT INTER OF W LI OF SEC & ELY LI OF US-23 TH SELY ALG US-23 500 FT TH NELY AT RT ANGS 300 FT TH NWLY PARA TO US-23 500 FT TH SWLY 300 FT TO BEG. EX NWLY 125 FT THRF & EX SELY 250 FT THRF SEC. 36, T15N, R4E, be and here is established as an Industrial Development District pursuant to the provisions of Act No. 198 of the Public Acts of 1974 to be known as Kawkawlin Industrial Development District No. KO2.

AYES: 5

RESOLUTION DECLARED ADOPTED.

CLERK William C. Harthy

I hereby certify that the foregoing constitutes a true copy of a resolution adopted by the Board of Trustees of the Township of Kawkawlin, County of Bay, Michigan, as a regular meeting held on November 13, 1995.

CLERK William C. Harthy

Minutes of a regular meeting of the Board of Trustees of the Township of Kawkawlin, held on November 13, 1995 at the Kawkawlin Township Hall, 1836 Parish Rd., 7:30 P.M.

PRESENT: Delorge, Hartley, Pajot, McNally, Reeves.

ABSENT: None

The following preamble and resolution were offered by Roy Delorge and supported by Melvin McNally.

Resolution Establishing Industrial Development District for XLT Engineering Inc.

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, this Board of Trustees has the authority to establish "Industrial Development Districts" within The Township of Kawkawlin; and WHEREAS, The Kawkawlin Board of Trustees by its own legislative power has petitioned to estable an Industrial Development District on the property located in the Township of Kawkawlin hereinafter described; and WHEREAS, construction. Acquisitions, alterations, or installation of a oposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Bay City Democrat and/or public posting of the hearing on the establishment of the proposed district; and WHEREAS, November 13, 1995 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the Township of Kawkawlin were afforded

an opportunity to be heard thereon; and WHEREAS, the Board of Trustees deems it to be in the public interest of the Township of Kawkawlin to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Township of Kawkawlin that the following described parcel of land situated in the Township of Kawkawlin, Bay County, and State of Michigan, to wit: COM AT INTER OF W LI OF SEC & ELY LI OF US-23 TH SELY ALG US-23 500 FT TH NELY AT RT ANGS 300 FT TH NWLY PARA TO US-23 500 FT TH SWLY 300 FT TO BEG. EX NWLY 125 FT THRF & EX SELY 250 FT THRF SEC. 36, T15N, R4E, be and here is established as an Industrial Development District pursuant to the provisions of Act No. 198 of the Public Acts of 1974 to be known as Kawkawlin Industrial Development District No. KO2.

AYES: 5

RESOLUTION DECLARED ADOPTED.

CLERK William C. Harthy

I hereby certify that the foregoing constitutes a true copy of a resolution adopted by the Board of Trustees of the Township of Kawkawlin, County of Bay. Michigan, as a regular meeting held on November 13, 1995.

CLERK William C. Harthy

RESOLUTION 97-

The following Resolution was offered by McVally supported by Geren.

WHEREAS, there is a great need for a better quality of water at the I-75 Linwood Rest Area, and

WHEREAS, there are residents along East Linwood Road from I-75 to M-13, that would like a better quality of drinking water, and

WHEREAS, Linwood Road is a boundary road between Fraser Township and Kawkawlin Township of Bay County Michigan,

LET IT BE RESOLVED, that the Townships of Fraser and Kawkawlin enter into an agreement with the Michigan Department of Transportation (MDOT), to install a Water Main along Linwood Road to the I-75 Interchange, thence along the I-75 Right-of-way to the Rest Area to the North. The Townships each to pay 1/3 (one-third) of the cost, not to exceed \$100,000.00 (One Hundred Thousand) dollars, and MDOT to pay onethird of the cost plus the total cost from the Linwood Road and I-75 Interchange to the I-75 Rest Area.

Roll Call Vote --

Ayes: Beson, De Forge, Ceruld, Klass. Metally

Nays:

Absent: /

RESOLUTION FOR WATER SYSTEM EXPANSION

WHEREAS, the Township of Kawkawlin owns, and through the Bay County Department of Water and Sewer operates and maintains a water system in Kawkawlin Township, Bay County, Michigan, and

WHEREAS, the Beaver Road Area Water Association owns, operates and maintains a water system which is principally within said Kawkawlin Township, and

WHEREAS, it is the Township of Kawkawlin's goal to provide a safe, adequate, and reliable water supply to as many Township residents as possible, and

WHEREAS, the Township of Kawkawlin wishes to expand the water systems in 1997 by the extension of watermains along Seven Mile Road from Beaver to River Road, along Schmidt Road from Seven Mile Road west one quarter mile, along Wetters Road from Mackinaw to Fraser Road, along Mackinaw Road from Wetters to Parish Road, and along Cottage Grove Road from Linwood Beach Road to the Lake State Railroad.

NOW, THEREFORE, BE IT RESOLVED that the Township of Kawkawlin agrees to the following:

- I. To modify its master water system plan to provide additional looping of watermains within the Township water system, and with the Beaver Road Area Water Association system and adjacent Township water systems wherever practical and economically feasible.
- To enter into discussions with the Beaver-Road Area Water Association and adjacent Townships regarding near and long term looping of watermains to improve overall system operations and hydraulics.
- 3. To design and construct future watermains in the Township that will tend to close rather than create loops.

4.	To attempt to loop	the Seven Mile,	Wetters and	Cottage Gn	ove Road v	watermains that
are constructe	d as part of the curr	ent project by t	the year 2003	.		

Medally, Beren.

Trustees voting not in favor of the Resolution.	More
Absent Move_	
DATED: September 27,1997	MICHAEL ARNOLD, Clerk Township of Kawkawlin
Township of Kawkawlin, County of Bay, State of 1997, and that said meeting was conducted and	Thermit hence of para magazina b.

MICHAEL ARNOLD, Clerk Township of Kawkawlin

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by the Act.

BAY COUNTY, MICHIGAN

1836 E. Parish Road, Kawkawlin, Michigan 48631 Phone (517) 686-8710 • Fax (517) 686-0895

> Roy DeLorge Supervisor

MELVIN MCNALLY Trustee

PATRICK H. BESON Trustee

Michigan Townships Association 512 Westshire Drive Lansing, MI 48917-8715

MICHAEL E. ARNOLD

SANDRA J. KLASS

Treasurer

On November 10, 1997, at a Regular meeting of the Kawkawlin Township Board, the following Resolution was adopted:

WHEREAS, Michigan township officials are elected to represent over four million citizens; and

WHEREAS, There are in excess of 85,000 miles of primary and secondary roads located within the boundaries of townships; and

WHEREAS, The Michigan transportation fund, Public Act 51, of 1951, created a formula to distribute transportation funds for road creation, repair and improvements among governmental units having jurisdiction over roads; and

WHEREAS, Because townships do not have jurisdiction over roads, they receive no direct funding from Act 51; and

WHEREAS, However, without being obligated by statute to contribute any funds for road purposes, townships annually spend millions of dollars from their general and special funds and/or special assessments to assist in road construction, repair and maintenance; now, therefore, be it hereby

RESOLVED, That the township of Kawkawlin support legislation that would include townships in the Michigan Transportation Fund distributions; and be it further

RESOLVED, That a township planning fund be created within Act 51 from the urban and rural road set asides provided for in the Michigan Transportation Fund spent only with Township input and without matching funds; and be it further

Resolved, That a copy of this resolution be sent to Representative Howard Wetters and Senator Joel Gougeon, Governor Engler and the Michigan Townships Association.

Attested by:

Jahael Elmold Michael E. Arnold, Clerk

Kawkawlin Township.

TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN ACT 99 INSTALLMENT PURCHASE, SERIES 1997 (M/13 EASEMENT SANITARY SEWER LINE PROJECT)

NON-ARBITRAGE CERTIFICATE OF TOWNSHIP

We, the undersigned Supervisor and Clerk of the Township of Kawkawlin (the "Township"), being the persons duly charged with the delivery of an Installment Purchase Agreement dated as of the date hereof (the "Agreement") by and between the Township and Gary D. Steadman, Inc. (the "Contractor") and assigned to First of America Bank, N.A. (the "Financial Institution"), hereby certify that:

- 1. The Agreement is being executed and delivered pursuant to Act 99 of the Public Acts of Michigan of 1933, as amended, and pursuant to Resolution 1997-____ of the Township Board dated December 3, 1997.
- 2. The estimated total cost of the Project is \$373,777.00. A portion of the total cost is expected to be financed with \$140,000 to be paid as an installment purchase pursuant to the Agreement and any other sums necessary for the construction of the Project to be contributed by the Township from funds available to it.
- Pursuant to the provisions of Section 148(f)(4)(C) of the Internal Revenue Code of 1986, as amended (the "Code"), the obligation of the Township under the Agreement does not constitute a "private activity bond" as defined by Section 141 of the Code and ninety-five percent (95%) or more of the Financed Purchase Price of the Project will be used for local governmental activities of the Township.
- 4. Under the Agreement, the Financial Institution will pay to the Township an amount equal to the Financed Purchase Price of the Project set forth therein, which amount will be used together with Township Funds to pay the Contractor the Purchase Price of the Project.
- 5. The total cash price of the Project is the total Purchase Price indicated in the Agreement and the Purchase Price of the Project will be paid for from Township Funds contributed by the Township as a down payment with the balance, the Financed Purchase Price, financed under the Agreement in installments as provided in the Agreement with interest on the unpaid balance at the rate set forth in the Agreement. Under the Agreement, the Township will make the Principal Payments and Interest Payments, on the dates and in the amounts set forth in Exhibit B to the Agreement, subject to the terms and conditions thereof.
- 6. The Township, on or before the date hereof, incurred substantial and binding obligations of not less than two and one-half percent (2.5%) of the Financed Purchase Price of the Project. The Project will be completed on or before June 30, 1998.

- 7. The Agreement has been assigned to the Financial Institution by the Contractor for the payment of the Financed Purchase Price of the Project by the Township.
- 8. Until such time as amounts received by the Township from the Financial Institution representing the Financed Purchase Price of the Project under the Agreement are used to pay the Contractor the Financed Purchase Price of the Project, such amounts shall be deposited in the Construction Fund established by Section 3 of the Agreement, which proceeds are expected to be used, needed and fully expended for payment of the costs of the Project by June 30, 1998.
- 9. The Township has committed to acquire the Project and will proceed with due diligence to complete the acquisition and construction of the Project.
- 10. The Principal Payments and the Interest Payments to be made under the Agreement will be paid as a budget item from general revenues of the Township, and the Township has not created or established, and does not expect to create or establish, any sinking fund, pledge fund, or other similar fund.
- 11. No portion of the amounts received by the Township from the Financial Institution upon assignment and delivery of the Agreement to the Financial Institution will be used as a substitute for other funds which otherwise were to be used as a source of financing the acquisition of the Project, and which have been or will be used to acquire, directly or indirectly, obligations producing a yield in excess of the yield on the Agreement.
- 12. The Township will not directly or indirectly use or permit the use of any proceeds it receives from the Financial Institution pursuant to the Agreement or any other funds or take or omit to take any actions that cause said proceeds to be considered "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and that would cause the Interest Payments payable under the Agreement not to be excluded from gross income for federal income tax purposes under the provisions of the Code.
- 13. The obligations under the Agreement meet the requirements of Section 148(f)(4)(c) of the Code to be excluded from the rebate requirements of Section 148(f)(2) of the Code under the small governmental unit exception since the Township will not issue during the 1997 calendar year obligations, the interest of which is not includable in gross income of the holders thereof for federal income tax purposes including the Township's obligations under the Agreement with an aggregate face amount in excess of \$5,000,000.
- 14. The Township will comply with applicable requirements of the Code that must be satisfied subsequent to the execution and delivery of the Agreement in order that the Interest Payments payable thereunder be, or continue to be, excluded from gross income for federal income tax purposes under the provisions of the Code.
- 15. The Project has not been, and is not expected during the term of the Agreement to be, sold or otherwise disposed of by the Township.

- 16. The Township has not been notified of any listing by the Internal Revenue Service as an issuer that may not certify its obligations.
- 17. The Township designates the obligation of the Township to pay the Financed Purchase Price under the Agreement as a qualified tax-exempt obligation pursuant to Section 265(b)(3) of the Code, and does not reasonably anticipate that qualified tax-exempt obligations of the Township will exceed \$10,000,000 during the 1997 calendar year.

This certificate is being executed and delivered pursuant to the Code and the applicable restrictions. To the best of our knowledge and belief, there are no facts, estimates or circumstances other than those expressed herein that materially affect the expectations herein expressed and, to the best of the knowledge and belief of the undersigned, the Township's expectations are reasonable.

All capitalized terms not defined herein shall have the meaning assigned to them in the Agreement. To the best of our knowledge and belief, there are no facts, estimates or circumstances other than those expressed herein that materially affect the expectations herein expressed, and, to the best of the knowledge and belief of the undersigned, the Township's expectations are reasonable.

IN WITNESS WHEREOF, we have hereunto set our hands this 3 day of December 1997.

TOWNSHIP OF KAWKAWLIN

Roy DeLorge

Its: Supervisor

Michael E. Arnold

Its: Clerk

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TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN ACT 99 INSTALLMENT PURCHASE, SERIES 1997 (M/13 EASEMENT SANITARY SEWER LINE PROJECT)

GENERAL CERTIFICATE OF TOWNSHIP

- 1. We hereby certify that we are the duly elected or appointed, qualified and acting Supervisor and Clerk of the Township of Kawkawlin (the "Township") and we are the persons charged with the responsibility for entering into an Installment Purchase Agreement dated as of the date hereof, (the "Agreement"), by and between the Township and Gary D. Steadman, Inc. (the "Contractor") and assigned to First of America Bank, N.A. (the "Financial Institution").
- 2. We further certify that we did officially sign the Agreement and that the signatures appearing thereon are our true and genuine signatures.
- We further certify that no litigation or administrative action of any nature is now 3. pending, or to our knowledge threatened in either the state courts of the State of Michigan or the federal courts or any administrative agency or body, or otherwise, for the purpose of restraining or enjoining the issuance and delivery of the Agreement or in any manner questioning, contesting or affecting any authority for or the validity of the Agreement or of the proceedings authorizing its execution and delivery including without limitation the adoption of Township Resolution 1997dated December, 1997, approving a contract with the Contractor for construction of approximately 3400 L.F. of sanitary sewer line from Beaver to Jose Road within the Township (the "Project") and approving and authorizing the execution of the Agreement to finance a portion of the Project; or the inclusion in the Township's budget for each year during the term of the Agreement an amount sufficient to pay when due the principal of and interest coming due under the Agreement; or the Township's limited full faith and credit pledge to levy in each fiscal year ad valorem taxes in an amount which, together with other funds available for such purpose, will be sufficient for the payments required under the Agreement, subject to existing charter, statutory and constitutional limitations; or directly or indirectly affecting the proceedings or authority by which the Agreement is to be executed and delivered, the legality of the purpose for which the Agreement is executed and delivered, or any of them.
- 4. We further certify that the Township has (a) full power and authority to execute and deliver contracts to purchase property, (b) undertaken all actions necessary or appropriate to carry out this Agreement, and (c) obtained all approvals required in connection therewith. We further certify that the Agreement constitutes a valid and binding obligation of the Township, enforceable in accordance with its terms.
- 5. We further certify that the Agreement and any other documents and certificates delivered in connection therewith have been duly authorized by the Township, are in full force and effect, are valid, legally binding actions of the Township, enforceable in accordance with the terms thereof, and the information contained therein is accurate and correct.

6. We further certify that the persons hereinafter named are or have been the duly appointed, qualified and acting members of the Township Board, and constitute or have constituted all of the members of said Township Board from January 1, 1997, to the date of this certificate:

Roy DeLorge - Supervisor
Michael E. Arnold - Clerk
Sandra J. Klass - Treasurer
Melvin McNally - Trustee
Patrick H. Beson - Trustee

and all of the foregoing current officers and Board members of the Township have been duly qualified for their respective offices.

- 7. We further certify that neither the existence of the Township nor the title of its present Board members and officers to their respective offices is being contested; and that no authority or proceeding for the execution and delivery of the Agreement has been annulled, repealed, revoked, rescinded or amended.
- 8. We further certify that the full amount of the Principal Payments of the Agreement plus the outstanding principal balance of all similar installment purchase contracts including lease purchase contracts and lease with option to purchase obligations to which the Township is a party, do not exceed one and one-quarter percent (1.25%) of the equalized assessed value of the real and personal property in the Township.
- 9. We further certify that the useful life of each item of the Project extends beyond June 1, 2007, the term of the Agreement.
- 10. All capitalized terms not defined herein shall have the meaning assigned to them in the Agreement.

Dated: December 1997

<u>Signatures</u> <u>Title</u>

Koy Me Sorge Supervisor

Kulach & amolel Clerk

Michael E. Arnold

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TOWNSHIP BOARD TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN

RESOLUTION 1997-___

LINE.

Board member	Beson	ン		_, supported by	Board me	ember
 Slass	, moved the adopt	ion of the follo	wing resolut	ion:		
RESOLUTION	AWARDING	CONTRACT	FOR (CONSTRUCTIO	ON OF	
APPROXIMATI	ELY 3400 L.F.	OF SANITA	RY SEWI	ER, APPROVI	NG AN	
INSTALLMENT	PURCHASE AG	REEMENT TO) FINANCE	E A PORTION	OF THE	
COST OF CONS	STRUCTION OF S	UCH SEWER I	LINE AUTH	ORIZING EXE	CUTION	•
OF SAID INST.	ALLMENT PURC	HASE AGREE	MENT, AN	D AUTHORIZI	NG THE	
UNDERTAKIN	G OF ALL OTH	ER NECESSA	ARY AND	REQUIRED A	CTS IN	

CONNECTION WITH THE CONSTRUCTION AND FINANCING OF THE SEWER

WHEREAS, the Township Board previously determined to construct the approximately 3400 L.F. M-13/Easement sanitary sewer line extension from Beaver up to Jose Road within the Township and owned by the Township (the "Project") and finance a portion of the cost thereof through an installment purchase; and

WHEREAS, the Township, as assignee of the Bay County Board of County Road Commissioners and Bay County Department of Water and Sewer has contracted with Gary D. Steadman, Inc. to construct the Project for the sum of approximately \$373,777.00; and

WHEREAS, under the provisions of Act 99 of the Public Acts of Michigan of 1933, as amended ("Act 99"), the Township is authorized to enter into an agreement for the acquisition of real and personal property for public purposes, to be paid for in installments over a period not to exceed 15 years or the useful life of the property acquired as determined by resolution of the Township Board (whichever is the lesser time period); and

WHEREAS, the outstanding balance of all such installment purchases by the Township under Act 99, exclusive of interest, shall not exceed one and one-quarter percent (1-1/4%) of the equalized assessed

value of the real and personal property in the Township on the date of such agreement or agreements; and

WHEREAS, the acquisition of the Project pursuant to an installment purchase agreement will not result in the outstanding balance of all such purchases to be in excess of the limitations contained in Act 99 as set forth above; and

WHEREAS, the Township requested proposals for financing the acquisition of the Project through an installment purchase agreement pursuant to Act 99; and

WHEREAS, the proposal of First of America Bank, N.A., Bay City, Michigan (the "Financial Institution"), has been determined to be the lowest responsive proposal; and

WHEREAS, the Township Board has had presented to it at this meeting the form Installment Purchase Agreement (the "Agreement") to be entered into by the Township, the Financial Institution and the Contractor in connection with such financing, and it is the desire of the Township Board to approve and authorize the execution of such Agreement; and

WHEREAS, the Township Board desires to authorize the undertaking of all such acts necessary to complete the construction and financing of the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. That the acquisition of the Project is hereby found and declared to be for valid public purposes and in the best interests of the health, safety and welfare of the residents of the Township.
- 2. That the contract for construction of the Project, pursuant to the Agreement, was awarded to the Contractor for the sum of approximately \$373,777.00.
- 3. That the proposal of the Financial Institution is hereby approved and that a portion of the cost of the Project in the amount of \$140,000 shall be financed through the Financial Institution through an installment purchase agreement at a qualified tax-exempt interest rate of 5.45% per annum from the

date of the installment purchase agreement through May 31, 2002 with such interest rate adjusted and effective on June 1, 2002 to be equal to 93% of the average yield on U.S. Treasury Notes with maturity dates occurring within the month of May, 2002 by the payment of nine (9) annual payments of \$14,000.00 principal plus interest each plus a tenth (10th) annual payment of the outstanding principal balance plus interest on June 1, 2007 in accord with the payment schedule attached to the Agreement.

- 4. That the Agreement is hereby approved substantially in the form presented at this meeting with such additions, changes and modifications as shall be approved by the Township Supervisor.
- 5. That the Project has a useful life extending beyond June 1, 2007, the term of the Agreement.
- 6. The Township hereby agrees to include in its budget for each fiscal year during the term hereof an amount sufficient to pay when due the principal of and interest coming due under the Agreement during such fiscal year. In addition, the Township hereby pledges to levy in each fiscal year ad valorem taxes on all taxable property in the Township in an amount which, together with other funds available for such purpose, shall be sufficient for the payments required under the Agreement in such fiscal year. Any such tax levy is, however, subject to existing charter, statutory and constitutional tax limitations. The Township also pledges for payment of the Agreement the funds raised by special assessments upon the property owners and waterline users being benefitted by the Project.
- 7. The Township covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the Agreement from the adjusted gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"). The Township designates its obligation to pay the Financed Purchase Price under the Agreement as a qualified tax-exempt obligation pursuant to Section

- 265(b)(3) of the Code and does not reasonably anticipate that qualified tax-exempt obligations of the Township will exceed \$10,000,000 during the 1997 calendar year.
- 8. That the Township Treasurer is hereby authorized, upon execution of the Agreement by all parties, to deposit from other funds available to the Township such other monies in the Township of Kawkawlin Construction Fund pursuant to Section 3 of the Agreement, which sums, if any, represents the difference in the estimated cost of the Project, and the amount to be provided by the Financial Institution of \$140,000.00.
- 9. The Township Supervisor and the Township Clerk, or either of them, are hereby directed and authorized to execute such additional certificates and other documents as shall be necessary to effectuate the closing contemplated by the Agreement.
- 10. All resolutions or parts of resolutions insofar as they conflict with the provisions hereof be and the same hereby are rescinded to the extent of such conflict.

10

YEAS:	Board members DeJorge, Courte Hay,
	MeNally, Boxon
NAYS:	Board members
	More
ABSTAIN:	Board members
	Merce
ABSENT:	Board members

RESOLUTION DECLARED ADOPTED.

I hereby certify that the attached constitutes a true and complete copy of a Resolution duly adopted by the Township Board of the Township of Kawkawlin, Bay County, Michigan, at a meeting held on the 3 day of December, 1997, 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 that due and proper notice of the meeting as required by law was given to the members of the Township Board, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: December 2, 1997

Michael E. Arnold
Township Clerk

TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN ACT 99 INSTALLMENT PURCHASE, SERIES 1997 (M/13 EASEMENT SANITARY SEWER LINE)

INSTALLMENT PURCHASE AGREEMENT

THIS INSTALLMENT PURCHASE AGREEMENT made and executed as of this $13^{1/4}$ day of December, 1997 (hereinafter referred to as the "Agreement"), by and between the Township of Kawkawlin, Bay County, Michigan, organized and existing under the Constitution and laws of the State of Michigan (hereinafter referred to as the "Township"), Gary D. Steadman, Inc. (hereinafter referred to as the "Contractor"), and First of America Bank, N.A., as assignee of the Contractor (hereinafter referred to as the "Financial Institution").

WITNESSETH:

WHEREAS, the Township intends to cause the acquisition through construction of approximately 3400 L.F. of Sanitary sewer line extension from Beaver to Jose Road within the Township and owned by the Township (hereinafter referred to as the "Project") by entering into a construction contract with the Contractor in the form attached hereto as Exhibit A for use by the Township for public purposes; and

WHEREAS, the Township desires to pay a portion of the acquisition costs of the Project through an installment purchase agreement as authorized by Act 99 of the Public Acts of Michigan of 1933, as amended (hereinafter referred to as "Act 99"); and

WHEREAS, the Financial Institution is willing to provide the required funding that will enable the Township to construct the Project on an installment purchase plan pursuant to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the respective representations and agreements herein contained, the parties hereto agree as follows:

Section 1. <u>Definitions</u>. The following terms, wherever used in this Agreement shall have the following meanings, unless the context shall indicate another or different meaning:

"Act 99" means Act 99 of the Public Acts of Michigan of 1933, as amended.

"Agreement" means this Installment Purchase Agreement, by and between the Township, the Contractor and the Financial Institution.

"Base Lending Rate" means a floating, variable and daily rate of interest per annum publicly declared by the Financial Institution from time to time as its "Base Lending Rate", without reference to prime interest rates of any other financial institution, which rate may not

necessarily be the lowest rate of interest charged by the Financial Institution to any of its customers. The Financial Institution's Base Rate is an "Index" and the actual rate charged to any borrower for a specific loan may be above or below that "Index".

"Change in Law" means if there is a change in the Internal Revenue Code, the regulations promulgated thereunder or in the interpretation thereof by a court, administrative authority or other governmental authority (other than an Event of Taxability) which takes effect after the execution date of this Agreement and which changes the effective yield on the Agreement to the Financial Institution, including, but not limited to, changes in Federal Income Tax Rates, the interest rate of this Agreement shall increase or decrease accordingly to compensate the Financial Institution for such change in the effective yield on this Agreement. However, the effective variable rate per annum on this Agreement shall never be less than 5.45% per annum nor more than 18% per annum.

"Code" means the Internal Revenue Code of 1986, as amended. Reference to the Code shall also include applicable regulations and proposed regulations thereunder and any successor provisions thereof.

"Construction Contract" means the Agreement between the Township (as assignee of Bay County Board of County Road Commissioners and Bay County Department of Water and Sewer) and the Contractor, a copy of which is attached hereto as Exhibit A.

"Construction Fund" means the Construction Fund established by the Township pursuant to Section 3 of this Agreement to be used to pay the Contractor the Purchase Price for the Project.

"Contractor" means Gary D. Steadman, Inc., Bay City, Michigan.

"Financed Funds" means the sum of \$140,000 to be provided by the Financial Institution towards the Purchase Price of the Project.

"Financed Purchase Price" means that portion of the Purchase Price of the Project, namely \$140,000 to be provided pursuant to the terms of this Agreement.

"Financial Institution" means First of America Bank, N.A.

"Interest Payment" means the payment of interest on the unpaid principal balance of the Financed Purchase Price in accordance with the schedule set forth in Exhibit B attached hereto.

"Interest Rate" means a qualified tax-exempt rate of 5.45% per annum from the date of the Agreement through May 31, 2002 with such interest rate adjusted and effective on June 1, 2002 to be equal to 93% of the average yield on U.S. Treasury Notes with maturity dates occurring within the month of May 2007, computed on the basis of a 360-day year for the actual

number of days elapsed. In no event shall interest exceed any maximum rate of interest permitted by law.

Upon the occurrence of an Event of Taxability as described in Section 14 of this Agreement, interest on this Agreement shall be recomputed from the date of occurrence of the Event of Taxability to a variable rate per annum equal to the sum of the Financial Institution's Base Lending Rate plus 1.00% adjusted daily and payable monthly.

"Payment Date" means the date a Principal Payment and Interest Payment are due and payable in accordance with the schedule set forth in Exhibit B attached hereto. The first Payment Date shall be June 1, 1998 and subsequent Payment Dates shall be annually thereafter on each June 1 thereafter, to and including a final payment on June 1, 2007.

Prepayment of the Agreement is permitted on any Payment Date, without penalty so long as the prepayment is made with funds withdrawn from the Township's cash reserves. A prepayment penalty is required if the Agreement is prepaid with funds borrowed from a financial institution other than the "Financial Institution" or from a publicly or privately placed debt obligation. The prepayment premium, if any applicable, shall be three (3%) percent. Any such prepayment shall be applied in inverse order of the scheduled payments.

"Principal Payment" means the payment of a principal installment of the Financed Purchase Price in accordance with the schedule set forth in Exhibit B attached hereto.

"Project" means the acquisition of property, i.e., the construction of approximately 3400 L.F. of sanitary sewer line extension from Beaver to Jose Road within the Township and owned by the Township.

"Purchase Price" means the purchase price of the Project in the amount of approximately \$373,777.00.

"State" means the State of Michigan.

"Township" means the Township of Kawkawlin, Bay County, Michigan.

"Township Funds" means the sum, if any, contributed by the Township from funds available to it towards the Purchase Price of the Project.

Section 2. <u>Construction and Purchase of Project</u>. The Township agrees to acquire by construction and the Contractor agrees to construct and sell the Project to the Township for the Purchase Price pursuant to the terms and conditions of this Agreement. The Contractor shall construct the Project in accordance with the provisions of the Construction Contract. The Township will cause the Contractor to be paid the Purchase Price for the Project with Township Funds and Financed Funds deposited in the Construction Fund.

Section 3. <u>Establishment and Use of Construction Fund</u>. Simultaneously with the execution of this Agreement, the Township shall establish and maintain a separate depository account with a bank insured by the Federal Deposit Insurance Corporation entitled the "Township of Kawkawlin Sewer Fund" and shall immediately deposit the Township Funds and the Financed Funds into such account. The Township shall pay the Contractor the Purchase Price of the Project in strict compliance with the procedures provided in the Construction Contract from moneys available in the Sewer Fund. If at any time the Purchase Price of the Project shall be increased because of Construction Contract change orders approved by the Township, upon such approval, the Township shall immediately deposit into the Sewer Fund an amount equal to the increase in the Purchase Price.

Section 4. Assignment of Contractor's Interest. The Contractor hereby irrevocably assigns its interest in this Agreement, except for certain warranties, indemnifications, representations and other obligations as hereinafter provided, to the Financial Institution in consideration for the Township's promise to pay the Contractor from moneys available in the Construction Fund the Purchase Price of the Project in accordance with the provisions of the Such assignment shall not, however, include any warranties, indemnifications, representations or other obligations of the Contractor referenced in Section 15 hereof, and the Contractor hereby acknowledges that all of said warranties, indemnifications, representations and other obligations shall not be assigned and shall remain the sole responsibility of the Contractor. The Township hereby consents to this assignment in consideration for the Financial Institution's promise to provide the Township an amount equal to the Financed Purchase Price to be used to pay the Contractor a portion of the Purchase Price of the Project. The Financial Institution hereby accepts this assignment and will, upon execution of this Agreement, pay to the Township in immediately available funds, an amount equal to the Financed Purchase Price of the Project to be deposited in the Construction Fund and used by the Township together with Township Funds to pay the Contractor the Purchase Price of the Project in consideration for the Township's promise to pay the Financial Institution the Principal Payments and Interest Payments in accordance with Section 5 hereof.

Section 5. <u>Installment Payments</u>. The Township agrees to pay to the Financial Institution, as assignee of the Contractor, the Principal Payments and the Interest Payments on the Payment Dates in accordance with the schedule set forth in Exhibit B attached hereto as payment for the Project on an installment purchase plan in accordance with Act 99. Any Principal Payment or Interest Payment which remains unpaid for more than ten (10) days after the Payment Date on which it is due shall bear interest (retroactive to the due date) until paid at a fluctuating interest rate per annum equal to the Base Lending Rate plus 2% of the maximum rate permitted by law, whichever is less.

Section 6. <u>Payments Unconditional</u>. The Township's obligation to the Financial Institution to pay the Principal Payments and Interest Payments and any other amounts owed hereunder is absolute and unconditional and shall remain in full force and effect until the amounts owed hereunder shall have been paid by the Township to the Financial Institution, and such

obligation shall not be affected, modified or impaired upon the happening from time to time of any event, including without limitation, any of the following:

- (a) Any failure of title with respect to the Project;
- (b) The invalidity, unenforceability or termination of this Agreement;
- (c) The modification or amendment (whether material or otherwise) of any obligation, covenant or agreement set forth in this Agreement;
- (d) The voluntary or involuntary liquidation, dissolution, sale or other disposition of all or substantially all of the assets, marshalling of assets and liabilities, receivership, insolvency, bankruptcy, assignment for the benefit of creditors, reorganization, arrangement, composition with creditors or readjustment or other similar proceedings affecting the Contractor or any of its assets or any allocation or contest of the validity of this Agreement, or the disaffirmance of this Agreement in any such proceeding;
- (e) To the extent permitted by law, any event or action which would, in the absence of this clause, result in release or discharge by operation of law of the Contractor from the performance or observation of any obligation, covenant or agreement contained in this Agreement or the Construction Contract;
- (f) The default or failure of the Contractor fully to perform any of its obligations set forth in this Agreement, the Construction Contract or any other agreement; or
 - (g) Any casualty or destruction of the Project.

The Township shall make payments when due and shall not withhold any such payments as a result of any disputes arising between the Township and the Contractor or any other person, nor shall the Township assert any right of set-off or counterclaim against its obligation to make such payments or be entitled to any abatement of such payments as a result of accident or unforeseen circumstances, or the Project being unusable.

Section 7. <u>Prepayment</u>. Prepayment of the Agreement is permitted on any Payment Date, without penalty so long as the prepayment is made with funds withdrawn from the Township's cash reserves. A prepayment penalty is required if the Agreement is prepaid with funds borrowed from a financial institution other than the "Financial Institution" or from a publicly or privately placed debt obligation. The prepayment premium, if any applicable, shall be three (3%) percent. Any such prepayment shall be applied in inverse order of the scheduled payments.

Section 8. <u>Useful Life of Project</u>. The Township represents that the useful life of the Project is equal to or longer than the date of the final Principal Payment as set forth in Exhibit B attached hereto.

- Section 9. Security for Payment Limited Full Faith and Credit. The Township agrees to include in its budget for each fiscal year during the term hereof an amount sufficient to pay when due the Principal Payments and Interest Payments coming due under this Agreement during such fiscal year. In addition, the Township hereby pledges to levy in each fiscal year ad valorem taxes on all taxable property in the Township in an amount which, together with other funds available for such purpose, shall be sufficient for the payment of such Principal Payments and Interest Payments in such fiscal year. Any such tax levy is, however, subject to existing charter, statutory and constitutional tax limitations. The Township hereby also pledges all special assessments levied upon the property owners and others using the Project being financed by this Agreement.
- Section 10. <u>Term of Agreement</u>. This Agreement shall terminate on the final Payment Date indicated on Exhibit B attached hereto or such earlier date that all amounts due hereunder by Township to Financial Institution are paid in full.
- Section 11. <u>Representations of the Township</u>. The Township makes the following representations:
- (a) The Township is a public body corporate and politic duly organized and legally existing under the constitution and laws of the State of Michigan.
- (b) The Township will do or cause to be done all things necessary to preserve and keep in full force and effect its existence as a public body corporate and politic.
- (c) The Township has the power under the constitution and laws of the State and under Michigan law to purchase and hold property for the public use and to make all contracts that may be necessary to exercise this power.
- (d) This Agreement constitutes a legal, valid, binding and enforceable obligation of the Township in accordance with its terms, except to the extent limited by applicable bankruptcy, insolvency, reorganization or other laws affecting creditors' rights generally.
- (e) During the term of this Agreement, the Project will be used exclusively by the Township only for the purpose of performing one or more governmental public functions of the Township consistent with the permissible scope of the Township's authority.
- (f) The Township will annually provide the Financial Institution with a copy of its annual audit (prepared by a certified public accounting firm reasonably acceptable to the Financial Institution) within 180 days after the end of each fiscal year during the term of this Agreement.
- (g) There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by an court, public board or body, pending or threatened against or affecting the Township, nor to the best knowledge of the Township is there any basis therefor, wherein an unfavorable decision, ruling or finding would materially adversely affect the transactions

contemplated by this Agreement and which is used or contemplated for use in the consummation of the transactions contemplated by this Agreement. All actions, authorizations, consents and approvals of governmental bodies or agencies required in connection with the execution and delivery by the Township of this Agreement or in connection with the carrying out by the Township of its obligations hereunder have been obtained.

- (h) Neither the payment of the Principal Payments and Interest Payments hereunder nor any portion thereof is directly or indirectly (a) secured by any interest in (i) property used or to be used for a private business use (within the meaning of Section 141(b) of the Code) or (ii) payments in respect of such project or (b) to be derived from payments (whether or not to the Township) in respect of property, or borrowed money, used or to be used for a private business use (within the meaning of Section 141(b) of the Code). No portion of the Project will be used for any private business use (within the meaning of Section 141(b) of the Code).
- (i) The entering into and performance of this Agreement or any other document or agreement contemplated hereby to which the Township is or is to be a party will not violate any judgment, order, law or regulation applicable to the Township.
- (j) The Township has adopted a binding resolution determining the useful life of the Project is equal to or longer than the date of final payment hereunder.
- Section 12. <u>Representations of the Contractor and Financial Institution</u>. The Contractor and Financial Institution each respectively make the following representations:
- (a) It has the legal capacity to execute this Agreement and to carry out its obligations and undertakings hereunder and the person executing this Agreement on its behalf has been duly authorized to do so.
- (b) The Agreement is valid, binding and in accordance with its terms upon it, except as enforcement may be limited by applicable bankruptcy, insolvency, reorganization or other laws affecting creditors' rights generally.
- (c) The Financial Institution, based upon the advice of its legal counsel, understands that this Agreement is in compliance with Act 99 and other applicable State and Federal laws.

Section 13. <u>Tax Covenants</u>. The Township hereby agrees to comply with all applicable provisions of the Code that must be satisfied at the time of delivery of or subsequent to delivery of this Agreement in order that the Interest Payments be (or continue to be) excluded from gross income for federal income tax purposes. The Township further covenants and agrees that it will not take any action or fail to take any action with respect to the investment of the proceeds (as that term is used in Section 148 of the Code) of this Agreement which results in this Agreement constituting "arbitrage bonds" within the meaning of such term as used in Section 148 of the Code and that it will comply with any applicable rebate requirements of Section 148(f) of the Code.

Section 14. Event of Taxability. If an Event of Taxability shall occur, as hereinafter defined, all outstanding Principal Payments plus accrued and unpaid interest shall be due and payable and the Township shall not later than 30 days following the Event of Taxability pay said amounts to the Financial Institution. An "Event of Taxability" shall mean the issuance of a statutory Notice of Deficiency by the Internal Revenue Service or a ruling of the National Office or any District Office of the Internal Revenue Service, or a final decision of a court of competent jurisdiction which holds in effect that the Interest Payments are includable in the gross income of the Financial Institution for federal income tax purposes.

Section 15. Contractor's Representations, Warranties and Indemnification. The Contractor agrees to all of the terms, conditions and provisions of the Contract Documents as that term is defined in the Construction Contract and any other agreement between the Township and the Contractor related to the construction of the Project. In the event of a conflict in terms between this Agreement and the above-referenced documents relating to the construction of the Project, the Construction Contract shall govern. In the event of any other conflict in terms between this Agreement and the above-referenced documents, the specific terms of this Agreement shall govern. Representations, warranties and indemnification, if any, with respect to the Project shall not be assigned, but shall remain enforceable by the Township against the Contractor. The Township's sole remedy for the breach of any such warranties, representations or indemnification shall be against the Contractor. The Township expressly acknowledges that the Financial Institution makes, and has made, no representation of warranties whatsoever as to the existence or availability or enforceability of such warranties of the Contractor.

Section 16. <u>Disclaimer of Warranties by Financial Institution</u>. The Financial Institution makes no warranty or representation, either express or implied, as to the value, design, condition, merchantability or fitness for particular purpose or fitness for use of the Project, or warranty with respect thereto. In no event shall the Financial Institution be liable for any incidental, indirect, special or consequential damage in connection with or arising out of this Agreement or the existence, furnishing, functioning or the Township's use of the Project or any item thereof.

Section 17. <u>Indemnification by Township</u>. To the extent permitted by the laws and the constitution of the State, the Township shall protect, hold harmless and indemnify the Financial Institution from and against any and all liability, obligations, losses, claims and damages whatsoever, regardless of cause thereto, and expenses in connection therewith, including without limitation, reasonable counsel fees and expenses arising out of the construction, use, operation or condition of the Project or any accident in connection with the operation, use or condition of the Project resulting in damage to property or injury or death to any person. This indemnification shall continue in full force and effect notwithstanding the full payment of all obligations under this Agreement or the termination of this Agreement for any reason. To the extent permitted by the laws and the constitution of the State, the Township shall protect, hold harmless, and indemnify the Contractor from and against any and all liability, obligations, losses, claims and damages whatsoever, regardless of the cause thereto, and the expenses in connection therewith, including without limitation, reasonable counsel fees and expenses arising out of the Contractor's participation, use, and execution of the Installment Purchase Contract between the Township and

the Financial Institution. This indemnification shall continue in full force and effect notwithstanding the full payment of all obligations pursuant to the Construction Contract by the Township to the Contractor.

Section 18. Events of Default. The following shall be an "Event of Default" under this Agreement:

- (a) Failure by the Township to make the Principal Payments and Interest Payments at the times specified herein; or
- (b) Failure of the Township to observe and perform any other covenant, condition or agreement on its part to be observed or performed and continuation of such failure for a period of 30 days after written notice specifying such failure and requesting that it be remedied, unless the Financial Institution shall agree in writing to an extension of such time prior to its expiration, or unless such failure is other than the payment of money and shall be such that it cannot with due diligence be corrected within such period, it shall not constitute an Event of Default if corrective action is instituted by the Township within such period and diligently pursued until corrected; or
- (c) The Township shall: (i) admit in writing its inability to pay its debt generally as they become due; (ii) commence a proceeding under any federal or state bankruptcy, insolvency, reorganization or other similar law, or have such a proceeding commenced against it and either have an order of insolvency or reorganization entered against it or have the proceeding remain undismissed or unstayed for 60 days; (iii) make an assignment for the benefit of creditors or provide for the entry into any agreement for the composition of creditors; or (iv) have applied for the appoint of a receiver, purchaser or liquidator for it or the whole or any substantial part of its property; or
- (d) The Township shall materially breach any representation or warranty under this Agreement.
- Section 19. <u>Remedies Upon Default</u>. Whenever an Event of Default referred to in Section 18 hereof shall occur and be continuing, the Financial Institution shall have the right to exercise the following remedies:
- (a) Upon the occurrence of an Event of Default described in Section 18(a) hereof and the failure to cure such Event of Default within ten (10) days, may declare all of the unpaid Principal Payments and Interest Payments (the portion thereof accrued) to be immediately due and payable, whereupon such amounts shall become immediately due and payable without presentment, demand, protest or other notice of any kind, all of which are expressly waived; and
- (b) Take whatever action at law or in equity may appear necessary or desirable to enforce its rights under this Agreement.

Section 20. Assignment. This Agreement, and the obligation of the Township to make the payments hereunder, may be assigned by the Financial Institution and reassigned in whole or in part to one or more assignees at any time subsequent to its execution, without the necessity of obtaining the consent of the Township. The Financial Institution agrees to give notice of assignment to the Township and upon receipt of such notice the Township agrees to make all payments to the assignee, notwithstanding any claim, defense, set off or counterclaim whatsoever (whether arising from a breach of this Agreement or otherwise) that the Township may from time to time have against the Financial Institution, or the assignee. The Financial Institution's interest in this Agreement may not be assigned or reassigned in whole or in part unless (i) the document by which such assignment or reassignment is made discloses the name and address of the assignee, and (ii) the Township receives written notification of the name and address of the assignee. The Township hereby designates the Financial Institution or its assignee as its agent to maintain a book entry system in conformance with Section 149(a) of the Code, consisting of a record of ownership that identifies the owner of any interest in this Agreement, which record may be examined by the Township at its request. The right to payment of the amounts due hereunder may be transferred only through such book entry system. Anything in the foregoing to the contrary notwithstanding, the Financial Institution's interest in this Agreement may be assigned in whole or in part upon terms which provide in effect that the assignor or assignee will act as a collection and paying agent for holders of certificates of participation in this Agreement.

Section 21. <u>Notices</u>. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when dispatched by registered or certified mail, return receipt requested, postage prepaid, or by hand delivery, or by telegram and confirmed the same day by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

If to the Township:

Township of Kawkawlin 1836 E. Parish Road Kawkawlin MI 48631 Attention: Roy DeLorge, Township Supervisor

If to the Financial Institution:

First of America Bank, N.A. 300 Center Avenue Bay City MI 48707-0919 Attention: Mr. Larry J. Reimann, Vice President

If to the Contractor:

Gary D. Steadman, Inc. 3679 E. Wilder Road P.O. Box 99 Bay City MI 48707 Attention: Gary D. Steadman

The parties hereto may, by notice given hereunder, designate any further or different address to which subsequent notices, certificates or other communications may be sent.

- Section 22. Governing Law. This Agreement shall be construed in all respects in accordance with the laws of the State.
- Section 23. <u>Severability</u>. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
- Section 24. <u>Binding Effect</u>. The covenants herein contained shall bind, and the benefits and advantages shall inure to, the respective successors and assigns of the parties hereto.
- Section 25. <u>Counterparts</u>. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.
- Section 26. <u>Captions</u>. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.
- Section 27. <u>Entire Agreement</u>. This Agreement constitutes the entire agreement between the parties, and there are no representations, warranties, promises, guarantees or agreements, oral or written, express or implied, between the parties hereto with respect to this Agreement.
- Section 28. <u>Amendments</u>. This Agreement may not be effectively amended, changed, modified, altered or terminated without the prior written consent of the Township and the Financial Institution.

IN WITNESS WHEREOF, the Township, the Financial Institution and the Contractor have caused these presents to be signed all as of the day and year first above written.

TOWNSHIP OF KAWKAWLIN "Township"

By:_

Roy DeLorge

Its:

Supervisor

Attest:

Ву:_____

/lichael E. Arnold

Its:

Clerk

FIRST OF AMERICA BANK N.A.

"Financial Institution"

By:

J. Reimann

Its: Vice President

"Contractor"

Brok

Gary D. Steadman

Its:

President

347\97kktown\ipa

EXHIBIT "A" TO INSTALLMENT PURCHASE CONTRACT

ASSIGNMENT

The Bay County Department of Water and Sewer and the Board of County Road Commissioners, County of Bay (the "Assignor"), in consideration of the assumption of liability by the Township of Kawkawlin and for other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby assign to the Township of Kawkawlin, Bay County, Michigan (the "Assignee"), all of its right, title and interest in and to and under a certain Contract Agreement dated the 16th day of June, 1997 between the Board of County Road Commissioners, County of Bay, and the Bay County Department of Water and Sewer, as Owner, and Gary D. Steadman, Inc. ("Contractor"), relating to the M/13 easement sanitary sewer line extension (Division A).

Although the Assignee shall be and is the owner of the sewer line, the Assignee and Assignor agree that the Assignor shall continue to operate and maintain the sewer line following completion of construction.

The Assignee shall have no recourse against the Assignor with respect to the obligations of the Assignor under the Contract. The Assignee shall perform all obligations, warranties and duties required of it under the Contract and Assignor shall not be responsible for performance of any such obligations, warranties or duties.

This instrument shall inure to the benefit of and be binding upon both the Assignor and the Assignee and their respective successors and assigns.

DATED: December 💋 , 1997

EXECUTED BY:

TOWNSHIP OF KAWKAWLIN, BAY COUNTY, MICHIGAN

Ву:____

Roy DeLorge Supervisor

BOARD OF COUNTY ROAD COMMISSIONERS, COUNTY OF BAY, AND THE BAY COUNTY

DEPARTMENT OF WATER AND SEWER

Bv:

Its:

ts: (Navi

GARY ID. STEAD

Its: VE Sic

EXHIBIT "B" TO INSTALLMENT PURCHASE AGREEMENT

PAYMENT SCHEDULE

TOWNSHIP OF KAWKAWLIN

(Kawtp397.wk4)

Installment Purchase Contract - Sewer Line Extension

Dated December 15, 1997

Terms of the Issue

5.45% Annual Interest Rate

10 Year Amortization

1 Payment intervals per year

Interest Basis a 360 day year and 30 day months

Payment Number	Number of Days	Payment Date	Total Payment	Interest Payment	Principal Payment	Outstanding Balance \$140,000.00
0		15-Dec-97	0	0	0	126,000.00
1	168	01-Jun-98	\$17,56 0.67	\$3,560.67	\$14,000.00	
2	360	01-Jun-99	20,867.00	6,867.00	14,000.00	112,000.00
3	360	01-Jun-00	20,104.00	6 ,10 4.00	14,000.00	98,000.00
4	360	01-Jun-01	19,341.00	5,341.00	14,000.00	84,000.00
5	360	01-Jun-02	18,578.00	4,578.00	14,000.00	70,000.00
6	360	01-Jun-03	17,815.00	3,815.00	14,000.00	56,000.00
7	360	01-Jun-04	17,052.00	3,052.00	14,000.00	42,000.00
8	360	01-Jun-05	16.289.00	2,289.00	14,000.00	28,000.00
9	360	01-Jun-06	15,526.00	1,526.00	14,000.00	14,000.00
10	360	01-Jun-07	14,763.00	763.00	14,000.00	0.00
		Subtotal Closing costs Total	\$177,895.67 1,200.00 \$179,095.67	\$37,895.67	\$140,000.00	

ASSIGNMENT

The Bay County Department of Water and Sewer and the Board of County Road Commissioners, County of Bay (the "Assignor"), in consideration of the assumption of liability by the Township of Kawkawlin and for other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby assign to the Township of Kawkawlin, Bay County, Michigan (the "Assignee"), all of its right, title and interest in and to and under a certain Contract Agreement dated the 16th day of June, 1997 between the Board of County Road Commissioners, County of Bay, and the Bay County Department of Water and Sewer, as Owner, und Gary D. Steadman, Inc. ("Contractor"), relating to the M/13 easement sanitary sewer line extension (Division A).

Although the Assignee shall be and is the owner of the sewer line, the Assignee and Assign or agree that the Assignor shall continue to operate and maintain the sewer line following completion of const uction.

The Assignee shall have no recourse against the Assignor with respect to the obligations of he Assignor under the Contract. The Assignee shall perform all obligations, warranties and duties required of it under the Contract and Assignor shall not be responsible for performance of any such obligations, warranties or duties.

This instrument shall inure to the benefit of and be binding upon both the Assignor and the Assignee and their respective successors and assigns.

DATED: December <u>13</u>, 1997

EXECUTED BY:

TOWNSHIP OF KAWKAWLIN, BAY COUNTY, MICHIGAN

BOARD OF COUNTY ROAD COMMISSIONERS, COUNTY OF BAY, AND THE BAY COUNTY

DEPARTMENT OF WATER AND SEWER

Supervisor Its:

Approved as to content:

lame and Title

pproved as to ferm

AlPoninville, Attorney Henry

Its:

GARY D. STEADMAN, INC

Form 8038-G

Information Return for Tax-Exempt Governmental Obligations

▶ Under Internal Revenue Code section 149(e)

► See separate Instructions.

Department of the Treasury

(Rev. May 1993)

(Use Form 8038-GC if the issue price is under \$100,000.)

OMB No. 1545-0720

in er re	I Heneura Zervice		16 1			- chack	hom I	
Pai	Reporting Authority		f Amende					
1	Issuer's name		2 Issuer				ation nun	nger
	Township of Kawkawlin	Γ	38		7575			
3	Number and street (or P.O. box if mail is not delivered to street address)	R	oom/suite	4		ort numb		
	1836 E. Parish Road	1		+-		97 -		
5	City, town, state, and ZIP code			1 -		of issue		
	Kawkawlin MI 48631					13, 1		
7	Name of Issue 1997 Township of Kawkawlin M/13 Easement			8		IP Numt	per	
	Sanitary Sewer Line Installment Purchase Contract				N/	A		
Pai	Type of Issue (check applicable box(es) and enter the issue pri	ice)						
	•				-	ssue	опсе	
9	Education (attach schedule-see instructions)				S			
10	Health and hospital (attach schedule-see instructions)							
11	☐ Transportation				<u> </u>			
12	Public safety				<u></u>			
13	☐ Environment (including sewage bonds)				-			
14	Housing				<u></u>			
15	Ithilities				!			
16	(X) Other Describe (see Instructions) > Installment Purchase Contra	act	<u> </u>	_	- \$1	40.00	10 77777777	7777777
17	If obligations are tax or other revenue anticipation bonds, check box > \(\square\$							
18	If obligations are in the form of a lease or installment sale, check box							
Pai	t III Description of Obligations		/-1			· · ·	(g)	
	(a) (b) (c) Stated redemotion		(e) Weignted			(f) 'ield	Net inte	erest
	Matunty date Interest rate issue price once at matunty		average mat	unty			i cos	х 7//////
9	Final maturity. 6/1/2007 N/A ² / ₄ 14,000 14,000				<u> </u>			
0	Fotire issue 140,000 140,000			ears	1 5.	45 %		<u>%</u>
Pai	Uses of Original Proceeds of Bond Issue (including underwrite	ers'	aiscoun'	<u>., </u>	1 04		Calcu	<u>ттат</u> е
21	Proceeds used for accrued interest			•	21	140	2 000	
22	Issue price of entire issue (enter amount from line 20, column (c))				22	141	0,000	
23	Proceeds used for bond issuance costs (including underwnters' discount) . 23		0		-/////			
24	Proceeds used for credit enhancement		0		<i>- 4/////</i>			
25	Proceeds allocated to reasonably required reserve or replacement fund 25 !		0		<i>-://///</i>			
26	Proceeds used to refund prior issues		0		2/////	140	,000	
27	Total (add lines 23 through 26)			•	27		,000 0	
28	Nonrefunding proceeds of the issue (subtract line 27 from line 22 and enter amount	unt	here).	. .	28	<u> </u>	<u>J</u>	
Pai	Description of Refunded Bonds (complete this part only for ref	run	aing bon	as)		N1 / 1	<u> </u>	V0255
29	Enter the remaining weighted average maturity of the bonds to be refunded .		· · · ·	>		N/2 N/2		years
30	Enter the last date on which the refunded bonds will be called			>		N/2		
31	Enter the date(s) the refunded bonds were issued ▶					11/1	<u> </u>	
Pai	t VI Miscellaneous					M	/A	
32	Enter the amount of the state volume cap allocated to the issue			>			·	
33	Enter the amount of the bonds designated by the issuer under section 265(b)(3)(B)(i))(111)	(small issu	er	1	140,0	00	
	exception)			>				
34	Pooled financings:					N/A		
а	Enter the amount of the proceeds of this issue that are to be used to make loans to other government.	ernn	nental units	<u> </u>				
b	If this issue is a loan made from the proceeds of another tax-exempt issue, ch	песк	t box 🚩 -	_; aı	nd en	ter the N/A	name c	л ипе
	issuer > and the date of the	ine i	ssue 🟲			11/12		
35_	If the issuer has elected to day a penalty in lieu of rebate, check box	•	<u> </u>	<u> </u>		De Dect -		wodaa
	Under penalties of penury, I declare that I have examined this return and accompanying schedules are the competed.	tules	and stateme	nts. J	ווים גם נו	re 0621 01	HIY KIIOW	Henda
	and belief, they are true, correct, and complete.							
ماه	ase // //							
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le	Sanature oy/opicer Date	7 -	oe or print i	פחהי	and title	8		

TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN ACT 99 INSTALLMENT PURCHASE, SERIES 1997 (M/13 EASEMENT SANITARY SEWER LINE PROJECT)

FINANCIAL INSTITUTION RECEIPT OF INSTALLMENT PURCHASE AGREEMENT

I, the undersigned duly authorized officer of First of America Bank, N.A. (the "Financial Institution"), hereby acknowledge on behalf of the Financial Institution receipt of an Installment Purchase Agreement dated as of the date hereof (the "Agreement") between the Township of Kawkawlin (the "Township"), Gary D. Steadman, Inc. (the "Contractor") and the Financial Institution. I acknowledge on behalf of the Financial Institution that the Agreement has been assigned by the Contractor to the Financial Institution.

Dated: Decmeber 13, 1997

FIRST OF AMERICA BANK, M.A.

Large Reimann

Its: Vice President

HOWARD & HOWARD

ATTORNEYS
Established 1869

The Pinehurst Office Center Suite 101 1400 North Woodward Avenue Bloomfield Hills, MI 48304-2856

Telephone (248) 645-1483 Fax (248) 645-1568 The Michigan Building Suite 200 100 Portage Street Kalamazoo, MI 49007-4802

Telephone (616) 382-1483 Fax (616) 382-1568 The Phoenix Building Suite 500 222 Washington Square, North Lansing, MI 48933-1817

Telephone (517) 485-1483 Fax (517) 485-1568 The Creve Coeur Building Suite 200 321 Liberty Street Peoria, IL 61602-1403

Telephone (309) 672-1483 Fax (309) 672-1568

William A. Dornbos

Kalamazoo Office

Direct Dial: (616) 382-8745

December ____, 1997

DRAFT

Township of Kawkawlin 1836 E. Parish Road Kawkawlin, Michigan 48631

First of America Bank, N.A. 300 Center Avenue
Bay City, Michigan 48707-0919

Re: Township of Kawkawlin, Bay County, Michigan, Act 99 Installment Purchase, Series 1997 (M/13 Easement Sanitary Sewer Line Project)

We have examined an Installment Purchase Agreement (the "Agreement") dated as of the date hereof, among the Township of Kawkawlin, Bay County, Michigan (the "Township"), Gary D. Steadman, Inc. (the "Contractor") and First of America Bank, N.A. (the "Financial Institution") pursuant to which the Contractor is constructing and selling to the Township approximately 3400 L.F. of sanitary sewer line within the Township and owned by the Township (the "Project"). Pursuant to the Agreement, the Township is paying the financed purchase price of the Project in installments (the "Installment Payments") to the Financial Institution and the Contractor is assigning certain of its rights in the Agreement to the Financial Institution. The Agreement has been executed pursuant to Act 99 of the Public Acts of Michigan of 1933, as amended.

We have also examined a certified copy of a resolution dated December ___, 1997, of the Township Board authorizing execution of the Agreement and such other information, records, documents and certificates as in our judgment are necessary and advisable under the circumstances.

Based upon the foregoing examination, we are of the opinion that (i) the Township is a political subdivision of the State of Michigan; (ii) the Agreement has been duly authorized, executed and delivered, is a valid and binding obligation of the Township and

Township of Kawkawlin First of America Bank, N.A. December ____, 1997 Page 2

is enforceable against the Township in accordance with its terms; (iii) the Installment Payment obligations of the Township under the Agreement upon assignment to the Financial Institution constitute a general obligation of the Township and the Township is obligated to include in its budget annually a sum sufficient to meet its obligations under the Agreement and, if necessary, to levy sufficient taxes on all taxable property in the Township to provide such sum, subject to applicable charter, statutory and constitutional tax rate limitations; (iv) upon assignment of the Agreement by the Contractor to the Financial Institution, the Financial Institution (and any assignees of the Financial Institution) shall have a valid and enforceable right to receive and collect from the Township all of the Installment Payments according to the terms of the Agreement; and (v) under existing statutes, regulations, rulings and court decisions as presently interpreted, the interest to be received pursuant to the Agreement (a) is not includable in the gross income of the recipient thereof and, consequently, will be exempt from all present federal income taxation and (b) is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations.

Based on the certification of the Township specifying the property to be acquired pursuant to the Agreement, and assuming compliance with certain covenants of the Township, we are of the opinion that the Agreement is not a "private activity bond" as that term is used in Section 103(b) and Section 141 of the Internal Revenue Code of 1986, as amended (the "Code").

Based on the Township's certification and such consultation with officials of the Township as we deem appropriate, it is our opinion that the Agreement is not an "arbitrage bond" as that term is used in Section 148 of the Code and the regulations propounded under the Internal Revenue Code of 1954, as amended, and the Code.

This opinion is subject to the condition that the Township comply with all requirements of the Code that must be satisfied subsequent to the delivery of the Agreement in order that interest thereon be (or continue to be) excluded from gross income for federal income tax purposes. Failure to comply with such requirements could cause such interest to be so included in gross income retroactive to the date of delivery of the Agreement. The Township has covenanted to comply with all such requirements. We express no opinion regarding other federal tax consequences arising with respect to the Agreement and the interest on the payment obligation.

Under existing statutes, regulations, rulings and court decisions as presently interpreted, interest to be received pursuant to the Agreement is exempt from all present

Township of Kawkawlin
First of America Bank, N.A.
December ____, 1997
Page 3

taxation in the State of Michigan including state and municipal income tax, but excepting inheritance taxes and taxes or gains realized from the sale, payment or other disposition of the Agreement.

The enforceability of the Agreement may be subject to bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors rights heretofore or hereafter enacted to the extent constitutionally applicable and its enforcement may be subject to the exercise of judicial discretion in appropriate cases.

This opinion is limited to the application of the internal laws of the State of Michigan and the applicable laws and regulations of the United States of America, and no opinion is expressed herein as to the laws of any other jurisdiction.

Very truly yours,

HOWARD & HOWARD ATTORNEYS, P.C.

347\97kktown\opinion.h&h

RESOLUTION OF KAWKAWLIN TOWNSHIP APPROVING WATER SUPPLY SYSTEM CONTRACT

At a	gan held at	the Tow				the Township of April		
PRESE	NT: De	eLorge,	Arnold,	Klass,	McNally	Beson		

The following preamble and resolution were offered by Member McNally and seconded by Member Arnold.

ABSENT:

None

WHEREAS, it is immediately necessary and imperative, for the public health and welfare of the present and future residents of the Township that additional facilities for the public storage and supply of water (the "Project") be acquired and constructed to service the Township, as a part of the Bay County Water Supply System (Fraser-Kawkawlin Extension) (the "System"); and

WHEREAS, the Township has requested the Board of County Road Commissioners, County of Bay (the "Board"), the authorized County Agency pursuant to Act 342, Public Acts of Michigan, 1939, as amended (the "Act") to acquire, construct and finance the Project; and

WHEREAS, by the terms of the Act, the County Agency, acting on behalf of the County of Bay, Michigan (the "County") and the Township are authorized to enter into a contract for the acquisition, improvement, enlargement or extension of the System and the payment of the cost and interest thereon by the Township over a period of not exceeding forty (40) years; and

WHEREAS, the Act provides the only practicable method and means for acquiring and financing the Project so vitally necessary for the public health and welfare of the residents of the Township, and will result in the lowest cost for the money necessary to be borrowed for such purpose; and

WHEREAS, plans and estimates for the cost of the Project have been prepared by Bartow & King Engineers (the "Engineers"), which estimate of costs totals \$1,740,900; and

WHEREAS, in order for the County to issue bonds to provide funds for the acquisition, improvement and construction of the Project, it is necessary for the County and the Township to enter into a contract as provided in the Act; and

WHEREAS, in conjunction with entering into such contract and the issuance of bonds, it is necessary to publish a notice relating to the right to petition for a referendum upon the contract.

NOW, THEREFORE, BE IT RESOLVED, by the Township Board of the Township of Kawkawlin as follows:

1. The Township Board hereby approves the Bay County Water Supply System (Fraser-Kawkawlin Extension) Bond Contract, dated as of May 1, 1998, among the County, the Township and the Township of Fraser (the "Contract") in the form previously filed with the Clerk.

- 2. The Township Board hereby approves the preliminary plans for the Project, the estimate of \$1,740,900 as the cost thereof and 40 years and upwards as the useful life thereof, as prepared by the Engineers.
- 3. The Township Board does hereby pledge the full faith and credit of the Township as security for its obligations under the Contract and does hereby confirm its covenant in the Contract to levy ad valorem taxes on all taxable property in the Township to the extent necessary to meet its obligations under the Contract, and does further indicate its purpose and intent to make such a levy annually as necessary to meet the Township's obligations under the Contract.
- 4. The Supervisor and the Township Clerk are hereby authorized and directed to execute and deliver the Contract for and on behalf of the Township in such number of counterparts as may be desirable; provided, however, that the Contract shall not become effective until the expiration of 45 days after publication of the Notice attached hereto or, if within such 45-day period a petition requesting a referendum upon the Contract, signed by at least 10% or 15,000, whichever is the lesser, of the registered electors residing in the Township, is filed with the Township Clerk, then the Contract shall not become effective until approved by majority vote of the qualified electors of the Township voting thereon at a general or special election.
- 5. The Township Clerk is hereby authorized and directed to publish the Notice attached hereto in the *Bay City Democrat* so as to be prominently displayed therein. It is hereby found and determined that said newspaper is a qualified newspaper of general circulation in the Township and that said Notice contains information which is sufficient to adequately inform all interested persons as to the nature and extent of the full faith and credit limited tax obligations of the Township under the Contract and as to the right to petition for a referendum thereon and the consequences of failure to exercise such right.
- 6. Either the Supervisor or the Township Clerk is hereby authorized and directed to prepare and submit an application to the Michigan Department of Treasury, Municipal Finance Division, in conjunction with approval of the issuance of bonds by the County or, alternatively, for an order of exception from prior approval, and to pay the related fees therefor using Township funds.

Yes:	Beson, McNa	lly, Arnold	Klass,	DeLorge	
No:	None				

RESOLUTION DECLARED ADOPTED.

Michael E. Arnold
TOWNSHIP CLERK

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of Kawkawlin Township, Bay County, State of Michigan at a Special meeting held on the 2 day of April , 1998 and that public notice of said meeting was given pursuant to and in full compliance with Act 267, Public Acts of Michigan, 1976, as amended, and that minutes of said meeting were kept and will be or have been made available as required by said Act.

Township Clerk, Kawkawlin Township

0549301.02

At a regular meeting of the Township Board of Kawkawlin Township, Bay County, Michigan, held at the Township Hall of said Township on the 13th day of July, 1998, at 7:30 o'clock P.M., Eastern Daylight Savings Time.

PRESENT: DeLorge, Arnold, Klass. McNally, Beson. ABSENT: None.

The follwing Resolution was offered by Beson and seconded by Arnold.

WHEREAS, on July 7, 1998 the Township Board received a request from William Hugo for approval to have a certain parcel released from agreement in Liber 967 Page 422 as registered at the Bay County Register of Deeds which was executed in accordance with the provisions of Public Act 116 of 1974, commonly known as the Farmland and Open Space Preservation Act; and

WHEREAS, the Township Board has reviewed this request and determined that the structures located on the parcel were present prior to the original execution of said agreement; and

WHEREAS, the parcel proposed for release from the agreement is 1.01 acres in size: and

WHEREAS, the Township Board finds that the request for release of the particular parcel is acceptable;

NOW THEREFORE BE IT RESOLVED BY THE KAWKAWLIN TOWNSHIP BOARD AS FOLLOWS:

- (1) That the Township Board hereby approves the request to release the following described piece of property from the PA 116 agreement, Commencing 322ft West of Northwest 1/4 Corner of Section 11 to pt of Beg. th West 125' th South 325' th East 150' th North 142' th West 25' the North 183' to pt of Beg. Sec. 11. T15N. R4E. and,
- (2) That the Township Board hereby certifies that the structures located on the certain piece of property were present priorto the orignal execution of said PA 116 agreement.
- (3) That the Township Clerk is hereby directed to transmit certified and sealed copies of this resolution to the person making the request and to the Department of Natural Resources.

ADOPTED: YEAS: Beson, McNally, DeLorge, Arnold, Klass.

NAYS: None

STATE OF MICHIGAN COUNTY OF BAY

I, the undersigned, the Township Clerk for Kawkawlin Township, Bay County, Michigan DO HEREBY CERTIFY that the foregoing is a true and completed copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on the 13th day of July, 1998.

Michael E. Arnold, Township Clerk

Michael & amstal

RESOLUTION OF KAWKAWLIN TOWNSHIP APPROVING CONTINUING DISCLOSURE AGREEMENT

Minutes of a meeting of the Township Board of the Township of Kawkawlin, Bay County, Michigan, held at the Township Hall on the 13 day of July, 1998, at 7:30° clock p.m. Eastern Time.

day of July, 19	198, at /:300 Clock p.m. Bastein 11me.
PRESENT:	DeLorge, Arnold, Klass, McNally, Beson
ABSENT:	None
The follo	owing preamble and resolutions were offered by Member and supported by Member
to provide fur additional fac	the County of Bay (the "County") intends to issue Bonds and for the acquisition, improvement and construction of ilities for the public storage and supply of water to be constructed to service the Township as part of the Bay supply System (Fraser-Kawkawlin Extension) (the "Project");
County, it is disclosure und 12 promulgated	in conjunction with the issuance of the Bonds by the necessary for the Township to enter into a continuing ertaking (the "Undertaking") as required by Rule 15 (c)2-by the Securities and Exchange Commission pursuant to the change Act of 1934, as amended (the "Rule")in order to tial purchaser of the Bonds in complying with the Rule.
NOW, THE Township of Ka	REFORE, be it resolved by the Township Board of the wkawlin as follows:
1. The approved.	Undertaking, in the form attached hereto, is hereby
directed to ex	upervisor and the Township Clerk are hereby authorized and secute and deliver the Undertaking for and on behalf of the such modifications as they shall approve, which approval enced by their signatures thereon.
YES: De	Lorge, Arnold, Klass, McNally, Beson
NO:	None
RESOLUTI	ON DECLARED ADOPTED.

<u>Michael E. Arnold</u> Township Clerk

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of Kawkawlin Township, Bay

County, State of Michigan at a <u>Regular</u> meeting held on the <u>13th</u> day of July, 1998 and that public notice of said meeting was given pursuant to and in full compliance with the Act 267, Public Acts of Michigan, 1976, as amended, and that minutes of said meeting were kept and will be or have been made available as required by said Act.

Township Clerk

Dated: <u>July 14, 1998</u>

0567435.01

CONTINUING DISCLOSURE AGREEMENT

\$1,375,000
County of Bay, State of Michigan
Bay County Water Supply System
(Fraser - Kawkawlin Extension)
Bonds
(General Obligation Limited Tax)

This Continuing Disclosure Agreement (the "Disclosure Agreement") is executed and delivered by the County of Bay, State of Michigan (the "Issuer"), the Township of Fraser ("Fraser Township") and the Township of Kawkawlin ("Kawkawlin Township") in connection with the issuance of \$1,375,000 Bay County Water Supply System (Fraser - Kawkawlin Extension) Bonds (General Obligation Limited Tax) (the "Bonds"). Fraser Township and Kawkawlin Township are collectively referred to herein as the "Local Units". The Bonds are being issued pursuant to a Resolution adopted by the Issuer on May 12, 1998 (the "Resolution"). The Issuer and the Local Units covenant and agree as follows:

- SECTION 1. <u>Purpose of the Disclosure Agreement</u>. (a) This Disclosure Agreement is being executed and delivered by the Issuer and the Local Units for the benefit of the Bondholders and the Beneficial Owners and in order to assist the Participating Underwriters in complying with subsection (b)(5) of the Rule.
- (b) In consideration of the purchase and acceptance of any and all of the Bonds by those who shall hold the same or shall own beneficial ownership interests therein from time to time, this Disclosure Agreement shall be deemed to be and shall constitute a contract between the Issuer and the Local Units and the Bondholders and Beneficial Owners from time to time of the Bonds, and the covenants and agreements herein set forth to be performed on behalf of the Issuer and the Local Units shall be for the benefit of the Bondholders and Beneficial Owners of any and all of the Bonds.
- SECTION 2. <u>Definitions</u>. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Agreement unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the Issuer and the Local Units pursuant to, and as described in, Sections 3 and 4 of this Disclosure Agreement.

"Beneficial Owner" shall mean any person which has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Bonds (including any person holding Bonds through nominees, depositories or other intermediaries).

"Dissemination Agent" shall mean the Issuer and the Local Units, or any successor Dissemination Agent appointed in writing by the Issuer and the Local Units and which has filed with the Issuer and the Local Units a written acceptance of such appointment.

"GAAP" shall mean generally accepted accounting principles, as such principles are prescribed, in part, by the Financial Accounting Standards Board and modified by the Government Accounting Standards Board and in effect from time to time.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Agreement.

"MSRB" shall mean the Municipal Securities Rulemaking Board established in accordance with the provisions of Section 15B(b)(1) of the 1934 Act.

"National Repository" shall mean any nationally recognized municipal securities information repository for purposes of the Rule.

"1934 Act" shall mean the Securities Exchange Act of 1934, as amended.

"Official Statement" shall mean the Final Official Statement for the Bonds.

"Participating Underwriters" shall mean the original underwriters or purchasers of the Bonds required to comply with the Rule in conjunction with the primary offering of the Bonds.

"Repository" shall mean each National Repository and each State Repository.

"Rule" shall mean Rule 15c2-12 (17 CFR Part 240, '240.15c2-12) promulgated by the SEC pursuant to the 1934 Act, as the same may be amended from time to time, together with all interpretive guidances or other official interpretations or explanations thereof that are promulgated by the SEC.

"SEC" shall mean the United States Securities and Exchange Commission.

"Securities Counsel" shall mean legal counsel expert in federal securities law.

"State" shall mean the State of Michigan.

"State Repository" shall mean any public or private repository or entity designated by the State as a state information depository for the purpose of the Rule and recognized as such by the SEC. As of the date of this Disclosure Agreement, the only State Repository and its address and telephone numbers are as follows:

Municipal Advisory Council of Michigan 1445 First National Building Detroit, Michigan 48226-3517 Tel: (313)963-0420

Fax: (313)961-7568

SECTION 3. Provision of Annual Reports.

- Each year, the Issuer and the Local Units shall provide, or shall cause the (a) Dissemination Agent to provide, not later than the date six months after the first day of the Issuer's and each Local Unit's fiscal year, commencing with the Issuer's Annual Report for its fiscal year ending after December 31, 1998, to each Repository an Annual Report for the preceding fiscal year which is consistent with the requirements of Section 4 of this Disclosure Agreement. Not later than 15 business days (or such lesser number of days as is acceptable to the Dissemination Agent) prior to said date, the Issuer and the Local Units shall provide the Annual Report to the Dissemination Agent (if other than the Issuer). Currently, the Issuer's fiscal year commences on January 1 and each Local Unit's fiscal year commences on July 1. In each case, the Annual Report may be submitted as a single document or as separate documents comprising a package, and may include by specific reference other information as provided in Section 4 of this Disclosure Agreement; provided, however, that if the audited financial statements of the Issuer and the Local Units are not available by the deadline for filing the Annual Report, they shall be provided when and if available, and unaudited financial statements in a format similar to the audited financial statements then most recently prepared for the Issuer shall be included in the Annual Report.
- (b) If the Issuer and the Local Units are unable to provide to the Repositories an Annual Report by the date required in subsection (a), the Issuer and Local Units shall send a notice, in a timely manner, to each National Repository or the MSRB, and to the State Repository in substantially the form attached as Exhibit A.
- (c) If the Issuer's or a Local Unit's fiscal year changes, the Issuer or a Local Unit shall send written notice of such change to each National Repository or the MSRB, and to the State Repository, in substantially the form of Exhibit B.

(d) The Dissemination Agent shall:

- (1) determine each year, prior to the date for providing the Annual Report, the name and address of each National Repository and the State Repository; and (if the Dissemination Agent is other than the Issuer and the Local Units)
- (2) file a report with the Issuer and the Local Units certifying that the Annual Report has been provided pursuant to this Disclosure Agreement, stating the date it was provided and listing all the Repositories to which it was provided.
- (e) In connection with providing the Annual Report, the Dissemination Agent (if other than the Issuer and the Local Units) is not obligated or responsible under this Disclosure Agreement to determine the sufficiency of the content of the Annual Report for purposes of this Agreement, the Rule or any other state or federal securities law, rule, regulation or administrative order.
- SECTION 4. <u>Content of Annual Reports</u>. The Annual Report shall contain or include by reference the following:

- (a) The audited financial statements of the Issuer and each of the Local Units for its fiscal year immediately preceding the due date of the Annual Report.
- (b) An update of the financial information and operating data relating to the Issuer contained in the Section GENERAL FINANCIAL INFORMATION of the Official Statement under the subheadings "Property Valuations Historical Valuations," "Major Taxpayers," "Tax Rates," "Tax Levies and Collections," "Bay County General Fund, Revenues, Expenditures and Changes in Fund Balance," "Debt Statement" and "Legal Debt Margin."
- (c) An update of the financial information and operating data relating to each Local Unit contained in the Section GENERAL FINANCIAL INFORMATION with respect to each Local Unit in the Official Statement under the subheadings "Property Valuations Historical Valuations," "Tax Rates," "Tax Levies and Collections," "Debt Statement" and "General Fund Budget, Revenues and Expenditures."

The Issuer's and each Local Unit's financial statements shall be audited and prepared in accordance with GAAP, with such changes as may be required from time to time in accordance with State law.

Any or all of the items listed above may be included by specific reference to other documents that previously have been provided to each of the Repositories or filed with the SEC. Notwithstanding the foregoing, if the document included by reference is a final official statement, it need only be available from the MSRB. The Issuer and each Local Unit shall clearly identify each such other document so included by reference.

SECTION 5. Reporting of Significant Events.

- (a) The Issuer and each Local Unit covenants to provide, or cause to be provided, notice of the occurrence of any of the following events with respect to the Bonds, if material, in a timely manner and in accordance with the Rule:
 - (1) Principal and interest payment delinquencies;
 - (2) Non-payment related defaults;
 - (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
 - (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
 - (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events adversely affecting the tax-exempt status of the security;
 - (7) Modifications to rights of security holders;

- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
 - (11) Rating changes.
- (b) Whenever the Issuer or a Local Unit obtains knowledge of the occurrence of a Listed Event, the Issuer or a Local Unit shall as soon as possible determine if such Event would be material under applicable federal securities laws.
- (c) If the Issuer or a Local Unit determines in the exercise of its best judgment in good faith that the occurrence of a Listed Event would be material under applicable federal securities laws, the Issuer or the Local Unit shall promptly cause a notice of such occurrence to be filed with each National Repository or the MSRB, and with the State Repository, together with a cover sheet in substantially the form attached as Exhibit C. In connection with providing a notice of the occurrence of a Listed Event described in subsection (a)(9), the Issuer or the Local Unit shall include in the notice explicit disclosure as to whether the Bonds have been escrowed to maturity or escrowed to call, as well as appropriate disclosure of the timing of maturity or call.
- (d) In connection with providing a notice of the occurrence of a Listed Event, the Dissemination Agent (if other than the Issuer and the Local Units), solely in its capacity as such, is not obligated or responsible under this Disclosure Agreement to determine the sufficiency of the content of the notice for purposes of the Rule or any other state or federal securities law, rule, regulation or administrative order.
- (e) The Issuer and each Local Unit acknowledges that the "rating changes" referred to above in subsection 5(a)(11) of this Disclosure Agreement may include, without limitation, any change in any rating on the Bonds or other indebtedness for which the Issuer is liable.
- (f) The Issuer and each Local Unit acknowledges that it is not required to provide a notice of a Listed Event with respect to credit enhancement when the credit enhancement is added after the primary offering of the Bonds, the Issuer and the Local Units does not apply for or participate in obtaining such credit enhancement, and such credit enhancement is not described in the Official Statement.

SECTION 6. Termination of Reporting Obligation.

- (a) The Issuer's and each Local Unit's obligations under this Disclosure Agreement shall terminate upon the legal defeasance of the Bonds or the prior redemption or payment in full of all of the Bonds.
- (b) This Disclosure Agreement, or any provision hereof, shall be null and void in the event that the Issuer or the Local Units (i) receives an opinion of Securities Counsel, addressed to

the Issuer or to a Local Unit, to the effect that those portions of the Rule, which require such provisions of this Disclosure Agreement, do not or no longer apply to the Bonds, whether because such portions of the Rule are invalid, have been repealed, amended or modified, or are otherwise deemed to be inapplicable to the Bonds, as shall be specified in such opinion, and (ii) delivers notice to such effect to each National Repository or the MSRB, and to the State Repository.

SECTION 7. <u>Dissemination Agent</u>. The Issuer and the Local Units, from time to time, may appoint or engage a Dissemination Agent to assist them in carrying out their obligations under this Disclosure Agreement and may discharge any such Agent, with or without appointing a successor Dissemination Agent. Except as otherwise provided in this Disclosure Agreement, the Dissemination Agent (if other than the Issuer) shall not be responsible in any manner for the content of any notice or report prepared by the Issuer or a Local Unit pursuant to this Disclosure Agreement.

SECTION 8. Amendment; Waiver.

- (a) Notwithstanding any other provision of this Disclosure Agreement, this Disclosure Agreement may be amended, and any provision of this Disclosure Agreement may be waived, provided that the following conditions are satisfied:
- (i) if the amendment or waiver relates to the provisions of Section 3(a), (b),(c), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, a change in law or a change in the identity, nature or status of the Issuer or a Local Unit, or type of business conducted by the Issuer or the Local Units or in connection with the Project;
- (ii) this Disclosure Agreement, as so amended or taking into account such waiver, would, in the opinion of Securities Counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and
- (iii) the amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Bondholders.
- (b) In the event of any amendment to, or waiver of a provision of, this Disclosure Agreement, the Issuer or the Local Units shall describe such amendment or waiver in the next Annual Report and shall include an explanation of the reason for such amendment or waiver. In particular, if the amendment results in a change to the annual financial information required to be included in the Annual Report pursuant to Section 4 of this Disclosure Agreement, the first Annual Report that contains the amended operating data or financial information shall explain, in narrative form, the reasons for the amendment and the impact of such change in the type of operating data or financing information being provided. Further, if the annual financial information required to be provided in the Annual Report can no longer be generated because the operations to which it related have been materially changed or discontinued, a statement to that effect shall be included in the first Annual Report that does not include such information.

(c) If the amendment results in a change to the accounting principles to be followed in preparing financial statements as set forth in Section 4 of this Disclosure Agreement, the Annual Report for the year in which the change is made shall include a comparison between the financial statements or information prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles. The comparison shall include a qualitative discussion of such differences and the impact of the changes on the presentation of the financial information. To the extent reasonably feasible, the comparison shall also be quantitative. A notice of the change in accounting principles shall be sent by the Issuer or the Local Units, or the Dissemination Agent (if other than the Issuer and the Local Units) at the written direction of the Issuer or the Local Units, to each National Repository or the MSRB, and to the State Repository.

SECTION 9. Additional Information. Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Agreement or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Failure to Comply. In the event of a failure of the Issuer, a Local Unit or the Dissemination Agent (if other than the Issuer and the Local Units) to comply with any provision of this Disclosure Agreement, any Bondholder or Beneficial Owner may bring an action to obtain specific performance of the obligations of the Issuer or the Dissemination Agent (if other than the Issuer and the Local Units) under this Disclosure Agreement, but no person or entity shall be entitled to recover monetary damages hereunder under any circumstances, and any failure to comply with the obligations under this Disclosure Agreement shall not constitute a default with respect to the Bonds or under the Resolution. Notwithstanding the foregoing, if the alleged failure of the Issuer or the Local Units to comply with this Disclosure Agreement is the inadequacy of the information disclosed pursuant hereto, then the Bondholders and the Beneficial Owners (on whose behalf a Bondholder has not acted with respect to this alleged failure) of not less than 25 percent of the aggregate principal amount of the then outstanding Bonds must take the actions described above before the Issuer or the Local Units shall be compelled to perform with respect to the adequacy of such information disclosed pursuant to this Disclosure Agreement.

SECTION 11. <u>Duties of Dissemination Agent</u>. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement.

SECTION 12. <u>Beneficiaries</u>. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Local Units, the Dissemination Agent, the Participating Underwriters, the Bondholders and the Beneficial Owners, and shall create no rights in any other person or entity.

SECTION 13. <u>Transmission of Information and Notices</u>. Unless otherwise required by law or this Disclosure Agreement, and, in the sole determination of the Issuer, the Local Units, or the Dissemination Agent, as applicable, subject to technical and economic feasibility, the Issuer, the

Local Units or the Dissemination Agent, as applicable, shall employ such methods of information and notice transmission as shall be requested or recommended by the herein-designated recipients of such information and notices.

SECTION 14. Additional Disclosure Obligations. The Issuer and each Local Unit acknowledges and understands that other State and federal laws, including, without limitation, the Securities Act of 1933, as amended, and Rule 10b-5 promulgated by the SEC pursuant to the 1934 Act, may apply to the Issuer and the Local Units, and that under some circumstances, compliance with this Disclosure Agreement, without additional disclosures or other action, may not fully discharge all duties and obligations of the Issuer and Local Units under such laws.

SECTION 15. Governing Law. This Disclosure Agreement shall be construed and interpreted in accordance with the laws of the State, and any suits and actions arising out of this Disclosure Agreement shall be instituted in a court of competent jurisdiction in the State. Notwithstanding the foregoing, to the extent this Disclosure Agreement addresses matters of federal securities laws, including the Rule, this Disclosure Agreement shall be construed and interpreted in accordance with such federal securities laws and official interpretations thereof.

Dated: June, 1998	COUNTY OF BAY, STATE OF MICHIGAN
	By: Gerald M. Redmon, Chairman, Bay County Board of Road Commissioners, as duly designated County Agency under Act 342, Public Acts of Michigan, 1939, as amended
	TOWNSHIP OF FRASER
	By:Supervisor
	And
	By: Township Clerk
	TOWNSHIP OF KAWKAWLIN
	By:Supervisor
•	And
	Ву:

Township Clerk

EXHIBIT A

NOTICE TO EACH NATIONAL REPOSITORY OR THE MSRB AND TO THE STATE REPOSITORY, IF ANY, OR FAILURE TO FILE ANNUAL REPORT

Name of Issuer:	County of Bay, State of Mich	nigan	
Name of Obligated Person:	County of Bay, State of Michigan		
Name of Bond Issue:	\$1,375,000 Bay County Water Supply System (Fraser - Kawkawlin Extension) Bonds (General Obligation Limited Tax)		
Date of Issuance:	July 1, 1998		
3 of the Continuing Disclosu	Y GIVEN that the Obligated Pere Agreement with respect to the dots.	rson has not provided an Annual Report as required by Section he above-named Bonds. The Obligated Person anticipates that COUNTY OF BAY, STATE OF MICHIGAN	
		Ву:	
Dated:	· ·	Its:	

EXHIBIT B

NOTICE TO THE MSRB AND TO THE STATE REPOSITORY, IF ANY, OR CHANGE IN OBLIGATED PERSON'S FISCAL YEAR

Name of Issuer:	County of Bay, State of Michigan		
Name of Obligated Person:	County of Bay, State of Michigan		
Name of Bond Issue:	\$1,375,000 Bay County Water Supply System (Fraser - Kawkawlin Extension) Bonds (General Obligation Limited Tax)		
Date of Issuance:	July 1, 1998		
	GIVEN that the Obligor's fiscal year has changed. Previously, the Obligor's fiscal year COUNTY OF BAY, STATE OF MICHIGAN		
	By:		

Dated:

EXHIBIT C

MATERIAL EVENT NOTICE COVER SHEET

This cover sheet and material event notice should be sent to the Municipal Securities Rulemaking Board or to all Nationally Recognized Municipal Securities Information Repositories, and the State Information Depository, if applicable, pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name: The Economic Development Corporation of the Village of Chelsea (Issuer); United Methodist Retirement Communities, Inc. (Obligated Person) Issuer's Six-Digit CUSIP Number(s): or Nine-Digit CUSIP Number(s) to which this material event notice relates: Number of pages of attached material of event notice: Description of Material Event Notice (Check One): Principal and interest payment delinquencies Non-payment related defaults 2.____ Unscheduled draws on debt service reserves reflecting financial difficulties 4.____ Unscheduled draws on credit enhancements reflecting financial difficulties Substitution of credit or liquidity providers, or their failure to perform Adverse tax opinions or events affecting the tax-exempt status of the security 6.____ Modifications to rights of security holders Bond calls Defeasances Release, substitution, or sale of property securing repayment of the securities 10.____ 11.____ 12.____ Failure to provide annual financial information as required Other material event notice (specify) 13. I hereby represent that I am authorized by the issuer or its agents to distribute this information publicly: Name:______Title:_____ Address: City, State, Zip Code: Voice Telephone Number ()

Please print the material event notice attached to this cover sheet in 10-point type or larger. The over sheet and notice may be faxed to the MSRB at (703) 683-1930. Contact the MSRB at (202) 223-9503 with questions regarding this form or the dissemination of this notice.

KAWKAWLIN TOWNSHIP

BAY COUNTY, MICHIGAN

1836 E. Parish Road, Kawkawlin, Michigan 48631 Phone (517) 686-8710 • Fax (517) 686-0895

> Roy DeLorge Supervisor

MELVIN MCNALLY

PATRICK H. BESON Trustee

October 16, 1998

At a Regular Meeting of the Kawkawlin Township on October 12, 1998; the following Resolution was offered by Arnold/Beson, voted and passed.

Kawkawlin - Fraser Townships approving connections to the Kawkawlin - Fraser water system by Pinconning Township.

WHEREAS, The Kawkawlin - Fraser Water System has been contacted by the Township of Pinconning for approving to connect to the Kawkawlin - Fraser water system at various locations in Fraser Township, and

WHEREAS, Pinconning Township has agreed to comply with any financial requirements prior to connections and to be responsible for any and all cost incurred as to the result of this resolution.

THEREFORE BE IT RESOLVED, Kawkawlin Township approves the connections to the Kawkawlin - Fraser water system if such connections comply with Fraser Township's master water plan.

Motion Carried.

MICHAEL E. ARNOLD

SANDRA J. KLASS

Treasurer

KAWKAWLIN TOWNSHIP

BAY COUNTY, MICHIGAN

1836 E. Parish Road, Kawkawlin, Michigan 48631 Phone (517) 686-8710 • Fax (517) 686-0895

> Roy DeLorge Supervisor

MELVIN MCNALLY Trustee

PATRICK H. BESON

RESOLUTION OF APPROVAL

At the Regular meeting of the Kawkawlin Township Board held on November 23, 1998,

the following action was taken:

Offered by Arnold and supported by Klass to have the Bay County Road commission prepare to have one (1) mile of Eight Mile North to Seidlers road balcktopped according to the estimates that were received as of November 13, 1998 for \$102,945.64. This cost is to be shared with Beaver Township.

Also Chip & Seal mile of Seidlers road from Mosher to Seven mile Road.

Yeas: DeLorge, Arnold, Klass, McNally, Beson.

Nays: None Absent: None

MICHAEL E. ARNOLD

SANDRA J. KLASS

Treasurer

CLERK''S CERTIFICATION

State of Michigan) County of Bay)

I hereby certify that the foregoin is a true and complete copy of a resolution offered and adopted by the:

Kawkawlin Township Board at a Regular Meeting held on 23rd day of November, 1998

Michael E. Arnold, Clerk Kawkawlin Township 1836 E. Parish Rd. Kawkawlin, MI 48631 RESOLUTION # 99-1 - JAN 25, 1999

At a regular meeting of the Kawkawlin Township Board of Trustees γ the following Resolution was offered by:

arrold / Klass.
That the pay rate for the <u>SUPELVISOR</u> for the Fiscal Year 1999-3000 shall be <u>1530 Month</u> effective April 1, of that
Fiscal Year.
Roll Call Yeas: Klass Mekelly, Beson, Delorge
- Commeller.
Nays:
Motion: Carried



RESOLUTION # 99~

JAN 25, 1999

At a regular meeting of the Kawkawlin Township Board of Trustees, the following Resolution was offered by:

	avudt	f De	Love	
		TREASURER 1530 PER MOUT	for the Fi effective Apr	scal Year il 1, of that
Fiscal Year Roll Call -	- Yeas: <u>Be</u> Wa	Die	<u>, 6~</u>	, <i>X}</i> ,
	Nays:	·		5
Motion: Ca	rried \mathcal{N} ; F	ailed		

At a regular meeting of the Kawkawlin Township Board of Trustees ${}_{\mathcal{A}}^{}$ the following Resolution was offered by:

	a	rustel,	Mekk	ely	
That the p. 1999 - 3000	ay rate 1 2 sh	for the <u>CLE</u> hall be <u>/530</u>	PER Mouth	for the Fi	scal Year il 1, of that
Fiscal Yea	r.	•	-	٨	
Roll Call	Yeas:	Mc Elax	<u>, Be</u>	, D .a	, <i>&r</i> ,
	Nays:				
Motion: C	arried	; Failed_			

RESOLUTION # 99-4

-AN 25,1989

At a regular meeting of the Kawkawlin Township Board of Trustees, the following Resolution was offered by:

	anold,	Klass	-	
That the pay 1999— Jevo	rate for the 7/21	ustre DEL Mouth of	_ for the Fis ffective Apri	cal Year l 1, of that
Fiscal Year.		/	A	
Roll Call	Yeas: D	<u>, &</u> .	_,&	, <i>M</i> ,
	Nays:	>	,	·
Motion: Carı	ried; Failed			

KAWKAWLIN TOWNSHIP Resolution # 99-5

A resolution to establish a general appropriations act for Kawkawlin Township; to define the powers and duties of the Kawkawlin Township officers in relation to the administration of the budget; and to provide remedies for refusal or neglect to comply with the requirements of this resolution.

The Board of Trustees of Kawkawlin Township resolves:

Section 1: Title

This resolution shall be known as the Kawkawlin Township General Appropriations Act.

Section 2: Chief Administrative Officer

The Supervisor (or other designated official) shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this act.

Section 3: Fiscal Officer

The Clerk (or other designated official) shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this act.

Section 4: Public Hearings on the Budget

Pursuant to MCLA 141.412; MCLA 141.413, a notice of a public hearing on the proposed budget shall be published in a newspaper of general circulation in the Township, and a public hearing will be held no more than 30 days prior to the beginning of the Fiscal year.

Section 5: Millage Levy

The Kawkawlin Township Board shall cause to be levied and collected the general property tax on all real and personal property within the township upon the current tax roll an amount not to exceed 1.35 mills as set forth by the Tax Allocation Board (or as authorized under state law and approved by the electorate).

Section 6: Adoption of Budget by Reference

The general fund budget of Kawkawlin Township is hereby adopted by reference, with revenues and activity expenditures as indicated on the budget work sheet attached hereto.

Section 7: Appropriation not a Mandate to Spend

Appropriations will be deemed maximum authorization to incur expenditures. The fiscal officer shall exercise supervision and control to ensure that expenditures are within appropriations and shall not issue any voucher for expenditures that exceed appropriations unless Board approval is received.

Section 8: Transfer Authority

The Fiscal Officer shall have the authority to make transfers among the various cost centers without prior board approval, if the amount to be transferred does not exceed \$5000.00. The Board shall be notified at its next meeting of any such transfers made, and reserves the right to modify, amend or nullify any such transfers made. Under no circumstances may the total general fund budget be changed without prior board approval.

Section 9: Periodic Fiscal Reports

The fiscal officer shall transmit to the board at the end of each of the first three quarters, and at the end of each month occurring during the fourth quarter, a report of financial operations, including but not limited to:

a. a summary statement of the actual financial condition of the general fund at the end of the previous quarter (month).

Section 10: Limit on Obligations and Payments

No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is a sufficient balance in the appropriation and sufficient funds are or will be available to meet the obligation.

Section 11: Budget Monitoring

Whenever it appears to the Chief Administrative Officer of the Township Board that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures shall exceed an appropriation, the Chief Administrative Officer shall present to the township board recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

Section 12: Board Adoption

Motion by Klass, seconded by McNally to adopt the foregoing resolution. Upon roll call vote, the following voted aye:Beson, DeLorge, Arnold, Klass, McNally. The following voted nay: None. The Supervisor declared the motion passed and the resolution duly adopted on the 8th day of March, 1999.

Michael E. Arnold, Clerk

99-6

RECOGNITION OF BAY COUNTY ROAD COMMISSION CENTENNIAL

This resolution is hereby adopted by the Township Kawkawlin , Bay County, Michigan, in recognition of the 100th Anniversary of the founding of the Bay County Road Commission:

WHEREAS, the Road Commission traces its roots to a cooperative effort between the cities of Bay City and West Bay City and six townships dating to 1883 for Michigan's first stone road district which constructed hard-surfaced transportation arteries serving various townships; and

WHEREAS, the Bay County Road Commission was established by a Local Act of the Michigan State Legislature on April 18, 1899; and

WHEREAS, the Bay County Road Commission in cooperation with townships, cities and the state, has over the century developed one of the state's most complete road systems, with more than 85 percent of the county's roads being hard surfaced or chip and seal; and

WHEREAS, the Road Commission maintains 1,025 miles of local and primary roads and 200 miles of state highways under contract with the Michigan Department of Transportation and has hard surfaced more than 400 miles of local and primary roads since 1993; and

WHEREAS, the Bay County Road Commission is dedicated to continued cooperation with local units of government for the improvement of the local road system:

BE IT THEREFORE RESOLVED that this body unanimously adopts this resolution and joins with the Bay County Road Commission in observing its 100th anniversary of cooperation and service.

SIGNED:

Title: Township Supervisor

Date: 4-26-99

KAWKAWLIN TOWNSHIP

RESOLUTION #99-7

At a meeting of the Township Board of Kawkawlin Township, Bay County, Michigan, held at 1836 E. Parish Road, Kawkawlin, Michigan 48631, on the 26th day of April, 1999, at 7:30 p.m., prevailing time.

PRESENT: DeLorge, Arnold, Klass, McNally, Beson.

ABSENT: None.

The following resolution was offered by Arnold supported by McNally:

WHEREAS, the City of Pinconning ("City") has commenced an action in the Bay County Circuit Court against Bay County, Board of County Road Commissioners of the County of Bay, Gerald Mick Redmond, Michael J. Studders, Robert A. Lewandowski, Kawkawlin Township, Fraser Township, and Pinconning Township (the "Defendants"), Bay County Circuit Court File No. 99-3234-CK-C, in which the City Claims that Defendants have, or plan to, breach certain contracts by constructing a waterline extension to serve portions of Pinconning Township, and seeking injunctive relief against the Defendants' actions; and

WHEREAS, residents of Pinconning Township would be the primary beneficiaries of the proposed waterline extension; and

WHEREAS, it would be in the best Interest of the public health, safety and general welfare of the citizenry of Pinconning Township for Pinconning Township to provide a defense to the City's action on behalf of all the Defendants.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Kawkawlin Township, Bay County, Michigan, as follows:

- 1. Foster, Swift, Collins & Smith, P.C. shall be authorized to represent and defend all the Defendants in Bay County Circuit Court File No. 99-3234-CK-C, and the expense of such representation and defense shall be paid by Pinconning Township.
- 2. All prior resolutions in whole or part inconsistent with this resolution are hereby rescinded,

Yeas: McNally, Beson, DeLorge, Arnold, Klass.

Nays: None.

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss
COUNTY OF BAY)

I, the undersigned, the duly qualified and acting clerk for Kawkawlin Township, Bay County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Kawkawlin Township Board at a meeting held on the 26th day of April, 1999, and further certify that the above Resolution was adopted at said meeting.

Michael E. Arnold

Kawkawlin Township Clerk

Michael & Comold

KAWKAWLIN TOWNSHIP

RESOLUTION #99-8

RESOLUTION CONSENTING TO INCLUSION OF PROPERTY IN BROWNFIELD REDEVELOPMENT ZONE

At a Regular meeting of the Township Board of Kawkawlin Township, County of Bay, (the "Local Unit"), held in the Local Unit on the 26th day of April, 1999.

PRESENT: DeLorge, Arnold, Klass, Beson, McNally.

ABSENT: None.

The following resolution was offered by Arnold and supported by McNally:

WHEREAS, the Brownfield Redevelopment Financing Act, Act. No. 381 of the Michigan Public Acts of 1996, as amended ("Act 381"), authorizes the County of Bay (the "County") to establish a Brownfield Redevelopment Authority; and

WHEREAS, the Board of County Commissioners of the County of Bay has determined that it is in the best interest of the County to establish and provide for the operation of a Brownfield Redevelopment Authority pursuant to Act 381; and

WHEREAS, the zone (the "Zone") in which the Authority shall exercise its powers as provided by Act 381 is proposed to consist of all of the property located in boundaries of the County from time to time, subject to such changes as may hereafter be made pursuant to Act 381; provided, however, that the Zone may not include property located within the boundaries of any city, village or township located in the County unless such city, village or township has adopted a resolution concurring to the inclusion of such property in the Zone; and

WHEREAS, the Local Unit has determined that it is in the best interest of the Local Unit to permit the property located within its boundaries to be included in the Zone of the Brownfield Redevelopment Authority of the County of Bay.

NOW, THEREFORE, BE IT RESOLVED:

- 1. The Local Unit hereby agrees that all property located with its boundaries shall be included in the Brownfield Redevelopment Zone of the County of Bay.
- 2. The Township Clerk shall promptly file a certified copy of this Resolution with the Bay County Clerk.
- 3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are hereby rescinded.

Upon a vote for the adoption of said Resolution, the vote was:

YEAS: Arnold, Klass, Beson, McNally, DeLorge.

NAYS: None.

The Resolution was thereupon declared adopted.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by Township Board of Kawkawlin Township, county of Bay, State of Michigan, at a meeting held on the 26th day of April, 1999, the original of which is on file in my office and available to the public.

Michael E. Arnold Township Clerk

Michael Elwerth

Resolution 99-9

CREDIT CARD POLICY

At a regular meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by Klass and supported by Arnold.

WHEREAS, Public Act 266 of 1995 authorizes a township to be a party to a credit card arrangement if the township board has adopted by resolution a written policy governing the control and use of credit cards, and

WHEREAS, the Kawkawlin Township Board deems that it is in the best interest of the township to make certain township financial transactions by using a credit card as described in the Act, now

THEREFORE BE IT RESOLVED, that the following policy shall govern the use of township credit cards:

- (a) The Clerk is responsible for issuing, accounting for, monitoring, retrieving and generally overseeing compliance with the townshp's credit card policy.
- (b) Township credit cards may be used only by an officer or employee of the township for the purchase of goods or services for the official business of the township up to an amount not to exceed \$1500.00.
- (c) Township officers and employees who use a township credit card shall, as soon as possible, submit a copy of the vendor's credit card slip to the Clerk. If no credit card slip was obtained that described the transaction, the employee shall submit a signed voucher that shows the name of vendor or entity from which goods or services were purchased, the date and the amount of the transaction, the official business that required the transaction. All credit card slips shall include this information. Vouchers shall also include a statement why a credit card slip was not obtained.
- (d) An official or employee who is issued a credit card is responsible for its protection and custody. If a credit card is lost or stolen, the Clerk shall be notified. The entity issuing the lost or stolen credit card shall be immediately notified to cancel the card.
- (e) An officer or employee issued a credit card shall return the credit card to the Clerk upon termination of his or her employment or service with the township.
- (f) The Clerk shall maintain a list of all credit cards owned by the township, along with the name of the officer and employee who has been issued the credit card, the credit limit established, the date issued, and the date returned. Each employee shall initial the list beside his or her name to indicate agreement that the credit chard has been issued, and the at the employee has received and read a copy of this policy.
- (g) The Clerk shall review each credit card statement as soon as possible to ensure that transactions comply with this policy. Any transactions that appear on the statements that are not documented with a

credit card slip or a signed voucher shall be immediately investigated. Transactions that do not appear to comply with this policy shall be reported to the township board.

- (h) The township board shall not approve a payment to the entity issuing the credit card until all transactions have been verified, including the approval of all transaction invoices if issued.
- (i) The balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than 60 days of the initial statement date.
- (j) Officers and employees who use a township credit card in a manner contrary to this policy shall be subject to the following disciplinary actions, as deemed appropriate by the township board: reimbursement to the township for unauthorized expenditures.

Upon a roll call vote the following voted Aye: Arnold, Klass, Beson, DeLorge.

Michael & Comold

Nay: None. Absent: McNally

attest by:

Michael E. Arnold, Clerk Kawkawlin Township

Resolution 99-10

Cable Television Franchise - Falcon

At a regular meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by Arnold and supported by McNally.

WHEREAS, Falcon Telecable (hereafter referred to as "Falcon") lawfully provides cable television service to residents of Kawkawlin Township, and

WHEREAS, Kawkawlin Township desires that Falcon continue to provide uninterrupted cable TV service to its subscribers in the Township pursuant to a valid cable television franchise, and

WHEREAS, the public health, safety and welfare of the residents of the Township will be served by granting a franchise extension (6 months) to Falcon pending completion of the franchise renewal process, and

WHEREAS, Kawkawlin Township and Falcon will each retain their respective legal rights and responsibilities and the franchise and under applicable federal, state and local law, including the right to initiate formal Cable Act renewal procedures;

THEREFORE BE IT RESOLVED, that the cable television franchise under which Falcon has previously been operating in Kawkawlin Township is hereby extended until such time as the Township shall formally grant or deny franchise renewal, consistent with the provisions of Sect 626 of the Cable Communications Policy Act of 1984, as amended.

Upon a roll call vote the following voted Aye: Arnold, Klass, Beson, DeLorge McNally.

Nay: None.

Adopted June 28, 1999

attest by:

Michael E. Arnold, Clerk Kawkawlin Township

Michael & Consta

KAWKAWLIN TOWNSHIP

BAY COUNTY, MICHIGAN

1836 E. Parish Road, Kawkawlin, Michigan 48631 Phone (517) 686-8710 • Fax (517) 686-0895

Roy DeLorge Supervisor MELVIN MCNALLY Trustee

PATRICK H. BESON Trustee

Resolution 99-11

At a regular meeting of the Kawkawlin Township Board of Trustees, on November 22, 1999 the following preamble and resolution was offered by Arnold/DeLorge:

WHEREAS, Kawkawlin Township is grateful for the service performed by Beaver Road Area Water Association (hereafter referred to as BRAWA) as to Operation and Maintenance of certain water mains installed by the Township of Kawkawlin, and

WHEREAS, BRAWA no longer purchases bulk water from Bay County Department of Water and Sewer by way of a Master meter, and

WHEREAS, this would reduce the confusion on the part of residents who apply for water and determining where to send the people for the meter fee by the Township office personnel

THEREFORE BE IT RESOLVED, that Kawkawlin Township will assign all water lines built by Kawkawlin Township to Bay County Department of Water and Sewer for any further Operation and Maintenance and all new Hook-ups will become customers of the Kawkawlin/Fraser water system.

Upon a roll call vote the following voted Aye: Klass, McNally, DeLorge, Arnold.

Nay: None.
Absentt: Beson

Adopted, November 22, 1999

attest by:

MICHAEL E. ARNOLD

SANDRA J. KLASS

Michael E. Arnold, Clerk 1836 E. Parish Rd. Kawkawlin Township

RESOLUTION NO. 99-延/ン

Resolution of Kawkawlin Township, MI Consenting To A Transfer of Control of the Ultimate Parent Company of Falcon Telecable

WHEREAS, Falcon Telecable ("Franchisee") holds a valid franchise (the "Franchise") to operate a cable television system (the "Cable System") in Kawkawlin Township, MI ("Franchising Authority"); and,

WHEREAS, Charter Communications, Inc. ("CCI") and certain affiliates of the Franchisee (including the Franchisee's ultimate parent company, Falcon Communications, L.P., hereinafter "FCLP") have entered into a Purchase and Contribution Agreement (the "Agreement") dated May 26, 1999, pursuant to which CCI's affiliate, Charter Communications Holding Company, LLC ("Charter"), will acquire control of FCLP (the "Transaction"); and,

WHEREAS, the Franchisee and Charter have requested consent by the Franchising Authority to the Transaction; and,

WHEREAS, the Franchising Authority has concluded that Charter has the requisite legal, technical and financial qualifications to own and operate the Cable System;

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the foregoing:

- 1. The Franchising Authority consents to the Transaction, effective immediately upon the closing of the transactions contemplated by the Agreement.
- 2. The Franchising Authority confirms (a) that the Franchise held by the Franchisee is valid and is in full force and effect, and (b) that the Franchisee is materially in compliance with the Franchise.
- 3. Charter may: (a) assign or transfer its rights in the Cable System and/or the Franchise to a parent, subsidiary or affiliate of Charter or to another entity under the direct or indirect control of Paul Allen; (b) restructure debt or change the ownership interests among existing equity participants in Charter, and/or its affiliates; (c) pledge or grant a security interest to any lender(s) of Charter's assets, including but not limited to the Franchise, or of interests in Charter, for purposes of securing an indebtedness; (d) sell capital stock of Charter, or any of Charter's affiliate companies in a transaction commonly known as an "initial public offering", all without obtaining prior consent of Franchising Authority, provided that: Charter represents in writing to the Franchising Authority that any such transaction will not materially affect compliance with the Franchise and that any affiliated Charter entity with an ownership interest in the Franchise shall fully comply with the terms of the Franchise.
- 4. This Resolution shall become effective on the date of its passage.

PASSE	D, ADOPTED AND APPROVED this 26 day of July, 1999.	مر کو
	xxx Ayes: DeLorge, Arnold, Klass, Beson,	McNally
	Nays: None	4.
	Title:	·00
ATTEST: Title:	Michael E. Arnold Muleaef Ean Township Clerk	icta

Resolution 99-13

At a regular meeting of the Kawkawlin Township Board of Trustees, on December 13, 1999 the following preamble and resolution was offered by Mexally supported by Besons

WHEREAS, Bresnan Telecommunications company LLC ("Grantee") owns, operates, and maintains a cable television system ("System") in the Township of Kawkawlin ("Grantor"0 pursuant to a cable television franchise (the "Franchise") and Grantee is the current authorized holder of the Franchise; and

WHEREAS, pursuant to the Purchase and Contribution Agreement between among BCI (USA), LLC, William J. Bresnan, Blackstone BC Capital Partners, L.P., Blackstone BC Offshore Capital Partners, L.P., Blackstone Family Investment Partnership III, L.P., TCI Bresnan LLC, TCID of Michigan, Inc. (collectively, the "Bresnan Partners") and Charter Communications Holding Company, LLC ("Charter HoldCo") (the "Transferee"), dated June 29, 1999, the Bresnan Partners desire to transfer the partnership interests of Bresnan Communications Company Limited Partnership subject to, among other conditions, any required approval of the Grantor with respect thereto, to Charter (the "Transaction:); and

WHEREAS, Grantee filed a complete FCC Form 394 Application for Franchise Authority Consent to Assignment or Trasfer of Control of Cable Television Franchise with Grantor,

WHEREAS, Grantor has duly conducted a thorough review and investigation into the legal, technical and financial qualifications of Transferee to own and operate the System in light of the above-referenced FCC Form 394; and

WHEREAS, all written comments and staff reports have been received, and made a part of the record; and

WHEREAS, following the review and investigation, the Grantor has concluded that the Transferee has established that it meets the legal, technical and financial criteria to operate the cable television system and has satisfied all criteria set forth in and/or under all applicable local, state and federal laws, rules and regulations, including FCC Form 394.

THEREFORE BE IT RESOLVED, that in consideration of the foregoing and the promises set forth herein, the Grantor consents to the Transaction and further resolves as follows:

Section 1. Grantor consents to the transfer of control of cable system serving Grantor effective upon the closing of the Transaction;

Section 2. Grantor confirms that (a) the Franschise is valid and outstanding and in full force and effec; (b) there have been no amendments or modifications to the Franchise, except as set forth herein; (c) Grantee is materially in compliance with the provisions of the Franchise; and (d) there are no defaults under

the Franchise, or events which, with the giving of notice or passage of time or both, could constitute events of default thereunder.

Section 3. Transfere may (a) assign or transfer its assets, including the Franchise provided however, that such assignment or transfer is to a parent or subsidiary of Transferee or another entity under direct or indirect control of Paul Allen; (b) restructure debt or change the ownership interests among existing equity participants in Transfere, and/or its affiliates; (c) pledge or grant a security interest to any lender(s) or Transferee's assets, including but not limited to the Franchise, or of interests in Transferee's affiliate companies, in a transaction commonly known as an "initial public offering".

Section 4. Transferee may transfer the Franchise or control related thereto to any entity controlling, controlled by, or under common control with Transferee. The Grantor acknowledges that any such transfer does not trigger any right it may have to exercise any first purchase right or other right to acquire the System.

Section 5. This Resolution shall take effect immediately.

ADOPTED AND APPROVED THIS 18th day of DECEMBEN, 1999

Township of Kawkawlin

By: Ky (1)

Supervisor

attest by:

Michael E. Arnold, Clerk

Julian Tamota

1836 E. Parish Rd.

Kawkawlin Township

Resolution 99-14

Dec 17, 1999
Water Rate Funds

At a Special meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by Arnold and supported by DeLorge.

WHEREAS, Kawkawlin Township, along with other units of local government in Bay County, Michigan, purchases treated water for residential, commercial, industrial and institutional use from the Board of County Road Commissioners of the County of Bay, as designated county agency under Michigan Public Act 342 of 1939, as amended, for, and also for the benefit of, the Bay County Department of Water and Sewer (the "Bay County DWS"); and

WHEREAS, the Bay county DWS, in turn, purchases treated water for resale to local units of government in Bay County, Michigan, from the City of Bay City, Michigan (the "City) through the Bay Metropolitan Water Supply System (the "System"); and

WHEREAS, the City has proposed increases in wholesale water rates charged by the System to the Bay County DWS which, if implemented, could significantly increase rates charged by the Bay County DWS for treated water to Kawkawlin Township and other units of local government; and

WHEREAS, Kawkawlin Township, along with other units of local government in Bay County, Michigan, desires now to create a fund of Monies to be used to study, evaluate, and, if necessary, oppose any increases proposed by the City in wholesale water rates charged by the System to the Bay County DWS; and

WHEREAS, the fund referred to in the preceding paragraph shall be known as the "Bay County Out-City Water Rate Study Fund" (the "Fund"); and

WHEREAS, Kawkawlin Township, along with other units of local government in Bay County, Michigan, desires to make an initial contribution of Monies to the Fund, with the understanding that further contributions of additional monies to the Fund may be required later; and

WHEREAS, it is expected that the initial contribution of monies to the Fund by all participating units of local government in Bay County, Michigan, including Kawkawlin Township, will total \$50,000.00.

THEREFORE BE IT RESOLVED,

- (1) that Kawkawlin Township hereby authorizes and directs that the sum of , representing thereby % of all initial contributions in the amount of \$50,000.00 to the Fund by all participating units of local government, be now transferred from its operation and maintenance account at the Bay County DWS as and for its initial contribution to the Fund.
- (2) That representatives of the Bay County DWS, Charter Township of Hampton, Michigan, and the City of Essexville, Michigan, collectively are hereby authorized and directed to make all necessary expenditures from the Fund to effectuate the purpose and intent of the Fund.

(3) That the Bay County DWS be, and is hereby authorized and directed to identify any and all alternative water supply systems for Bay County, Michigan, separate and apart from the System.

Upon a roll call vote the following voted Aye: DeLorge, Arnold, Klass, McNally, Beson.

Nay: None

Carried.

Michael & andle

attest by:

Michael E. Arnold, Clerk Kawkawlin Township

Resolution 2000-01

Brownfield Redevelopment Authority

RESOLUTION AND INTENT TO CREATE AND PROVIDE FOR THE OPERATION OF A BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE TOWNSHIP OF KAWKAWLIN PURSUANT TO . AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996. AS AMENDED

WHEREAS, the Board of Trustees of Kawkawlin Township has received and reviewed testimony that there are or may be certain environmentally distressed areas in the Township of Kawkawlin and that the continued existence of such areas can limit, hinder or delay the redevelopment or revitalization of identifiable zones within the township, and, accordingly, that it is in the best interests of the public to facilitate the implementation of plans relating to the identification and treatment of environmentally distressed areas so as to promote revitalization within an area of the Township of Kawkawlin described on Exhibit A attached hereto and depicted on Exhibit B attached hereto (the "Proposed Brownfield Redevelopment Zone"); and

WHEREAS, in order to further such interests, it is appropriate for the Board of Trustees to create and provide for the operation of a brownfield redevelopment authority with the Township of Kawkawlin pursuant to and in accordance with the provisions of the Brownfield Redevelopment Authority Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, pursuant to the Act, this Board of Trustees is required (a) to hold a public hearing on the adoption of a proposed resolution creating a brownfield redevelopment authority under the Act (the "Authority") and designating the boundaries of the Proposed Brownfield Redevelopment Zone, the area within which the Authority shall exercise its powers, and (b) to public notice of the public hearing in a newspaper of general circulation in the Township of Kawkawlin, all in accordance with Section 4(2) of the Act.

THEREFORE BE IT RESOLVED,

- (1) The Kawkawlin Township Board of Trustees hereby determines that it is in the best interests of the public to promote the redevelopment of environmentally distressed areas of the Township and in order to do so, to facilitate the implementation of brownfield plans relating to the designation and treatment of environmentally distressed areas within brownfield redevelopment zones.
- (2) The Kawkawlin Township Board of Trustees hereby declares its intentions to create and provide for the operation of the Authority within the Township of Kawkawlin pursuant to and in accordance with the provisions of the Act.
- (3) A public hearing shall be held before the Kawkawlin Township Board of Trustees on May 15, 2000, at 7:00 p.m. prevailing time in the Boardroom of the Township administrative offices, 1836 E. Parish Road, Kawkawlin, Michigan, on the adoption of a resolution creating the Authority within the Township of Kawkawlin and designating the boundaries of the Proposed Brownfield Redevelopment Zone, the area

within the Authority shall exercise its powers. (The description of the Proposed Brownfield Redevelopment Zone's boundaries which will be considered is attached hereto as Exhibit A and depicted on the map attached hereto as Exhibit B.)

4. The Township Clerk of the Township of Kawkawlin (the "Clerk") shall give notice to the public of the public hearing by causing notice to be published, in the form attached hereto as Exhibit C, in the Bay City Democrat, a weekly newspaper of general circulation the the Township of Kawkawlin on the 13th day of April, 2000 and the 20th day of April, 2000 and by posting notice of the public hearing, in the form attached hereto as Exhibit D,

Upon a roll call vote the following voted Aye: DeLorge, Arnold, Beson.

Nay: None

Absent: McNally, Klass

Carried.

attest by:

Michael E. Arnold, Clerk Kawkawlin Township

Moreh 13th



3000-02

LOCAL GOVERNING BODY RESOLUTION FOR GAMING LICENSES ISSUED BY THE MICHIGAN LOTTERY

(Authorized by MCL.432.101 et seq)

At a RECULAR meetin	ng of the TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD
called to order by Sup ER VISDR - DE	Lofge on 10-APR-2000 at
7/30 gam./p.m. the following resolution w	,
Moved by DELORGE an	id supported by MeNALLY
that the request from UNIVERS CURE.	JMP of LINUSUAD
county of	, asking that they be recognized as a nonprofit
organization operating in the community for the purpo	ise of obtaking a gaining incerior of
registration be considered for APPROVAUDISAPPRO	VAL
APPROVAL	DISAPPROVAL
Yeas: <u>5</u>	Yeas: O
Nays:	Nays:
Absent:	Absent:
State of Michigan ISS County of	
I hereby certify that the foregoing is a true and com	plete copy of a resolution offered and adopted
by the RAWKAWIN TWP BOAKER	meeting held on
*** SEAL OF NOTARY *** S	SIGNED: Melical Elevidor TOWNSHIP, CITY, OR VILLAGE CLERK
MICHAEL E. ARNOLD NOTARY PUBLIC — BAY COUNTY, MCH. MY COMMISSION EXPIRES 5-29-00	MICHAEL E. ALIBLA PRINTED NAME AND TITLE
wit opiningsitus Da HES 3-23-44	1836 E PARISH RD KANKAWIN MI 4863)
NOT VALID LINLESS MARKED WITH GOVERNING BODY SEAL OR NOTARIZED	KANKAWIN MI 4003/
chipan Lottery will not discriminate against any individual or group because of ex, religion, age, national origin, color, merital status, qualified disability or I beset in its activities or in its hinng or employment practices.	PENALTY: Possible dental of applic

Resolution 2000-03

RESOLUTION ESTABLISHING A
BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE TOWNSHIP OF KAWKAWLIN, DESIGNATING
THE BOUNDARIES OF THE BROWNFIELD REDEVELOPMENT ZONE
AND APPOINTING BOARD MEMBERS PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF
THE STATE OF MICHIGAN 1996, AS AMENDED

At a regular meeting of the Board of Trustees of the Township of Kawkawlin, Bay County Michigan, held at 1836 E. Parish Road, of said Township, on the 12th day of June, 2000 at 7:30 p.m.

PRESENT: DeLorge, Arnold, Klass, McNally, Beson

ABSENT: None MOTION BY: Klass

SUPPORTED BY: DeLorge

WHEREAS, the Board of Trustees of the Township of Kawkawlin, by Resolution adopted on March 13th, 2000, (the "Resolution of Intent"), determined that it is in the best interests of the public to facilitate the implementation of plans relating to the identification and treatment of environmentally distressed areas so as to promote revitalization in an area of the Township of Kawkawlin described in the Resolution of Intent as the "Proposed Brownfield Redevelopment Zone," and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the Township of Kawkawlin (the "Authority") pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, on this date, pursuant to and in accordance with the Act and the Resolution of Intent, the Board of Trustees held a public hearing, notice of which was given as required by Section 4(2) of the Act, on the adoption of a resolution creating the Authority and designating the boundaries of the Brownfield Redevelopment Zone within which the Authority shall exercise its powers (the "Brownfield Redevelopment Zone"); and

WHEREAS, all citizens, taxpayers and property owners of the Township of Kawkawlin and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority and the designation of the boundaries of the Brownfield Redevelopment Zone; and

WHEREAS, the Board of Trustees desires to proceed with the establishment of the Authority and the designation of the boundaries of the Brownfield Redevelopment Zone within which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

NOW, THEREFORE, BE ITY RESOLVED THAT:

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Barbara Bridger & Barbara

- 1. Authority Created. Pursuant to the authority vested in the Board of Trustees by the Act, the Authority is hereby established and shall be known as the Township of Kawkawlin Brownfield Redevelopment Authority.
- 2. Supervision of the Authority. The Authority shall be under the supervision and control of the board (the "Board") appointed by the Supervisor of the Township of Kawkawlin, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the Board of Trustees. The members of the Board shall hold office, and the Board shall conduct its procedures in accordance with the Act, and, in particular, Section 5 thereof.
- 3. Brownfield Redevelopment Zone. The Authority shall exercise its powers within the Brownfield Redevelopment Zone, the area of the Township of Kawkawlin more particularly described on Exhibit A attached hereto and made a part hereof, and depicted on the map attached to and made a part of the Resolution as Exhibit B.
- 4. Powers and Duties of the Authority. The Authority shall have the powers and duties to the full extent as provided by and in accordance with the Act. Among other matters, the exercise of its powers, the Board shall prepare a brownfield plan for the Brownfield Redevelopment Zone pursuant to Section 13 of the Act and submit the plan to the Board of Trustees for consideration pursuant to Section 14 of the Act.
- 5. Bylaws and Rules of the Authority. The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings, all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the Board of Trustees in care of the Clerk of the Township of Kawkawlin (the "Clerk") The Authority's bylaws and rules shall be subject to the approval of the Board of Trustees; provided, however, that if the Board of Trustees fails to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the Board of Trustees for all purposes.
- 6. Director's Bond. In the event the Board elects to employ a director as authorized by Section 6(1) of the Act, the director, before entering upon the duties of his office, shall, in addition to any other requirements of law, post a bond in the penal sum of \(\) with a \(\) deductible payable to the Authority for the use and benefit of the Authority, which shall be approved by the Board and filed with the Clerk. The premium on the bond furnished by the director shall be deemed to be an operating expense of the Authority, payable from funds available to the Authority for expenses of operation.
- 7. Form of Approvals. Except as may otherwise be provided by the Act or other applicable law, approvals by the Board of Trustees of all matters pertaining to the Authority or its Board shall be by resolution.
- 8. Severability. Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- 9.Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

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10. Publication. The Clerk is hereby directed to file a true and complete copy with the Secretary of Sate of the State of Michigan promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

AYES: Beson, DeLorge, Arnold, Klass, McNally

NAYES: None

ABSTAINED: None

RESOLUTION DECLARED ADOPTED:

Jukael Eliverte

STATE OF MICHIGAN

SS

COUNTY OF BAY

I, the undersigned, the duly qualified and acting Clerk of the Township of Kawkawlin, County of Bay, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Trustees of the Township of Kawkawlin at a regular meeting held on the 12th day of June 2000, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 13th day of June, 2000.

Michael E. Arnold, Clerk

Kawkawlin Township

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Water Rate Charges

At a Regular meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by McNally and supported by Arnold.

WHEREAS, the City of Bay City has increased the wholesale cost of water by \$.40 per ccf (hundred cubic feet) and

WHEREAS, the maintenance fund for the water towers on the Kawkawlin - Fraser water system has on occasion been used for normal O/M and

THEREFORE BE IT RESOLVED that the Kawkawlin Township Board of Trustees authorizes the increase in the water rate for the Kawkawlin-Fraser Water System to cover said expenses to be changed from the present \$2.10/ccf to \$2.86/ccf effective the third billing quarter of 2000.

YEAS: DeLorge, Arnold, Klass, McNally, Beson.

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

Juckael & arutal

TOWNSHIP CLERK'S CERTIFICATION

State of Michigan) County of Bay)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Kawkawlin Township Board of Trustees at a Regular meeting on the 12th day of June 2000.

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Carried Barrell

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SOLID WASTE PLAN

At a Regular meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by Beson and supported by McNally.

WHEREAS, the Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended (NREPA), Part 115, Solid Waste Management, and its Administrative Rules requires that each County is the State of Michigan prepare an updated Solid Waste Management Plan to provide for the disposal of waste generated in that county; and

WHEREAS, Bay County completed their update and released said Plan for municipal approval over a year ago, and

WHEREAS, many changes have taken place within the industry and environmental community since the initial writing of the updated plan; and

WHEREAS, the updated Plan has still not received the necessary 68% approval from all municipalities; and

WHEREAS, the new owner of the Whitefeather Landfill, Republic Services of Michigan is requesting numerous changes to the updated Plan, including the addition of more counties for importation, to make this site a viable asset to the residents of Bay County, to lower the overall operating costs, to keep competition alive and most importantly keep pricing down for those utilizing the facility; and

WHEREAS, without this support, it is anticipated that Republic will have to pass on these increased cost or close the landfill, thus increasing disposal costs and/or leave the County without this disposal option.

THEREFORE BE IT RESOLVED that the Kawkawlin Township Board of Trustees located in Bay County, State of Michigan, hereby expresses its support for the County to rescind the updated plan and make the necessary changes.

BE IT FURTHER RESOLVED, that the Kawkawlin Township Board of Trustees will support language in the Solid Waste Management Plan Update which will increase the number of counties allowed to import as requested, as long as Republic continues to provide long term capacity at the Whitefeather Landfill.

YEAS: DeLorge, Arnold, Klass, McNally, Beson.

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

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TOWNSHIP CLERK'S CERTIFICATION

State of Michigan) County of Bay)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Kawkawlin Township Board of Trustees at a Regular meeting on the 12th day of June 2000.

Michael E. Arnold, Clerk Kawkawlin Township

Michael & arrived

RESOLUTION 2000-06 OF

KAWKAWIN TOWNSHIP,

BAY COUNTY

in OPPOSITION to PROPOSAL 002 to Amend the Michigan Constitution

- Our country's democratic principles are built on the principle that laws reflect the will of the majority of citizens, and
- Proposal 002 will thwart the ability of a majority of our elected representatives and senators to adopt new laws necessary for local government to better serve its citizens, and
- Growing townships are entitled to more state shared revenues to meet the service needs of expanding populations, and
- Townships are entitled to the same protection of boundaries as is afforded to cities, and
- Proposal 002 does not merely require a two-thirds vote on legislation that would usurp local control but also will require a two-thirds vote in both the House and the Senate for laws that enhance the statutory authority of townships, and
- Local control can best be preserved through township residents and their elected township officials communicating their expectations to the Michigan Legislature that local government is the most appropriate institution for resolving matters of local concern, now

Therefore be it resolved, that the Board of Mustes, Kowkhulm Township opposes Proposal 002 and urges its defeat at the November General Election.

Motion declared adopted. Sept 11, 2000

Michael & amtel, Tup Cherk

At a Regular meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by Beson and supported by Arnold.

WHEREAS, Kawkawlin Township has three mile of Great Lakes coastline; and

WHEREAS, The water levels of the Great Lakes are constantly fluctuating between years of high water levels and low water levels; and

WHEREAS, The Kawkawlin Township coastal shoreline is in a period of extreme low water that exposes expansive beach front to new vegetation growth; and

WHEREAS, this expansive growth is detrimental to the use of the shoreline property by the landowner residents and the general public; and

WHEREAS, Shore front residents have cleaned up trash and debis on the beaches for years in the name of environmental quality.

THEREFORE BE IT RESOLVED that the Kawkawlin Township Board of Trustees located in Bay County, State of Michigan, supports local residents and others in their pursuit of being able to preserve, restore and maintain the beach front property to the waters edge.

YEAS: DeLorge, Arnold, Klass, McNally, Beson.

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

Michael & anneld

TOWNSHIP CLERK'S CERTIFICATION

State of Michigan) County of Bay)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Kawkawlin Township Board of Trustees at a Regular meeting on the 9th day of October 2000.

Michael E. Arnold, Clerk

RESOLUTION TO ADOPT THE BAY COUNTY SOLID WASTE MANAGEMENT PLAN

KAWKAWLIN TOWNSHIP

At a Regular meeting of the Kawkawlin Township Board of Trustees, the following preamble and resolution was offered by Arnold and supported by McNally.

WHEREAS, Public Act 451 of 1994, the Natural Resources and Environmental Protection Act, requires development of Solid Waste Management Plans for each of Michigan's 83 counties; and

WHEREAS, Act 451 further requires that each county's Solid Waste Management Plan must be adopted by at least two thirds of the local units of government (cities, villages and townships) within the county; and

WHEREAS, the Bay County Solid Waste Management Planning Committee has produced a plan which addresses all of the required material as specified by Act 451 in a manner which meets the goals and objectives identified by Bay County citizens for management of their solid waste and natural resources; and

WHEREAS, the Township of Kawkawlin approves the addition of 23 counties to the original counties listed in the plan; and

WHEREAS, the Bay County Solid Waste Management Plan has been approved by the Bay County Board of Commissioners;

THEREFORE BE IT RESOLVED that the Kawkawlin Township Board of Trustees does hereby approve and adopt the 2001 Update of the Bay County Solid Waste Management Plan.

YEAS: DeLorge, Arnold, Klass, McNally, Beson.

belief Elimold

NAYS: None ABSENT: None

RESOLUTION DECLARED ADOPTED

TOWNSHIP CLERK'S CERTIFICATION

State of Michigan) County of Bay)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Kawkawlin Township Board of Trustees at a Regular meeting on the 22nd day of January 2001.

IMPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTYTY according to the CONDITIONS AUTHORIZED LA.

Table 1-A

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ¹	AUTHORIZED AUTHORIZED AUTHORIZED QUAN/DAILY QUAN/ANN CONDITIONS
Bay County	Alcona Alpena Antrim Arenac Benzie Charlevoix Cheboygan Clare Clinton Crawford Emmet Genesee Gladwin Gratiot Grant Traverse Huron Iosco Isabella Kalkaska	opportunity to	to not list specific facilities in this chart to maintain the use any facilities each of the counties may have at the time by Bay County.
may evolution			

Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

FROM

IMPORT AUTHORIZATION, Continued

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the EXPORTING COUNTY is authorized by the IMPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHOR in Table 1-A.

Table 1-A, Continued

CURRENT IMPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING	EXPORTING	FACILITY NAME ²	AUTHORIZED AUTHORIZED AUTHORIZED QUAN/DAILY QUAN/ANN CONDITIONS
COUNTY	COUNTY	NAME	MOUNTH MOUNTHAN COUNTY
Bay County	Lapeer Leelanau Manistee Mecosta Midland Missaukee Montmorency Osceola Ogernaw Osceoda Otsego Presque Isle Roscommon Saginaw Tuscola	We have elected b	o not list specific facilities in this chart to maintain the any facilities each of the counties may have at the time
Bay County	Wexford		

² Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

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EXPORT AUTHORIZATION

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the IMPORTING COUNTY is authorized by the EXPORTING COUNTY up to the AUTHORIZED QUANTTTY according to the CONDITIONS AUTHORIZED QUANTTTY according to the CONDITIONS AUTHORIZED A.

Table 2-A

CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

Adultura Par Are					
IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ³	QUAN/DAILY	QUAN/ANN	
Alcona Alpena Antrim Arenac Benzie Charlevoix Cheboygan Clare Clinton Crawford Emmet Genesee Gladwin Gratiot Grant Traverse Huron Iosco Isabella Kalkaska	Bay County	We have elected appertunity to us they are needed	to met #st specific facilit le any facilities each of t ly Bay County.	ies in this cha he countles m	rt to maiatuin the ay have at the time
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³ Facilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

EXPORT AUTHORIZATION, Continued

If a Licensed solid waste disposal area is currently operating within the County, disposal of solid waste generated by the IMPORTING COUNTY is authorized by the EXPORTING COUNTY up to the AUTHORIZED QUANTITY according to the CONDITIONS AUTHORIZED and Table 2-A.

Table 2-A, Continued

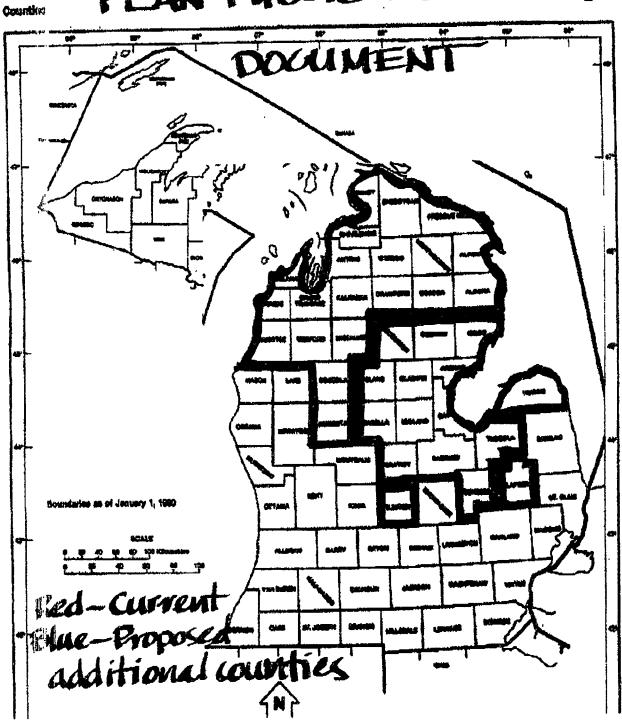
CURRENT EXPORT VOLUME AUTHORIZATION OF SOLID WASTE

IMPORTING COUNTY	EXPORTING COUNTY	FACILITY NAME ²	AUTHORIZED AUTHORIZED AUTHORIZED QUAN/DAILY QUAN/ANN CONDITIONS
Lapeer Leelanau Manistee Mecosta Midland Missaukee Montmorency Osceola Ogemaw Oscoda Otsego Presque isle Roscommon Saginaw Tuscola Wexford	Bay County	We have elected opportunity to us they are needed	to not list specific facilities in this chart to maintain the se any locilities each of the countles may have at the time by Bay County.

Pacilities are only listed if the exporting county is restricted to using specific facilities within the importing county.

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BAY COUNTY GOLID WASTE PLAN PUBLIC HEARING



1 4 2001

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

BE IT RESOLVED, that this resolution is subject MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of 4-01-2001, the salaries of the township board members shall be as follows:

The foregoing resolution wa	s offerd by board member www.
Supported by member	Llas
Upon a roll call vote the fol	wing voted Ayelling
attest by:	Me Hay: Mekally De Longe Cerrild, Kleen

Michael E. Arnold, Clerk Kawkawlin Township

Supervisor: \$19,517

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

BE IT RESOLVED, that this resolution is subject MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of 4-01-2001, the salaries of the township board members shall be as follows:

Clerk: \$19,517

The foregoing resolution was offerd by board member__________(Upon a roll call vote the following voted Aye: Q, K, D, M

Nay:

Bessel

Bessel

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

BE IT RESOLVED, that this resolution is subject MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of 4-01-2001, the salaries of the township board members shall be as follows:

Treasurer: \$19,517

The foregoing resolution was offerd by board member with Supported by member by Wall Supported by Months and Suppo

attest by:

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

BE IT RESOLVED, that this resolution is subject MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of 4-01-2001, the salaries of the township board members shall be as follows:

Trustee: \$3,219

The foregoing resolution was offerd by board member Constant Supported by member Medically

Upon a roll call vote the following voted Aye: L, K, M, A.

Nay:

attest by:

Ph-1905 maintaines!

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RESOLUTION FOR ADOPTION RECREATION PLAN AMENDMENT

WHEREAS, the Board of Trustees of Kawkawlin Township has undertaken a Parks and Recreation Plan Amendment which describes changes to the Five Year Parks and Recreation Plan originally adopted in 1997 and indicates actions to be taken to improve and maintain recreation facilities during the same five year period, and

WHEREAS, a public comment session was held April 23, 2001 at the Kawkawlin Township Offices to provide an opportunity for citizens to express opinions, ask questions, and idscuss all aspects of the Recreation Plan Amendment, and

WHEREAS, after the public hearing, the Kawkawlin Township Board of Trusteees voted to adopt said Recreation Plan amendment.

NOW, THEREFORE BE IT RESOLVED the Kawkawlin Township Board of Trustees hereby adopts the Bay County Board of Commissioners Recreation Plan Amendment.

The above resolution was offered by McNally/Beson.

Michael Elimital

Yeas: McNally, Beson, DeLorge, Arnold, Klass. Nay: None. Absent: None

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregoin is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Regular Meeting held on the 23rd day of April, 2001.

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RESOLUTION TO THE CITY OF BAY CITY REGARDING UTILITY FEE APPROPRIATIONS

WHEREAS, the Board of Trustees of Kawkawlin Township understands the budget difficulties facing the City of Bay City and commends their efforts to resolve them, further recognizing the City's efforts at promoting economic and community development; and

WHEREAS, the Township recognizes the City of Bay City's right, subject to law or contractual agreement, to operate its water, sewer and electrical utilities which provide service to the Bay area community; however

WHEREAS, the Kawkawlin Township Board of Trusteees is concerned about current proposals to impose a surcharge or tax on the City of Bay City's utilities to subsidize the City's General Fund; and

WHEREAS, non-City customers do not have representation on the City Commission to either vote for or against such a surcharge or tax, nor to determine how such funds would be used;

NOW, THEREFORE BE IT RESOLVED the Kawkawlin Township Board of Trustees hereby encourages City leaders to reconsider this proposal;

ALSO BE IT FURTHER RESOLVED, a copy of this resolution will be forwarded to the Mayor, Commission members and the Manager of the City of Bay City.

The above resolution was offered by Arnold/DeLorge.

Michael Eliverte

Yeas: Beson, DeLorge, Arnold, Klass, McNally. Nay: None. Absent: None. Resolution adopted.

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregoin is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Regular Meeting held on the 23rd day of April, 2001.

Kawkawlin Township Board of Trustees 1836 E. Parish Rd. Kawkawlin, MI 48631 August 27, 2001 (Regular meeting)

The following resolution was offered by McNally/Beson to establish the following:

KAWKAWLIN TOWNSHIP CAPITAL IMPROVEMENT PLAN

FIRE AND RESCUE

- 1. Pumper replacement
- 2. Rescue truck replacement
- 3. Second station -- In vicinity of Beaver road and M-13
- 4. Third station -- In vicinity of River and Seven mile roads

WATER LINES

Continue building lines through out the entire township so a replacement tender truck will not be needed.

SEWER LINES

- 1. Continue a main north along M-13 to Linwood road and include providing service to the township hall complex.
- 2. West on Beaver road to I-75

INDUSTRIAL PARK

- 1. One should be planned for Beaver road and I-75 area.
- 2. A second should be planned for Linwood road and I-75 from Fraser to Seven Mile in conjunction with Fraser Township.

DEPARTMENT OF PUBLIC WORKS

1. Establish a Department of Public Works.

Ayes: McNally, Beson, DeLorge, Arnold, Klass, Nays: None. Carried.

I Michael E. Arnold, Clerk of the Township of Kawkawlin, County of Bay, State of Michigan declared that this is a true copy.

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RESOLUTION <u>2001-009</u>

Resolution To Amend The Bay County Solid Waste Management Plan

WHEREAS, Public Act 451 of 1994, the Natural Resources and Environmental Protection Act, requires that each county's Solid Waste Management Plan must be adopted by at least two thirds of the local units of government (cities, villages, and townships) within the county; and

WHEREAS, General Motors Powertrain has requested a modification to the Bay County Solid Waste Management Plan to allow them to export their industrial waste to a landfill located in Shiawassee County, one of six (6) landfills in the nation to accept GM's industrial waste; and

WHEREAS, GM's request is made in accordance with their corporate waste management plan and will result in a significant cost savings to GM in the amount of \$216,000 annually; and

WHEREAS, Any costs associated with amending the Solid Waste Management Plan will be paid by General Motors Powertrain; and

WHEREAS, No financial loss will be realized by the landfill located in Bay County since GM does not currently dispose of this waste at the location; and

WHEREAS, the KAWKAWW TOWNSHIP approves the addition of Shiawassee County to the counties listed in the plan; and

WHEREAS, GM's request has been approved by the Bay County Board of Commissioners with Resolution No. 2001-265 on October 9, 2001;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of ________ does hereby approve and authorize the amendment to the Bay County Solid Waste Management Plan to allow importation and exportation of waste with Shiawassee County.

So be it Resolved this 12 day of 1004MBER, 2001

Approved Supervis

Attested

RESOLUTION FOR ADOPTION RECREATION PLAN AMENDMENT

WHEREAS, the Board of Trustees of Kawkawlin Township has undertaken a Parks and Recreation Plan Amendment which describes changes to the Five Year Parks and Recreation Plan originally adopted in 1997 and indicates actions to be taken to improve and maintain recreation facilities during the same five year period, and

WHEREAS, a public comment session was held April 22, 2002 at the Kawkawlin Township Offices to provide an opportunity for citizens to express opinions, ask questions, and idscuss all aspects of the Recreation Plan Amendment, and

WHEREAS, after the public hearing, the Kawkawlin Township Board of Trusteees voted to adopt said Recreation Plan amendment.

NOW, THEREFORE BE IT RESOLVED the Kawkawlin Township Board of Trustees hereby adopts the Bay County Board of Commissioners Recreation Plan Amendment.

The above resolution was offered by Arnold/Klass.

Michael & Could

Yeas: Beson, DeLorge, Arnold, Klass. Nay: None. Absent: McNally

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregoin is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Regular Meeting held on the 22nd day of April, 2002.

RESOLUTION FOR ADOPTION PARTIAL TERMINATION

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the township hall of said township on the 13th day of May 2002, at 7:00 p.m. prevailing time.

PRESENT: DeLorge, Arnold, Klass, McNally, Beson.

ABSENT: None

The following resolution was offered by Arnold and seconded by McNally

WHEREAS, on May 9, 2002 the township board received a request from J. Wm. Schmidt and Paul Resmer for approval to have a certain parcel released from agreement number 09-17036123-129 which was executed in accordance with the provisions of PA 116 of 1974, commonly known as the Farmland and Open Space Preservation Act; and

WHEREAS, the township board has reviewed this request and determined that the structures located on the parcel were present prior to the original execution of said agreement; and

WHEREAS, the parcel proposed for release from the agreement is 1.956 in size; and

WHEREAS, the township board finds that the request for release of the particular parcel is acceptable;

NOW, THEREFORE BE IT RESOLVED the Kawkawlin Township Board of Trustees as follows:

(1) That the township board hereby approves the request to release the following described piece of property from the PA 116 agreement.

That part of the Southwest 1/4 of the Southeast 1/4 of Section 8, Town 15 North Range 4 East, Kawkawlin Township Bay County Michigan described as:

Commencing at the South 1/4 corner of said Section 8; thence East 143.00 feet along the South Section line to the Point of Beginning; thence North 200.00 feet; thence East 292.00 feet; thence South 68 degree 52'27" East 277.46 feet to the North line of a 100 foot Road Right-of-Way; thence South 40.00 feet to the North line of a 60 foot Road Right-of-Way; then West 200.00' along said 60' Right-of-Way; thence South 60.00 feet; thence West 350.81 feet along the South Section line to the Point of Beginning. Containing 1.956 acres, more or less. Subject to the Right-of-Way for Parish Road over the Southerly part thereof. Also subject to all easements, restrictions and Rights-of way, if any, of record, and

(2) That the township board hereby certifies that the structures located on the certain piece of property were present prior to the original execution of said PA 116 agreement.

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o provincia de la selección de la como como como esperante en esperante de la como en el como de la contractiva La como provincia de la como esperante de la como esperante de la como esperante de la como esperante de la co (3) That the township clerk is hereby directed to transmit certified and sealed copies of the resolution to the person making the request and to the Farmland Unit of the MI Dept. of Agriculture.

Yeas: Klass, McNallly, Beson, DeLorge, Arnold. Nay: None. Absent: None

I, Michael E. Arnold, Kawkawlin Township Clerk, **DO HEREBY CERTIFY** that the foregoing is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Regular Meeting held on the May 13, 2002

Michael E. Arnold, Clerk Kawkawlin Township

Michael Eventa

KAWKAWLIN TOWNSHIP

Tom Boetefuer—Assessor

1836 E. Parish Road, Kawkawlin, Michigan 48631 Phone (517) 686-8710 • Fax (517) 686-0895

MAY 9,2002

TAXABLE VALUE & Amounts on Property
to be removed from P.A. 116 and Parcel #

09-080-008-400-050-00

	09-080-	Total Tax Paid	Pot Beremoved	Amount of TAX
year	TAXAble Value	Paid 1800,19	34 %	612.06
1995	67924	1857.42	34. %	631,52
1996		1898.89	34 %	645.62
1997	69825	1967.51	3470	668.95
1998	9/9/0		34 90	679.96
1999	72857	1999.91	34 %	714,79
2000	74241	2102.35	34%	947.54
2001	76616	2198.67		<i>/ / · · · - /</i>

Som Boetglen

assessor Kowfarli Lerp

We as the Seller for the estate of anna I Resmer and J. Um Schmidt, purchaser of 80 acres Sir: in Bay County Kawkawein Township See 8 are regulating to have 2 acres more or less per survey attached removed from 116 No. 09. 17036123.129. The amount to be paid book to State of michigan will be sent to J. Um Schnier State of michigan will be sent to J. Um Schnier 1899 Schmidt RJ Kawkawlin, mi 48631. We are requesting belonce of land and one building of 116 No. 09. 17036123. 129 se Transferred Have contacted Jon mayer, he will send the necessary papers we need. Personal Representative for anna I Resner Paul Resmer 1213 Edmonds Rd Turner, m; 48756

J. Um. Schmidt Buger

J. won Schmidt Rd 1899 Schmidt Rd

Kawkawlin, M. 8631

989 684 1865

KAWKAWLIN TOWNSHIP RESOLUTION VACATING ALLEYS

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the township hall of said township on the 12TH Day of August 2002, at 7:00 p.m. prevailing time.

PRESENT: DeLorge, Arnold, Klass, McNally, Beson.

ABSENT: None

The following resolution was offered by McNally supported by DeLorge

WHEREAS, the Township of Kawkawlin is aware that certain alleys remaining in the Village of Linwood and unused, and undeveloped, for the purposes intended, and

WHEREAS, development of the alleys for their intended purpose is not likely, and vacating of the alleys for the benefit of adjacent property owners is the highest and best use of alley property.

NOW, THEREFORE, BE IT RESOLVED that all alleys in the Village of Linwood in the area bounded by Center Street on the North, Ernest Street on the West, Village boundaries on the South, and Village boundaries on the East, Frl Section 2, Fowles Addition to Linwood, are hereby vacated. Each adjoining property owner may take title to that portion adjacent to their property. The Township Attorney will file a Notice of Vacation in recordable form, with the Bay County Register of Deeds.

Yeas: McNallly, Beson, DeLorge, Arnold, Klass, Nay: None, Absent: None

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township of Kawkawlin, County of Bay, State of Michigan at a regular meeting held on August 12, 2002, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by the Act.

Michael E. Arnold, Clerk Kawkawlin Township

leckal & amil

KAWKAWLIN TOWNSHIP RESOLUTION

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the township hall of said township on the 12th Day of August 2002, at 7:00 p.m. prevailing time.

PRESENT: DeLorge, Arnold, Klass, McNally, Beson.

ABSENT: None

The following resolution was offered by Beson supported by Arnold

WHEREAS, Hoyle's Marina of Linwood operates a fish cleaning station as part of its Marina, and;

WHEREAS, it has been determined through consultation with the Department of Environmental Quality (DEQ) that discharge of fish wastes into the local sewage system, to which Hoyle's Marina is connected, may result in unacceptable levels of PCB's accumulating through/from the remains of the many fish cleaned, and;

WHEREAS, the threat of contamination can be remedied by installation of a dedicated and filtered septic system, and;

WHEREAS, Township Ordinance No. 24 and its amendments and related ordinances do not anticipate the situation described above, and;

WHEREAS, the strict enforcement of the ordinance requiring use of the public sewer system by and at Hoyle's Marina for purposes of fish cleaning and disposal of fish remains would result in unwanted substances entering the sewage system.

WHEREAS, a decision by Hoyle's Marina to use such a dedicated system for disposal of fish remains will not be deemed in violation of the township ordinances pertaining to sewage systems.

NOW, THEREFORE, BE IT RESOLVED that Hoyle's Marina may install, operate, and maintain a septic system, meeting DEQ and Bay County standards for the sole and limited purpose of the disposal of fish cleaning remains and;

Ordinance 24, it's amendments and related ordinances are hereby amended in their parts to conform to this resolution, provided that this resolution is understood to pertain only to the unique situation described above and has no application to any location other than Hoyle's Marina of Linwood. Any similar situations will be reviewed only on a case by case basis.

ADOPTED August 12, 2002

TOWNSHIP OF KAWKAWLIN

Family

Michael Arnold, Clerk

2002-005

RESOLUTION

WHEREAS,	General Motors Powertrain has requested an amendment to add Shiawassee
	County to the Bay County Solid Waste Management Plan,

WHEREAS, GM's request is made in accordance with their corporate waste management plan for their industrial waste disposal and will result in a significant costs savings to GM in the amount of \$216,000 annually; and

WHEREAS, currently this industrial waste is not disposed of in Michigan;

WHEREAS, No financial loss will be realized by the landfill located in Bay County since GM does not currently dispose of this industrial waste at that location; and

THEREFORE, Be It RESOLVED that the

Kawkawlin Township Board of Trustees hereby authorizes amendment to the Bay County Solid Waste Management Plan to include Shiawassee County on the list of Authorized Counties for Import/Export; Be It Further

RESOLVED That General Motors Powertrain will pay all costs associated with the amendment of the Solid Waste Management Plan; And Be It Finally

endel CLERK

RESOLVED That the Township Supervisor/City Manager is authorized to execute any documentation required for this amendment to the Bay County Solid Waste Management Plan.

Signature

Date

KAWKAWLIN TOWNSHIP RESOLUTION

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the township hall of said township on the 11th Day of November 2002, at 7:00 p.m. prevailing time.

PRESENT: DeLorge, Arnold, Klass, Beson.

ABSENT: McNally

The following resolution was offered by Arnold supported by Beson

Be it Resolved, that any of one of the following named person: Sandra Klass, Treasurer; or John Klass, deputy treasurer; be and hereby are authorized for and on behalf of the undesigned to open accounts in the name of the undersigned, make deposits and withdrawals from such accounts, and generally to transact any and all business with respect thereto,

Be it Further Resolved, that any one of the above authorized representatives be and hereby are authorized to establish savings or checking accounts in the name of the undersigned, make deposits and withdrawals from such accounts, and gereally to transact any and all business with respect thereto upon unwritten request by telephone or facsimile transmission. In consideration of the Bank's willingness to permit such transaction upon unwritten request, the undersigned hereby releases the Bank from all liability, loss, damage, cost and expense arising from any such request initiated by a person purporting to be an authorized representative of Kawkawlin Township. The Bank is authorized, in its discretion, to record by electronic or other means, telephone conversations relating to requests hereunder. Withdrawals and other transfers shall be subject to any limitations on electronic funds contained in the terms and conditions for each account issued under the account contract set forth on the first page hereof.

Be It Further Resolved, that the Bank is authorized to act in accordance with the foregoing without further inquiry unless and until it has been notified in writing by Kawkawlin Township of any changes in these authorizations.

ADOPTED November 11, 2002

TOWNSHIP OF KAWKAWLIN

Michael E Combile

Roy DeLorge, Supervisor

Michael Arnold, Clerk

Public Unit Account

RESOLW 2002-006 0259895038

Account Designation			
Kawkawlin Township			
Street Address	·		
1836 Parish Rd	•		
City	State	Zip Code	
Kawkawlin	MI	48631	
Telephone Number	Tax Identification Number		
989-684-9637	38-6075757		
Fax Number	Date	Opened By	
	10/29/02	JS	

The above public unit hereby opens a savings or checking account in Standard Federal Bank N.A., national association with its principal office in Troy, Michigan, ("Bank"), and agrees to abide by all applicable laws and the charter, bylaws, rules and regulations of the Bank. This account contract shall apply to any and all savings and checking deposits held by the Bank in the name of the above public unit. Those persons authorized by the resolution contained on the second page of this account contract shall have the right on behalf of the above public unit to open accounts at the Bank, make deposits and withdrawals from such accounts, and generally transact any and all business with respect thereto. The above public unit acknowledges receipt of the Bank's terms and conditions and fee schedule for each account established in connection with this contract.

The Bank is relieved of all liability in connection with collection or payment of any check or other instrument handled by the Bank without negligence. Withdrawals may not be made on such items until collected and any amount not collected may be charged back to any deposits held by the Bank in the name of the above public unit. The Bank is authorized to supply any endorsement on any check or other instrument deposited in whole or in part to any account held by the Bank in the name of the above public unit.

Account Designation		•	
Kawkawlin Township			
Ву	Its		



ł	The undersigned certificates that the following is a true and correct copy of a resolution of the governing body of the public unit named on the first page of this account contract, which resolution was adopted at a legally convened meeting.					
T.	Be It Further Resolved, that any of the following named persons:					
	Authorized Representative	Office, if any				
	name of the undersigned, make deposits an	pehalf of the undersigned to open accounts in the d withdrawals from such accounts, and generally to t thereto. Specimen signatures of each of these				
Be It Further Resolved, that any one of the above authorized representatives or the follownamed persons:						
		•				
•	be and hereby are authorized to establish savings or checking accounts in the name of the undersigned, make deposits and withdrawals from such accounts, and generally to transact any and all business with respect thereto upon unwritten request by telephone or facsimile transmission. In consideration of the Bank's willingness to permit such transactions upon unwritten request, the undersigned hereby releases the Bank from all liability, loss, damage, cost and expense arising from any such request initiated by a person purporting to be an authorized representative of the undersigned as listed above. The Bank is authorized, in its discretion, to record by electronic or other means, telephone conversations relating to requests hereunder. Withdrawals and other transfers shall be subject to any limitations on electronic funds transfers contained in the terms and conditions for each account issued under the account contract set forth on the first page hereof.					
	Be It Further Resolved, that the Bank is authorized to act in accordance with the foregoing without further inquiry unless and until it has been notified in writing by the undersigned of any changes in these authorizations.					
	Precise Legal Name of Public Unit	·				
	Ву	Its				
		Date				

GNParish Rd Eth E Kawkawlin Theprone Number 989-684-9637 Falkumber	State MI Tax Identification Number	Zip Code 48631
EiR E Kawkawlin Telephone Number 9 9-684-9637	MI Tax Identification Number	48631
9-684-9637	Tax Identification Number	
9 9-684-9637		
	00 0075757	•
	38-6075757	
	Date	Opened By
	10/29/02	JS
oo and hereby are authorized for	r and on behalf of the unde	rsigned to open accounts in the such accounts, and generally nen signatures of each of the

KAWKAWLIN TOWNSHIP INVESTMENT RESOLUTION

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the township hall of said township on the 10th day of February 2020, at 7:00 p.m. prevailing time.

PRESENT: Davidson, Petrimoulx, Klass, McNally, MacConnell

ABSENT: None

The following amendment to resolution 2002-006 was offered by Davidson supported by MacConnell

Be it Resolved, that the Treasurer or Deputy Treasurer; be and hereby are authorized for and on behalf of the undersigned to open accounts in the name of the undersigned, make deposits and withdrawals from such accounts, and generally to transact any and all business with respect thereto,

Be it Further Resolved, that any one of the above authorized representatives be and hereby are authorized to establish accounts in the name of the undersigned, make deposits and withdrawals from such accounts, and generally to transact any and all business with respect thereto upon unwritten request by telephone or facsimile transmission. In consideration of the Financial Institution's willingness to permit such transaction upon unwritten request, the undersigned hereby releases the Financial Institution from all liability, loss, damage, cost and expense arising from any such request initiated by a person purporting to be an authorized representative of Kawkawlin Township. The Financial Institution is authorized, in its discretion, to record by electronic or other means, telephone conversations relating to requests hereunder. Withdrawals and other transfers shall be subject to any limitations on electronic funds contained in the terms and conditions for each account issued under the account contract set forth on the first page hereof.

Be it Further Resolved, that the Financial Institution is authorized to act in accordance with the foregoing without further inquiry unless and until it has been notified in writing by Kawkawlin Township of any changes in these authorizations.

ADOPTED February 10, 2020

TOWNSHIP OF KAWKAWLIN

Sam Davidson, Supervisor

Greg Petrimoulx, Clerk

KAWKAWLIN TOWNSHIP RESOLUTION

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the township hall of said township on the 11th Day of November 2002, at 7:00 p.m. prevailing time.

PRESENT: DeLorge, Arnold, Klass, Beson.

ABSENT: McNally

The following resolution was offered by Arnold supported by DeLorge

Be it Resolved, whereas the governing body of the Township has determined that a true and very real need exists for the acquisition of a new Pumper and the re-finance of a Pumper already in use by the Township. (the "Equipment"), the Township desires to finance the Equipment by entering into an Equipment Installment Purchase Agreement with Public-Finance.com, as Transaction Originator and Kawkawlin Township as Borrower (the "Agreement") according to the terms set forth in the Bid Proposal from Public-Finance.com dated August 23, 2002, presented at the board meeting; and the Equipment will be used by the Township for the purpose of fire protection,

Resolved, whereas the governing body of the Township has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment,

Resolved, whereas the governing body hereby directs its legal counsel to review the Agreement and negotiate appropriate modifications to said Agreement so as to assure compliance with state law and local statutory law, prior to execution of the Agreement by those persons so authorized by the governing body for such purpose,

Be it Resolved, by the governing body of Kawkawlin Township that:

The terms of said Agreement are in the best interests of the Township for the acquisition of such Equipment and the governing body of the Township designates and confirms the following persons to execute and deliver, and to witness (or attest), respectively, the Agreement and any related documents necessary to the consummation of the transactions contemplated by the Agreement.

Name and Title of Person(s) to Execute Agreement: Roy DeLorge, Supervisor

Resolved, Kawkawlin Township covenants that it will perform all acts within its power which are or may be necessary to insure that the interest portion of the Installment Payments coming due under the Agreement will at all times remain exempt from federal income taxation under the laws and regulations of the United States of America as presently enacted and construed or as hereafter amended.

The Township hereby certifies that it has not issued or effected the issuance of, and reasonably anticipates that it shall not issue or effect the issuance of more than ten million dollars (\$10,000,000.00) of tax-exempt obligations during the calendar year, and hereby designates the Agreement as a "qualified tax exempt obligation", as defined by Section 265 (b)(3) of the Internal Revenue Code of 1986 as amended.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Agreement is the same as presented at said meeting of the governing body of the Township.

ADOPTED November 11, 2002

TOWNSHIP OF KAWKAWLIN

Roy DeLorge, Supervisor

KAWKAWLIN TOWNSHIP

RESOLUTION APPOINTING TRUSTEE

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan held at the township hall of said township on the $27t$ ay of January, 2003, at 7:00 p.m. prevailing time.
PRESENT: DeLorge, Arnold, Klass, McNally
ABSENT: None
The following resolution was offered by Trustee McNally and supported by Arnold
WHEREAS, Kawkawlin Township Trustee Patrick Beson was elected to the Bay County Board of Commissioners in the November, 2002, general election, and
WHEREAS, as a result of his new responsibilities, Patrick Beson resigned his post as Kawkawlin Township Trustee, and
WHEREAS, it is necessary for the continuation of Township government to fill the Township Trustee position created by Mr. Beson's resignation, and
WHEREAS, the term of office to which Mr. Beson was elected expires Dec. 312004
NOW, THEREFORE, BE IT RESOLVED that pursuant to statute, Township Ordinance and practice, the Township Board hereby appoints <u>James Davison</u> , as Trustee of the Township of Kawkawlin, to fulfill the term to which Mr. Beson was elected, that term expiring <u>November 202004</u> . The appointee's term of service will begin immediately upon approval of this resolution.
Yeas: Klass , McNally , DeLorge , Arnold,
Nay: None
Absent: None
I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township of Kawkawlin, County of Bay, State of Michigan at a regular meeting held on Jan. 27, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by the Act.

RESOLUTION FOR ADOPTION RECREATION PLAN

WHEREAS, the Board of Trustees of Kawkawlin Township has undertaken a Parks and Recreation Plan in co-operation with Beaver, Portsmouth, Frakenlust and the County of Bay which desribes the physical features, existing recreation facilities and the desire action to be taken to improve and maintain recreation facilities during the period between 2003 and 2008, and

WHEREAS, a public comment session was held February 10, 2003 at the Kawkawlin Township Offices to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan, and

WHEREAS, the Board of Comissioners of Bay County has developed the plan for the benefit of the entire community and to adopt the plan as a document to assist in meeting the recreation needs of the community, and

WHEREAS, after the public hearing, the Board of Trustees of Kawkawlin Township voted to adopt said Recreation Plan.

NOW, THEREFORE BE IT RESOLVED the Board of Trustees of Kawkawlin Township Board hereby adopts the Bay County Board of Commissioners Recreation Plan.

The above resolution was offered by Arnold/McNally.

Yes: Klass, McNally, Davison, DeLorge, Arnold.. Nay: None. Carried.

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregoin is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Regular Meeting held on the 10th day of February, 2003.

Michael E. Arnold, Clerk Kawkawlin Township

Michael Carula

KAWKAWLIN TOWNSHIP BAY COUNTY, MICHIGAN

Resolution 2003-003

TELECOMMUNICATIONS RIGHT-OF-WAY

WHEREAS, the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of Public Acts of 2002 ("Metro Act") provides regulations governing the issuance of permits by Kawkawlin Township ("Township") to telecommunication providers for their access to and ongoing use of the public rights-of-way within the Township; and

WHEREAS, telecommunication providers using or seeking to use the public rights-of-way within the Township for their telecommunication facilities are required by the Metro Act to obtain a permit from the Township and pay all required fees; and

WHEREAS, the Metro Act generally requires telecommunication providers to pay the Metropolitan Extension Telecommunications Right-of-Way Oversight Authority ("Authority") an annual fee; and

WHEREAS, the annual fees collected by the Authority are to be distributed to cities, villages and townships with the Township receiving from the Authority its share as allocated under the Metro Act; and

WHEREAS, the Township must comply with the Metro Act in order to be eligible to receive its allocated share of the annual fees collected by the Authority.

NOW, THEREFORE BE IT RESOLVED

- 1. The Township has been in compliance with the Metro Act from its inception on November 1, 2002 and will continue to comply with the Metro Act.
- 2. The Township, pursuant to the Metro Act, modifies any and all fees applicable to telecommunication providers use of the public rights-of-way to require such telecommunication providers to pay only those fees required under Section 8 of the Metro Act; reserving any rights the Township may have to fees due for the period ending October 31, 2002. If Section 8 is found to be invalid or unconstitutional this modification of fees is void from the date of modification.
- 3. The Township shall not hold a cable television operator in default or seek any remedy for failure to satisfy an obligation, if any, to pay after November 1, 2002, a franchise fee or other similar fee on that portion of gross revenues from charges the cable operator received for cable modem services provided through broadband Internet transport access services while reserving any right the Township may have to such fees due for the period ending October 31, 2002.
- 4. The Township Clerk is directed to send a copy of this Resolution to all Telecommunication providers using the public rights-of-way within the Township.

5. All Resolutions or portions of Resolutions in conflict herewith are hereby repealed.

The above resolution was offered by Davison/DeLorge.

Yes: Klass, McNally, Davison, DeLorge. Nay: None. Carried. Absent: Arnold.

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregone is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Regular Meeting held on the 14th day April 2003

KAWKAWLIN TOWNSHIP BAY COUNTY, MICHIGAN

Resolution 2003-004

Beaver Road Area Water Association

BE IT RESOLVED, that at this time Kawkawlin Township will only accept the obligation of operating and maintaining what is at the present time known as the Beaver Road Area Water Association on a segregated basis, and

That the group of approximately 300 customers would be known as Kawkawlin Township Water System No. 2,

We do not think that we could merge a thirty plus year old system with the rest of the Township system and subsidize that portion with general fund money or with funds generated from the rest of the Township system, and

Bay County Department of Water and Sewer can keep a separate account of the Beaver Road System and have their own rates. If extensive repairs are needed, those rates will be adjusted accordingly. Any Tap fees generated can also be credited to that account so that when those old mains need replacing there will be sufficient funds on hand for replacement, and

There certainly should be a sum of existing funds that accompany this trasfer for more immediate needs such as meter or volve replacement or repairs or any additional fire hydrant installation or repairs that are needed.

The exception to this group of customers should be those that were tapped to Township installed mains from 1998 construction and later and were metered by the Beaver Road Area Water system. These customers would be located along Seven Mile, Schmidt, and Eight Mile roads and should be added to the regular Kawkawlin Township register.

The above resolution was offered by Klass/Arnold.

Yes: McNally, DeLorge, Arnold, Klass. No: None. Absent: Davison. Carried.

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregone is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a regular meeting held on the 23rd day of June 2003.

Michael E. Arnold, Clerk Kawkawlin Township

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KAWKAWLIN TOWNSHIP BAY COUNTY, MICHIGAN

Resolution 2003-005

FORMATION OF THE KAWKAWLIN RIVER AQUATIC WEEDS TREATMENT COMMITTEE

The following Preamble and Resolution was offered by Mewell and supported by Divise
WHEREAS, The Kawkawlin Township Board has received petitions from property owners along the Kawkawlin River requesting that a special assessment district be created for the purpose of treating aquatic weeds: and
WHEREAS, the Kawkawlin Township Board initiated the Special Assessment process on October 27, 2003: and
WHEREAS, The Kawkawlin River runs through a number of communities including Kawkawlin, Bangor and Monitor Townships: and
WHEREAS, The Kawkawlin Township Board understands for any aquatic weed treatment strategy to be successful, the largest portion of the Kawkawlin River must be treated: and
WHEREAS, the Kawkawlin Township Board desires to work with Bangor Township and Monitor Township, and Kawkawlin River property owners to successfully implement this project;
THEREFORE, BE IT RESOLVED, that the Kawkawlin Township Board approves the creation of an ad-hoc committee for the purpose of strategy creation, oversight, and collaboration regarding the treatment of aquatic weeds in the Kawkawlin River.
FURTHERMORE, BE IT RESOLVED, this committee will be known as the Kawkawlin River Aquation Weeds Treatment Committee and will consist of representatives of Kawkawlin, Bangor and Monitor Townships including property representatives to be appointed by the Kawkawlin River Property Owners Association. Yes: McCally, Javeser, Joseph, Carell, Klass No:
I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregone is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a regular meeting held on the//-24-03_

Michael Flowertel

TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN

Resolution 2004-001

INTENT TO CREATE A SPECIAL ASSESSMENT DISTRICT TO FINANCE THE TREATMENT OF AQUATIC WEEDS IN THE KAWKAWLIN RIVER, AND TO HOLD PUBLIC HEARINGS REGARDING THE SAME PURSUANT TO PUBLIC ACT 188 OF 1954

The following Preamble and Resolution was offered by Davison and supported by McNally.

WHEREAS, The Kawkawlin Township Board has received petitions from 63% of the property owners along the Kawkawlin River requesting that a special assessment district be created for the purpose of treating aquatic weeds: and

WHEREAS, the Kawkawlin Township Board initiated the Special Assessment process on October 27, 2003: and

WHEREAS, The Township Board has a plan prepared for the aquatic treatment improvemnts and has received an estimate of cost thereof for the treatment of the Kawkawlin River; and

WHEREAS, the Township Board desires to proceed further with the said improvement to and for the Kawkawlin River.

NOW THEREFORE BE IT RESOLVED that the aquatic treatment improvement plan and the estimate of cost there-of shall be filed with the Township Cler, and be made available for public examination.

BE IT FURTHER RESOLVED that the Townshiip Board tentatively declares its intention to make the improvement described generally as aquatic treatment of the Kawkawlin River.

BE IT FURTHER RESOLVED that the Kawkawlin Township Board does hereby declare its intent to create a Special Assessment District including the land specificall benefited by such improvements, and which land is tentatively descirbed as parcels of land located adjacent to the Kawkawlin River in the Township of Kawkawlin, Bay County, Michigan as follows:

09-080-036-300-085-00,	09-080-036-300-120-00,	09-080-036-300-125-00,
09-080-036-300-135-00,	09-080-036-300-180-00,	09-080-036-300-175-00,
09-080-036-300-170-00,	09-080-036-300-165-00,	09-080-036-300-160-00,
09-080-036-300-155-00,	09-080-036-300-150-00,	09-080-036-300-145-00,
09-080-036-400-200-00,	09-080-036-400-205-00,	09-080-036-400-210-00,
09-080-036-400-215-00,	09-080-036-400-220-01,	09-080-036-400-220-00,
09-080-036-400-235-00,	09-080-036-400-240-00,	09-080-036-400-245-01,
09-080-036-400-250-02,	09-080-036-400-255-00,	09-080-036-400-260-00,
09-080-036-400-265-00,	09-080-036-400-275-01,	09-080-036-400-275-03,
09-080-036-400-275-04,	09-080-036-400-275-02,	09-080-036-400-275-00,
09-080-036-400-280-00.	09-080-036-400-285-00	·

BE IT FURTHER RESOLVED that the initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing and legal expenses, in review and approval of this assessment.

BE IT FURTHER RESOLVED that a public hearing on any objections to the Petitions, to the improvements, the estimate of costs, and to the Special assessment District proposed to be established for the assessment of the cost of such improvements, shall be held on **March 1, 2004**; at a regular meeting of the Township Board at the Kawkawlin Township Administration building at 1836 E. Parish Rd. Kawkawlin, Michigan, commencing at 7:00 p.m.

BE IT FURTHER RESOLVED that in the event that the Township Board should adopt a Resolution Creating Special Assessment District for the Treatment of Aquatic Weeds in the Kawkawlin River After Public Hearing, the Board shall proceed to convene a second public hearing to consider the final approval of the Special Assessment Roll at the meeting to be held March 22, 2004.

BE IT FURTHER RESOLVED that the Clerk be instructed to give notice of such hearings to be published twice prior to said hearing in the Bay City Democrat, a newspaper circulating in the Township, the first publication to be at least ten (10) days before the time of the hearing, and shall further cause notice of said hearing to be mailed by first class mail to all owners of property in the special assessment district at least ten (10) full days before the date of such hearing in accordance with Act 188 of 1954.

Yes: McNally, Davison, DeLorge, Arnold, Klass.

No: None. Absent: None. Resolution Adopted.

Michael Elvuda

I, Michael E. Arnold, Kawkawlin Township Clerk, do hereby certify that the foregone is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a regular meeting held on the February 9, 2004.

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

20

The following resolution was offered by	Morke	supported by	Melall	7
---	-------	--------------	--------	---

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2004, the salary of the township Supervisor shall be as follows: \$20,568.00.

Yes:_	Klass	Medally	Devisin	Dedame -	
No:_) Nov	les'		

Michael E. Arnold, Clerk Kawkawlin Township Covery

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Supported by Supported by

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

carrie

BE IT RESOLVED, that as of April 1, 2004, the salary of the township Clerk shall be as follows: \$20,568.00.

Yes: Whold,	Klass.	Merrely	Daveson,	Deluge
/	'	P	,	l

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by supported by

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2004, the salary of the township Treasurer shall be as follows: \$20,568.00.

Yes: Durin,	De duge.	anufle,	Klass.	Mersell	1
No:	<i>f</i>		, , , ,		()

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by supported by supported by BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the

BE IT RESOLVED, that as of April 1, 2004, the salary of the township Trustee shall be as follows: \$3,366.00.

Yes: De Jurgo	Civila	Klass.	Me Ble	, Dovison
No:	()	')		

Michael E. Arnold, Clerk Kawkawlin Township

township board.

RESOLUTION 2004-006

At regular meeting of the Kawkawlin Township Board of Trustees on March 8, 2004.

Offered by Arnold supported by Davison to direct the Supervisor to prepare the assessment roll for the Special Assessment District for treatment of aquatic weeds in the Kawkawlin River to be known as Special Assessment District No. RW.

Yes: Davison, DeLorge, Arnold, McNally. No: None. Absent: Klass.

Adopted.

Michael E. Arnold, Clerk

Muhaeltunt

Kawkawlin Township

RESOLUTION OF APPROVAL

At the regular meeting of the Kawkawlin Township Board of Trustees held on March 8, 2004

The following resolution was offered by McNally supported by Davison

To expend \$659.00 from the operating and maintenance fund at the Bay County Department of Water and Sewer for evaluation of water supply options.

Yes: Arnold, McNally, Davison, DeLorge. No: None. Absent: Klass

Makeel & Courtel

State of Michigan County of Bay

CLERK'S CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Kawkawlin Township Board at a regualr meeting held on March 8, 2004.

At a regular meeting of the Kawkawlin Township Board of Trustees, on March 8, 2004 the following preamble and resolution was offered by McNally supported by Davison:

WHEREAS, Kawkawlin Township is grateful for the service performed by Beaver Road Area Water Association (hereafter referred to as BRAWA) as to Operation and Maintenance of certain water mains installed by the Township of Kawkawlin, and

WHEREAS, the people living on Fraser road from Seidlers road north to a point of 5280 Feet will now be served by Kawkawlin Township, and

WHEREAS, this would reduce the confusion on the part of residents who apply for water and determining where to send the people for the meter fee by the Township office personnel

THEREFORE BE IT RESOLVED, that the residents in this area will be the prevailing water rates of Kawkawlin Township and will **NOT** pay the debt fee until the year 2029 or as such time a replacement line may be installed.

Muchael & anto

Upon a roll call vote the following voted Aye: McNally, Davison, DeLorge, Arnold.

Nay: None. Absent: Klass

Adopted March 8, 2004

attest by:

Michael E. Arnold, Clerk 1836 E. Parish Rd. Kawkawlin Township

Public Act 188 of 1954 Proceedings

Kawkawlin Township
1836 E. Parish Rd.
Kawkawlin, MI 48631
Bay County Michigan
Special Assessment District No. RW Proceedings
Excerpts of Minutes of Special Meeting of the Township Board Held at the Kawkawlin Township Hall on March 15, 2003

Present: DeLorge, Arnold, Davison.

Absent: Klass, McNally

The supervisor stated that the next order of business was the consideration of the assessment roll for Special Assessment District No. RW which had been prepared by the supervisor and the assessing officer of the township in accordance with resolution of the township board adopted March 8, 2004, and had been noticed for public hearing for this date.

The township clerk reported that notices of the hearing on said assessment roll had been given by publication in the *Bay City Democrat Press*, *Inc.*, on February 12th and February 19th, 2004, and by First Class Mail to each property owner of record as shown on the assessment rolls of the township within the Special Assessment district on February 13th, 2004. Affidavits of such publication and mailing were presented and order filed as a part of the meeting.

At the request of the supervisor, the clerk presented a proposed assessment roll which had been previously filed with him assessing a portion of the cost of the project on a per parcel basis and all persons present were invited to inpect the same and make comments with respect thereto. A summary of the comments was made. (See Attached). No one was present for this hearing and since there had been only two parties that attended the previous meeting with one of them appearing only to find out how things worked. The other party did voice objections to the project based on the fact there was low water in the river.

After everyone present had been given the opportunity to be heard concerning the assessment roll and the board had full considered the same and all comments made in connection therewith, the following Preamble and Resolution were offered by Davison and supported by DeLorge for adoption by the board.

PREAMBLE AND RESOLUTION

RE: Special Assessment Roll for Special Assessment District No. RW

WHEREAS, the township board of the Township of Kawkawlin, Bay County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the supervisor and assessing officer of the township for the purpose of defraying a portion of the cost of operation and maintenance proposed withing the Special Assessment District as shown on the plans and specification for such project.

Kawkawlin Township
Bay County Michigan
Resolution 2004-009 (continued)

AND WHEREAS, such public hearing was preceded by a proper notice in the Bay City Democrat Press, Inc., a newspaper of general circulation in the township, and by First Class Mail notice to each property owner of record within said district and upon said assessemtn roll;

AND WHEREAS, comments were received from those present at such public hearing concerning said assessment roll and opportunity to all present to be heard in the matter;

AND WHEREAS, no written objections were received to said roll and levy;

AND WHEREAS, the oral comments received indicated the reasonableness of the assessment roll:

AND WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing;

AND WHEREAS, it is the opinion of the township board that no further time should be granted for the consideration of the matter because of the time constraints concerning the operation for treatment aquatic weeds in the Kawkawlin River in Kawkawlin Township;

AND WHEREAS, the township board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll to be correct, just and reasonable;

NOW THEREFORE IT BE RESOLVED AS FOLLOWS:

- 1. The assessment roll submitted by the supervisor and the assessing officer of the township shall hereafter be designated as Special Assessment District for Treatment of Aquatic Weeds in the Kawkawlin River and shall hereby be confirmed as the assessment roll for Special Assessment Distric RW.
- 2. The assessments in said Kawkawlin Township Special Assessment Roll No. RW shall be spread over a three year period, Year 1 = \$160.02, Year 2 = \$158.42, Year 3 = 163.04 beginning December 2004.
- 3. The assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk sall deliver said special assessment roll to said treasurer with his warrant attached, commanding the treasurer to collect such assessments in accordance with the direction of the township board and said Public Act 188.
- 4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Upon roll call vote on the adoption of this resolution 2004-009.

Kawkawlin Township Resolution 2004-009 (continued)

Yes: Davison, DeLorge, Arnold.

No: None.

Absent: Klass, McNally

Adopted March 15, 2004

attest by:

Michael E. Arnold, Clerk 1836 E. Parish Rd. Kawkawlin Township

At a regular meeting of the Kawkawlin Township Board of Trustees, on 3/12, 2004 the following
· · · · · · · · · · · · · · · · · · ·
preamble and resolution was offered by
To expend up to \$10,000.00 from the operating and maintence fund at the Bay County Department of
Water and Sewer for video taping and Bond Counsel for the projected sewer along M-13 for a distance of
52800 feet north from the present sewer system.
· · · · · · · · · · · · · · · · · · ·
Upon a roll call vote the following voted Aye: Llaw, Mexally, Davour, De Longe, and
Nay: Nay:
Absent: None
Adopted 3/2/, 2004
attest by:
Muhael & amble

Michael E. Arnold, Clerk 1836 E. Parish Rd. Kawkawlin Township

At a regular meeting of the Kawkawlin Township Board of Trustees, on My 27, 2004 the following preamble and resolution was offered by Even supported by Even supported by

REQUEST FOR GENERAL PERMIT FOR BEACH GROOMING

WHEREAS, a local unit of government may apply to the Michigan Dearptment of Environmental Quality on behalf of Saginaw Bay frontage property owners within its jurisdiction for a general permit to mow, or remove vegetation in the area between the ordinary high-water mark and the water's edge without having to obtain individual permits under the authority of MCL 324.30312 and MCL 324.32512a;

WHEREAS, the president of Save Our Shoreline, an association of Saginaw Bay frontage property owners, has asked the Township to apply for such a general permit in order to obtain the need for Township bay frontage property owners to obtain individual permits; and,

WHEREAS, the Board of Trustees of the Township of Kawkawlin is willing to help Township Saginaw Bay frontage property owners by obtaining a general permit so that they can engage in lawful activities within the area between the ordinary high-water mark and the water's edge without having to obtain individual permits.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Township of Kawkawlin requests the Michigan Department of Environmental Quality to issue a general permit to allow Saginaw Bay Frontage property owners within Kawkawlin Township to mow, groom or to remove vegetation within the area between the ordinary high-water mark and the water's edge without having to obtain individual permits;

AND BE IT FURTHER RESOLVED that the Township Supervisor is directed to apply to the Michigan Department of Environmental Quality for such a general permit at his earliest convenience by utilizing the appropriate application procedure.

All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Upon a roll call vote the following voted Yes: avell, Davison.

attest by:

Mky 24, 2004
Michael & Curtel, Clerk

Authorizing Resolution No. 2004-012.

The Kawkawlin Township Board By:

WHEREAS: The Kawkawlin Township Board agrees to submit an Economic

Development Infrastructure Project grant application in conjunction

with Fraser Township to the Michigan Economic Development

Corporation (MEDC) in the amount of \$530,000 for a Sanitary Sewer Collection System along M-13 from Jose Road to Almeda Beach

Road, and

WHEREAS: Bay View Foods and Williams Cheese, two large manufacturing

> facilities have stated the need to expand their operations and will add jobs to the community when the sanitary sewer collection system is

built.

THEREFORE BE IT

That Kawkawlin Township recognizes the Kawkawlin Township RESOLVED:

> Supervisor as the Certifying Officer for MEDC application purposes. and the sanitary sewer leading to new job growth is consistent with the

goals of the Community Development plan, and

RESOLVED: that at least 51% of those who benefit from the project will be low and

moderate income persons; and

RESOLVED: that local funds and any other funds to be invested in the project have

> not yet been expended and will not be expended prior to a formal grant award, completion of the environmental review procedures, and formal, written authorization to incur costs is received from MEDC's

Community Services; and

Therefore, be it Resolved:

The Kawkawlin Township Board authorizes the submittal of the Michigan Community Development Block Grant Application to MEDC, and agrees to be co-applicant with Fraser Township, and authorizes the Kawkawlin Township Supervisor (as Certifying Officer) to sign the necessary application forms related grant documents.

yes: arwell, Klais, Me Welly, Davison, Deboye No: None, adopted: Michael & and Cherk. 6-28-04

At a regular meeting of the Kawkawlin Township Board of Trustees on June 14, 2004, the following resolution was offered by Davison/DeLorge.

WHEREAS, there is grave concern among the residents about the discharge of fire-arms and the partying at the east end of River road east of M-13

THEREFORE, That the Township Supervisor is directed set up a meeting with the DNR for Public in-put regarding the proposed parking area at the end of River road east of M-13.

On a roll call vote the following people voted:

Yes: Arnold, Klass, McNally, Davison, DeLorge.

No. None.

Adopted: June 14, 2004

At a regular meeting of the Kawkawlin Township Board of Trustees on August 23, 2004, the following resolution was offered by Arnold/McNally.

WHEREAS, That the township board has explored by public form the advisability of creating a special assessment district for the support of the Kawkawlin Township Fire Department operations, and

WHEREAS, The board having determined that at this time in the governance of the township it is more feasible to seek financial support of the Fire Department Operations through a millage vote, and

WHEREAS, The board is of the opinion that one mill (\$1.00 per \$1,000.00 of taxable value) is necessary to equip, operate, and maintain the Township Fire Department.

NOW, THEREFORE, BE IT RESOLVED, That the attached ballot proposal seeking one mil for four consecutive years, for an amount approximately \$130,000.00 per year, be and hereby is adopted by the Kawkawlin Township board for presentation to the Bay County Clerk for inclusion on the November 2004 General Election ballot.

A copy of this resolution, the Township board minutes of the meeting in which it was considered, a record of the vote on the resolution, and the ballot proposal will immediately be forwarded to the County Clerk.

On a roll call vote the following people voted:

Yes: Klass, McNally, Davison, DeLorge, Arnold.

No. None.

Adopted: August 23, 2004

Ro√DeLorge, Supervisor

Michael E. Arnold, Clerk

has Could

At a regular meeting of the Kawkawlin Township Board of Trustees on September 13, 2004, the following resolution was offered by Davison/DeLorge.

WHEREAS, That the township board has received numerous complaints in regard to the discharge of fire-arms at the end of River and Schmidt roads east of M-13, and

WHEREAS, There is concern for the safety of the people and their homes,

NOW, THEREFORE, BE IT RESOLVED, That the MI DNR close that area east of M-13 between River and Schmidt roads to fire-arms hunting on State land.

A copy of this resolution, the Township board minutes of the meeting in which it was considered, a record of the vote on the resolution, be sent to the State Representative's office.

On a roll call vote the following people voted:

Yes: Klass, McNally, Davison, DeLorge, Arnold.

No. None.

Adopted: September 13, 2004

Roy DeLorge, Supervisor

At a regular meeting of the Kawkawlin Township Board of Trustees on December 13, 2004, the following resolution was offered by Arnold/Davison.

WHEREAS, the Kawkawlin Township board wishes to apply to the Secretary of State for a grant to purchase an optical scan voting system and related Election Management System (EMS) software to comply with the Help America Vote Act (HAVA).

WHEREAS, the Kawkawlin Township board has chosen to submit a grant application for a new optical scan voting system in 2005.

NOW, THEREFORE, BE IT RESOLVED that the Kawkawlin Township clerk is authorized to submit this grant application on behalf of Kawkawlin Township, Bay County on this 13th day of December, 2005.

On a roll call vote the following people voted:

Yes: Klass, McNally, Davison, DeLorge, Arnold. No. None.

Adopted: December 13, 2004

At a regular meeting of the Kawkawlin Township Board of Trustees on January 24, 2005, 2004, the following resolution was offered by Arnold/Davison.

WHEREAS, the Bay County Recreation Department of Bay County has undertaken a Parks and Recreation Plan Amendment which describes changes to the Five Year Parks and Recreation Plan originally adopted 2003 and indicates actions to be taken to improve and maintain recreation facilities during the same five year period, and

WHEREAS, a public comment session was held January 24, 2005 at the Kawkawlin Administration office to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan Amendment, and

NOW, THEREFORE, BE IT RESOLVED that the Kawkawlin Township Board hereby adopts the Bay County Parks and Recreation Department Recreation Plan Amendment

On a roll call vote the following people voted:

Yes: Klass, McNally, Davison, DeLorge, Arnold.

No. None.

Adopted: January 24, 2005

Roy DeLorge, Supervisor

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offer	ered by WR	supported by	Jew 2	Evisor
_	-) 	_

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2005, the salary of the township Supervisor shall be as follows: \$21,185.00.

Yes: Pavison, Die Torge, amoth, Llass, Me No	ell	Mexa	Llass.	anoth,	De lovge	s: Devison,	Yes:
No. 1 Mars 0 -		— —	, , , , , , , , , , , , , , , , , , ,	/	ne	. //	No:

Michael E. Arnold, Clerk Kawkawlin Township

more

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by	me Milliand supported by	In Dovison

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2005, the salary of the township Clerk shall be as follows: \$21,185.00.

Yes:	Lorge, anoth, Klass,	Mevally,	Darrisex,
No:	None	/	_

Michael E. Arnold, Clerk Kawkawlin Township

Carried

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by supported by supp
BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold
an annual meeting, the salary for officers composing the township board shall be determined by the township board.
township board.
BE IT RESOLVED, that as of April 1, 2005, the salary of the township Clerk shall be as follows: \$21,185.00.
Yes: avadd, Klass, McNally, Davrour, De Lorge No:

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by When supported by Luy We Linge

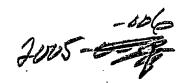
BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2004, the salary of the township Trustee shall be as follows: \$3,467.00.

Yes:_	Klass,	Mersely,	Davison,	De Torger,	anutel
No:_	,	Nr	cen	/ ′	,

Michael E. Arnold, Clerk Kawkawlin Township

Carried



RESOLUTION OF THE TOWNSHIP BOARD OF THE TOWNSHIP OF KAWKAWLIN, MICHIGAN

Minutes of a meeting of the Township Board of the Township of Kawkawlin, Michigan, held in said Township on the 11th day of April, 2005 at 7:00 o'clock p.m. Eastern Daylight Time.

	•	·		
	PRESENT: MEMBERS:	Davison, DeLorge, Arnold, Klass		
	ABSENT: MEMBERS:	McNally		
Davis		and resolutions were offered by Member		
		at 3:30 o'clock p.m. Eastern Daylight time, was set as r the purchase of \$940,000 General Obligation Limited '); and		
were 1	WHEREAS, the bids set for received; and	th on Exhibit A attached hereto and made a part hereo		
produ	WHEREAS, the bid of Ch	nemical Bank & Trust Co. was determined to e Township of Kawkawlin.		
	NOW, THEREFORE, be it	resolved that:		
	1. The bid of Chemic	cal Bank & Trust Co. (set forth on Exhibit A) is		

- hereby accepted.
- Checks from all unsuccessful bidders which have not been returned to each 2. bidder's representative or by registered mail shall immediately be returned to such unsuccessful bidders by registered mail or by personal delivery to such bidder's representative.
- All orders, resolutions and parts of resolutions insofar as they conflict with 3. this Resolution be and the same hereby are rescinded.

AYES:	MEMBERS: AR	rold, KLASS, DAME	Sind Monge
NAYES:	MEMBERS:	NONE	
•		· · · · · · · · · · · · · · · · · · ·	<u> </u>

RESOLUTION DECLARED ADOPTED.

Township Clerk, Township of Kawkawlin

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Township of Kawkawlin, Michigan, at a regular meeting held on April 11, 2005, 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, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Township Clerk, Township of Kawkawlin

Dated: April 11, 2005

1064430.01

2005-008

At the April 11, 2005, Township Supervisor DeLorge appointed a committee consisting of Trustee's McNally and Davison to review the charges for the rental of the Township Board room and in addition a recommendation on using the Township hall for benefits. The following is the recommendation of the committee for Township Board approval.

Rental of Board Room

The Township Office was built for the residents of the Township to do Township business during regular office hours. With information that may be confidential or personal it is the feeling of the committee that the Township Office should not be used for functions except for recreation signup. If a request for meeting or training is made the event will be held in the Bar Room of the Township Hall at the present fee's. A formal request must be made to the Township Board 30 days prior to the event with the deposit paid in advance.

Use of Township Hall for Benefits

After discussing with other townships, we could not find any township that allowed the use of the township halls for free gratis. It is the committee's opinion that all <u>benefits</u> be charged the Hall Rental fee's for <u>Sunday thru Thursday</u> (\$470 plus \$100 deposit, no security charge, but pay for cleanup) for Township residents only. All non-resident <u>benefits</u> will pay the <u>Hall Rental fee's for Saturday</u>. The agreement with the Township Board and the Kawkawlin Fire Department for use of the hall twice per year with no rental fees will remain in effect.

offered by Davison/Merally. Carriedapprid 4-25-05 Kawkawlin Township Hall

Hall Rental for Sunday thru Thursday

Complete Hall-----\$470.00 plus \$100.00 deposit no security but clean up Auditorium------\$325.00 plus \$100.00 deposit no security but clean up

Bar Room-----\$125.00 plus \$100.00 deposit + \$40.00 cleanup

Kitchen with any of the above: Warm-up---\$30.00 Cooking----\$50.00

Hall Rental for Saturday Party

Total for Hall-----\$890.00 720

Included (2) day rental Friday and Saturday: Security Guards, cleanup, and damage deposit. Will be returned if no damage or missing items.

Deposit-----\$150.00

Balance to be paid 30 days before the party.

Funeral (Resident)-----\$50.00 plus \$100.00 deposit

Funeral(Non-Resident)-----\$100.00 plus \$100.00 deposit 50th Anniversary (Resident)-----\$80.00 clean up \$100.00 deposit

Outdoor Pavilion, Picnic Tables, Ball Diamonds, and Tennis Courts are free.

BUT MUST BE SCHEDULED!

Clean up: Remove your personal belongings, clean tables off and trash to be hauled to the dumpster. Kitchen pots and pans and top of stoves must also be cleaned.

Effective 12-01-2002

(\$10,000,000 Small Issuer) RESOLUTION OF GOVERNING BODY

(Non-Escrow)

LESSEE: KAWKAWLIN TOWNSHIP

Master Equipment Lease/Purchase Agreement dated <u>AUGUST 22, 2005</u> and Acceptance Certificate No. 1 thereto.

At a duly called meeting of the governing body of Lessee held in accordance with all applicable legal requirements, including open meeting laws, on final first 22, 2005, the following resolution was introduced and adopted.

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT AND ACCEPTANCE CERTIFICATE NO. 1. AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the governing body of <u>KAWKAWLIN TOWNSHIP</u> ("Lessee") has determined that a true and very real need exists for the equipment (the "Equipment") described in the Master Equipment Lease/Purchase Agreement and Acceptance Certificate No. <u>1</u> identified above (collectively, the "Agreement") presented to this meeting; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment, and

WHEREAS, Lessee proposes to enter into the Agreement substantially in the form presented in this meeting; and

WHEREAS, Lessee has not and reasonably anticipates that it and its subordinate entities will not issue tax-exempt obligations in the face amount of more than \$10,000,000 during the current calendar year.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

<u>Section 1</u>. It is hereby found and determined that the terms of the Agreement in the form presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Agreement is hereby approved. The SUPERVISOR of Lessee and other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Agreement with any changes, insertions and omissions therein as may be approved by the officer(s) who execute the Agreement, such approval to be conclusively evidenced by such execution and delivery of the Agreement. The TOWNSHIP CLERK of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Agreement and attest the same.

<u>Section 3</u>. The proper officer(s) of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Agreement.

Section 4. Lessee hereby designates the Agreement as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986 as amended.

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Master Equipment Lease/Purchase Agreement is the same as presented at said meeting of the governing body of Lessee.

DATE: AUGUST 22 2005

TITLE: TOWNSHIP CLERK

(SEAL)

Resolution 2005-010

At a regular meeting of the Kawkawlin Township Board of Trustees on August 22, 2005, the following resolution was offered by Arnold/DeLorge.

RESOLUTION -- ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM IN KAWKAWLIN TOWNSHIP/BAY COUNTY, MICHIGAN.

WHEREAS, the Kawkawlin Township Board of Trustees does hereby find as follows:

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organization structures, interoperable communications, consolidated actions plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disaster;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the Township's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes,

WHEREAS, the Incident Command System components of NIMS are already an integral part of various township incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW, THEREFORE, BE IT RESOLVED by the Kawkawlin Township Board of Trustees of Bay County Michigan, that the National Incident Management System (NIMS) is established as the Kawkawlin Township standard for incident management.

Adopted: August 22, 2005

Roy DeLorge, Supervisor

Michael E. Arnold, Clerk

OCTOBER 10, 2005

Whereas: The Bay Area Storm Water Authority (BASWA) has been formed under

Michigan Public Act 233 of 1955 for the purpose of working

cooperatively to improve storm water quality, and

Whereas: BASWA is operating in compliance with NPDES Phase II Storm Water

requirements as administered by the Michigan Department of

Environmental Quality, and

Whereas; The originally established membership of BASWA includes; Bay County,

The Bay County Road Commission, the City of Essexville and the

Townships of Bangor, Frankenlust, Monitor, Fraser, Kawkawlin, Hampton

and Portsmouth, and

Whereas: The Authority believes it would be beneficial for the Authority to accept

the City of Bay City into its membership, and

Whereas: The Authority has agreed to changes in the Articles of Incorporation for

BASWA as part of an agreement to include the City of Bay City into its

membership; Now there Be it,

Resolved: That Kawkawlin Township hereby approves the attached Restated Articles

of Incorporation for the Bay Area Storm Water Authority as presented.

RESTATED ARTICLES OF INCORPORATION

OF

BAY AREA STORM WATER AUTHORITY

Prepared by:

CLINE CLOSE DYER & GAMBRELL PLC By: Daniel J. Cline (P33128) 4604 N. Saginaw Road, Suite C Midland, Michigan 48640 (989) 832-1770

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RESTATED ARTICLES OF INCORPORATION

of .

BAY AREA STORM WATER AUTHORITY

These Articles of Incorporation (the "Articles") are adopted by the incorporating municipalities for the purpose of creating an authority under the provisions of Act No. 233, Michigan Public Acts of 1955, as amended, MCLA 124.281 et seq. (the "Enabling Act"). If, for any reason the authority created by these Articles of Incorporation is found not to be created under the provisions of the Enabling Act, then this authority shall be deemed to be a voluntary association of municipalities created for the purposes stated under Article III below and to which all of its member municipalities shall have the rights and obligations created by becoming a member.

ARTICLE I

<u>Name</u>

The name of the Authority is "Bay Area Storm Water Authority" ("Authority"). The registered office of the Authority shall be located at 515 Center Avenue, Ste 601, Bay City, MI 48708-5127, or at such other future location or locations as designated by the Authority's Board of Trustees (the "Board"), from time to time.

ARTICLE II

Member Municipalities

The municipal corporations creating this Authority are as follows:

Bangor Charter Township
Bay County Road Commission
Bay County
City of Bay City
City of Essexville
Frankenlust Township
Fraser Township
Kawkawlin Township
Hampton Charter Township
Monitor Charter Township
Portsmouth Charter Township

all of which are hereby designated as the Incorporating Municipalities. The Incorporating Municipalities, together with new Member Municipalities which are admitted under Article XX, shall constitute the "Member Municipalities" or "Members".

ARTICLE III

Purpose

The purpose of the Authority is to provide its Member Municipalities with assistance in maintaining compliance with the laws and regulations of the United States and the State of Michigan which pertain to the regulation of storm water discharges, including by way of illustration, but not exclusion, the following:

- 1. Compliance with the Phase II Storm Water Regulations published by the United States Environmental Protection Agency in the Federal Register on December 8, 1999, as amended from time to time;
- 2. Provide public education and outreach regarding the impacts of polluted storm water runoff discharges;
- 3. Provide public participation and involvement in the implementation and development of storm water discharge permits and programs;
- 4. Assist member municipalities in the detection and elimination of illicit discharges of storm water;
- 5. Establish uniform standards, rules, regulations, policies, and procedures for erosion and sediment control, all in accordance with the Enabling Act.

ARTICLE IV

Powers

The Authority shall be a body corporate with power to sue or to be sued in any court of this state. It shall be comprised of the territory lying within the corporate boundaries of its Member Municipalities. It shall possess only those powers set forth in the Enabling Act which are necessary to carry out the purposes of its incorporation, and those incident thereto. The enumeration of any powers in these Articles or in the Enabling Act shall not be construed as a limitation upon its general powers unless the context shall clearly indicate otherwise. Provided, the Authority shall not have the power or authority to issue bonds.

ARTICLE V.

Corporate Seal

The Authority may have a corporate seal in a form approved by the Board of Trustees.

ARTICLE VI

Existence

The Authority shall continue in existence perpetually or until dissolved by a vote of two thirds (2/3) of the Members or by law. The Authority shall not, however, be dissolved if such dissolution would or could operate as an impairment of any contracts of the Authority.

ARTICLE VII

Board. Trustees. Term of Office. Officers. Removal

A. Board Membership. The governing body of the Authority shall be the Board of Trustees ("Board"). Each Member Municipality shall appoint one voting representative ("Trustee") for the term stated in subparagraph B below. Each Trustee shall have one vote on the Board.

B. Term of Office. Members of the first Board shall be appointed within thirty days after these Articles become effective, and their terms shall be staggered and expire on December 31 of the years as follows:

Member Municipality	Year of Expiration	
Bangor Charter Township	2005	
Bay County Road Commission	2006	
Bay County	2007	
City of Bay City	2008	
City of Essexville	2005	
Frankenlust Township	2006	
Fraser Township	2007	
Kawkawlin Township	2008	
Hampton Charter Township	2005	
Monitor Charter Township	2006	
Portsmouth Charter Township	2007	

Following the initial term of office, the term of each Trustee appointed by a Member Municipality shall be for a term of four (4) years and shall commence on January 1 immediately following the expiration of the term of the Trustee appointed by such Member Municipality.

C. Alternate Trustee. Each Member Municipality shall also appoint an alternate Trustee for a term commensurate with the term of that Member Municipality's primary Trustee. An alternate Trustee may attend meetings of the Board but may vote only in the absence of the Trustee appointed by the alternate's respective Member Municipality.

- **D. Oath and Compensation.** Each Trustee and alternate Trustee shall file an oath of office with the Clerk of the Member Municipality from which the Trustee is appointed. Trustees and alternate Trustees shall serve without compensation, but the Board may by majority vote of its total membership authorize payment of actual expenses incurred by any Trustee in connection with the business of the Authority.
- **E. Selection of Officers.** The members of the first Board shall qualify by filing their oaths of office and shall meet for the purpose of organization within forty-five days after the effective date of these Articles. At its first organizational meeting, and thereafter annually at a regular meeting held in the last month of each fiscal year, the Board shall select a Chair and Vice Chair, who shall be members of the Board, and a Secretary and a Treasurer who may, but need not, be members of the Board. The offices of Secretary and Treasurer may, but need not, be combined and held by one person. Such officers shall serve until their respective successors shall be selected and qualified. Failure to hold meetings or appoint or select Trustees or officers as herein provided shall not render invalid any action taken by the Board or its officers. No appointment of any Trustee or election of any officer, and no action taken at any meeting shall be invalid because it did not occur within or at the time specified in these Articles or the Bylaws.
- F. Removal and Resignation of Trustee. A Trustee or alternate Trustee may be removed at any time by the Member Municipality which appointed the Trustee. Any officer of the Board may be removed as an officer at any time by majority vote of the total membership of the Board. A Trustee may resign by providing written notice to the Chair and Secretary of such resignation. An officer other than the Chair may resign from an office by providing written notice to the Chair of such resignation. The Chair may resign by providing written notice to the Secretary.

ARTICLE VIII Vacancy on Board of Trustees

In the event of a vacancy on the Board, the legislative body of the Member Municipality which appointed the Trustee or alternate Trustee whose position has become vacant shall fill the vacancy for the unexpired term. In the event of a vacancy in an office of the Board, such vacancy shall be filled by the Board for the unexpired term. In case of the temporary absence or disability of any officer, the Board may appoint some person temporarily to act in the officer's place except that in the event of the temporary absence or disability of the Chair, the Vice-Chair shall so act.

ARTICLE IX.

Meetings and Bylaws

A. Regular and Special Meetings. All meetings of the Board shall be held in compliance with the Open Meetings Act, Act 267 of 1976, MCL 15.261 et seq., as amended. All meetings of the Board shall be held in a place available to the general public and public notice of meetings of the Board shall be posted in accordance with the requirements of the Open Meetings Act. Regular meetings of the Board shall be held at such time and place as determined by the Board. Special meetings of the Board may be called by the Chair or one-third of the total

Trustees, by posting written notice of the date, time, and place of the meeting at the Authority's principal office at least 18 hours prior to the meeting.

- **B. Quorum.** At least a majority of the members of the Board shall be required to constitute a quorum. The Board shall act by motion, resolution, or regulation. All actions of the Board, except as otherwise provided elsewhere in these Articles of Incorporation, shall be by affirmative vote of a majority of the members of the Board.
- C. Bylaws. The Board shall have the right from time to time to adopt and amend Bylaws governing the Board's procedure. The Bylaws shall not conflict with the terms of any statute, the Enabling Act, or with these Articles. The Board shall keep a journal of its proceedings, which shall be signed by the Secretary. All votes shall be "Yeas" and "Nays." Each Trustee in attendance shall be required to vote upon all matters unless the Trustee shall be disqualified because of a conflict of interest.

ARTICLE X

Duties of Officers, Annual Budgets, Committees, and Depository

- A. Chair and Vice Chair. The Chair of the Board shall be the presiding officer thereof. In the absence or disability of the Chair, the Vice Chair shall perform the duties of the Chair.
- **B. Secretary.** The Secretary shall be the recording officer of the Board, and shall keep and maintain books, records, and accounts of the Authority's business and affairs and shall keep minutes of the meetings of the Board.
- C. Treasurer. The Treasurer shall be custodian of the funds of the Authority and shall file a bond conditioned upon the faithful performance of the duties of the office of Treasurer. The cost of the bond shall be paid by the Authority.

The officers of the Board shall have such other powers and duties as maybe conferred upon them by the Board, and as provided in the Bylaws.

D. Budget. The Board shall, at least 45 days prior to the end of each fiscal year, prepare, adopt and file with the legislative bodies of the Member Municipalities, an annual budget for the next fiscal year covering the proposed expenditures to be made for the organization and operation of the Authority. The annual budget shall comply with all applicable laws, rules and regulations. The formula which is used for the apportionment of operational costs shall be reviewed annually by the Board. The annual budget shall set forth the necessary funds required from each Member Municipality for the next fiscal year.

Administrative costs related to the operation of the Authority shall be shared equally by each of its members. Costs related to the Illicit Discharge Elimination Program ("IDEP") shall be solely borne by the member responsible for the IDEP in its jurisdiction.

All other costs related to activities defined in Article III (Purpose), except the IDEP, and that are undertaken by the Authority shall be assessed to each member on the basis of direct benefit to the member's jurisdiction.

The Authority shall not assess any individual member more than twenty-five percent (25%) of the cost of any activity defined in Article III, except the IDEP, that the Authority undertakes unless the member otherwise responsible for those costs agrees in writing to pay the costs greater than 25% of the total cost of the activity.

- E. Committees. The Board, by resolution adopted by a majority of the total number of Trustees, may from time to time designate from among its members an executive committee and such other committees, and alternate members thereof, as they deem desirable, each consisting of three (3) or more members, with such powers and authority (to the extent permitted by law and the Articles of the Authority) as may be provided by such resolution. Each such committee shall serve at the pleasure of the Board. At all meetings of a committee, the presence of a majority of the members of the committee shall be necessary to constitute a quorum for the transaction of business, except as otherwise provided in said resolution or by these By-Laws. All committee meetings shall be held in compliance with the Open Meetings Act.
- F. Banking. All monies of the Authority shall be deposited in a bank or banks, to be designated by the Board, and all checks or other forms of withdrawals therefrom in any amount shall be signed by such officer or officers of the Board as shall be designated in the Bylaws or by resolution of the Board.

ARTICLE XI

Power to Acquire, Hold and Dispose of Property

The Authority shall have the authority to acquire, hold, and dispose of real and personal property in the exercise of its powers and the performance of its duties under the Enabling Act.

ARTICLE XII

Power to Execute Contracts

The Authority may individually, or jointly with member municipalities, enter into contracts as authorized and provided in the Enabling Act.

ARTICLE XIII

Hiring of Employees

The Board shall have power to secure all necessary services and to hire all necessary employees to carry out the functions of the Authority and to fix the compensation therefore.

ARTICLE XIV

Indemnification of Trustees and Officers

The Authority may indemnify and defend any Trustee or officer against claims for injuries to persons or to property to the extent allowed by law, including, without limitation, MCL 691.1408. The Authority may defend any Trustee or officer against a criminal action to the extent allowed by law, including, without limitation, MCL 691.1408.

ARTICLE XV

Annual Audit

The Authority shall cause an annual audit to be made of its financial transactions by an independent certified public accountant and shall furnish at least five copies thereof to each Member Municipality.

ARTICLE XVI

Publication and Filing of Articles

The Articles or any amendments thereto, shall be published once in the Bay City Democrat & Bay County Legal News, a newspaper having general circulation within the territorial limits of the Authority. One printed copy of the Articles, certified with the date and place of publication, shall be filed with both the Michigan Secretary of State and the Clerk of the County of Bay within thirty (30) days after the execution thereof has been completed. The Secretary of the Authority is hereby designated as the person to cause the Articles to be published, certified, and filed. If the Secretary is unable to act or neglects to act, then a person designated by the Board, shall perform these duties.

ARTICLE XVII

Effective Date of Authority

The Authority shall become effective upon execution of these articles by all Incorporating Municipalities and completion of all procedures provided in Article XV. The effective date of subsequent amendments to these Articles of Incorporation shall be the date of filing of certified copies and publication of the Amendment as provided in Article XV.

ARTICLE XVIII

Amendments

Amendments may be made to the Articles of Incorporation if adopted by the legislative body of each Member Municipality. Any such amendment shall be indorsed, published, and certified printed copies filed, in the same manner as the original Articles of Incorporation, except

that the printed copies shall be certified and filed by the Secretary of the Board.

ARTICLE XIX

New Member Municipalities

Any municipality (as defined in Act 255 of 1955) may become a Member Municipality by amendment to the Articles of Incorporation adopted by the legislative body of such municipality and by the legislative body of each Member Municipality. Any such amendment shall be indorsed, published, and certified printed copies filed, in the same manner as the original Articles of Incorporation, except that the printed copies shall be certified and filed by the Secretary of the Board. The new member municipality shall appoint a trustee and alternate trustee, whose initial term shall be determined by the Board.

ARTICLE XX

Withdrawal

A Member Municipality may withdraw from the Authority at any time by filing with the Chair or Secretary of the Authority a resolution of withdrawal approved by its legislative body. However, such municipality will not be relieved of any contractual obligations assumed by the Municipality as the result of its membership in the Authority, including but not limited to its pledge of full faith and credit for the payment of any obligation.

ARTICLE XXI

Captions and Bylines

The captions and bylines used in these Articles are for the convenience of reference only and in no way define, limit, or describe the scope or intent of these Articles.

CERTIFICATION OF ADOPTION

Kawkawlin Township Bay County, Michigan

Supervisor

Clerk

Resolution 2006-001

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Dayeson supported by Klass

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2006 the salary of the township Supervisor shall be as follows 21,821.00.

Yes:_	Arnola	absent,	Klass,	McNally,	Dayison	Delorge
	None				,	
110	IVUNE					

Recorded by: Grey Petrimoulx Deputy Clark

Resolution 2006-002

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Makelly supported by Delong -.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2006 the salary of the township Clerk shall be as follows 21,821.00.

Yes:	Klass, Mc Nally,	Davison, Delonge	Arrola	absent
		,,	•	
No:_	None			

Recorded by: Greg Petrimoulx Depute Clerk

Resolution <u>2006-00</u>3

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Davison supported by Mc Nally

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2006 the salary of the township Treasurer shall be as follows 21, 821.00.

Yes:_	Mc Nally,	Dayison,	Delorge	Klass.	Arnold	absent	
	-	•	, ,				
No:_	None			·			

Recorded by: Greg Petrimoulx Deputy Clerk

Resolution 2006-004

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Oslove supported by Klass .
BE IT RESOLVED , that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.
BE IT RESOLVED, that as of April 1, 2006 the salary of the township Trus 1 ee shall be as follows 7, 142.
Yes: Davison, Delorge, Klass, McNally, Arnold absent

Recorded by: Greg Petrimouix Deputy Cleak

MARCH 13, 2006

At a regular meeting of the Kawkawlin Township Board of Trustees on March 13, 2006, adopted the following policy:

CIVIL RIGHTS POLICY/RESOLUTION

General Public Policy

It is hereby declared to be contrary to the public policy of Kawkawlin Township (grantee) for any persons to be discriminated against in employment, housing, or participation in publicly funded programs because of race, religion, national origin, color, sex, marital status, age, or handicap.

Employment

The opportunity to obtain employment without discrimination because of race, religion, national origin, color, sex, marital status, age, or handicap is hereby recognized and declared to be a civil right. Further, it shall be contrary to the public policy of Kawkawlin Township (grantee) for any employer to discriminate in hire, promotion, tenure, terms or conditions of employment because of race, religion, national origin, color, sex, marital status, age, or handicap.

Housing

The opportunity to purchase lease, sell, hold, use, and convey housing without discrimination because of race, religion, national origin, color, sex, marital status, age, or handicap is hereby recognized and declared to be a civil right.

Publicly Funded Programs

The opportunity to participate in federal, state, and locally funded programs without discrimination because of race, religion, national origin, color, sex, marital status, age, or handicap is hereby recognized and declared to be a civil right.

Dated March 15, 2006

Kawkawlin Township Retaining Local Control of Cable Franchising

WHEREAS, it is the mission of Kawkawlin Township, Bay County, Michigan to preserve and protect the rights of all its citizens;

WHEREAS, the existing federal and local cable franchising rules have resulted in \$100 billion investment in advanced telecommunications services nationwide and formed the basis for a national policy of broadband (high-speed internet);

WHEREAS, Kawkawlin Township strongly supports the provisions contained within the federal 1984 Cable Act including the anti-discrimination sections that have ensured against a 19th century world of digital "haves and have-nots" and ensured that Americans of all incomes, races and backgrounds can have equal access to television and broadband service as the information and communication that it provides becomes more essential in our daily lives;

WHEREAS, the current federal cable law has been effective in ensuring robust build-out of broadband networks and in protecting against cherry-picking of communities, and should be applied to both existing cable providers and new entrants into the cable marketplace;

WHEREAS, some telecommunications companies that now seek to enter the cable marketplace are attempting to gain a competitive advantage through federal and state preemption of local authority and are seeking to undermine the anti-discrimination and build-out requirements that have been a bipartisan cornerstone of our telecommunications laws for decades;

WHEREAS, these telecommunications companies are attempting to label their service as "video service" to bypass traditional cable laws and regulations, and have encouraged the introduction of legislation in Congress and in various states to attempt to circumvent federal and local regulations;

WHEREAS, in Michigan, legislation has been introduced in the House of Representatives, **HB 5895**, and in the Senate, **SB 1157**, that would strip away local cable franchising authority and hand control over to the State of Michigan (secretary of state);

WHEREAS, Kawkawlin Township strongly supports competition for telephone, broadband and video services, and recognizes that competition for such services is growing rapidly and encourages that these new competitive services are available to all its citizens;

WHEREAS, new entrants into the video marketplace face no unreasonable barriers to entry as federal law expressly provides that cable franchises not be exclusive and that local governments have franchised numerous second cable providers throughout the country;

WHEREAS, excluding local elected officials from the franchise process as some telecommunications carriers and **HB** 5895 and **SB** 1157 suggests would be harmful to the citizens of Kawkawlin Township who use local franchise rules to ensure that cable services are provided to everyone, that service territory appropriately covers key areas for economic development and public safety and other community needs are met;

WHEREAS, **HB** 5895 and **SB** 1157 does not permit a build-out requirement which will allow companies entering the cable market to cherry-pick high-value residents only, leaving low-value residents without service;

WHEREAS, Kawkawlin Township agrees that government policies should not determine winners and losers in the marketplace and thus the rules governing local franchises, including rules regarding build-out of networks, should apply to all cable providers equally;

WHEREAS, **HB** 5895 and **SB** 1157 would drastically limit or abolish the important role of local government franchising and weaken the non-discrimination provisions of the 1984 Cable Act that protects the interests of all citizens and promotes competition.

NOW, THEREFORE, BE IT RESOLVED that Kawkawlin Township, Bay County, Michigan, strongly urges the Michigan Legislature to reject legislative proposals such as **HB 5895** and **SB 1157** that abolish the role of local government franchising and the ability of local governments to protect all citizens, that do not allow for build-out requirements, and that ensure that non-discrimination provisions of the 1984 Cable Act are met and promote competition for all its citizens;

BE IT RESOLVED, Kawkawlin Township, Bay County, Michigan supports legislation which promotes competition in broadband and cable services for everyone, recognizes and preserves local community needs, preserves local control over franchising, prohibits redlining and other discriminatory practices, and ensures that any new entrants into the cable market abide by the same standards that current cable, broadband or multi-channel video providers live by.

The above Resolution was adopted at a Regular Meeting of the Kawkawlin Township Board of Trustees on MALCH 27, 2006.

Muhuel Comold

The following voted yes: <u>DAVISON</u>, <u>DELORGE</u>, <u>ARNOLA</u>, <u>KLASS</u>, <u>MENALLY</u>
The following voted no: <u>NONE</u>

Attested to by: Michael E. Arnold, Clerk.

April 11, 2006

At a regular meeting of the Kawkawlin Township Board of Trustèes on April 10, 2006, adopted the following:

HAVA GRANT

WHEREAS, the Kawkawlin Township board wishes to apply to the Secretary of State for a grant to purchase an optical scan voting system and related Election Management System (EMS) software to comply with the Help America Vote Act (HAVA).

WHEREAS, the Kawkawlin Township board has chosen to submit a grant application for a new optical scan voting system in 2006.

NOW, THEREFORE, BE IT RESOLVED that the Kawkawlin Township clerk is authorized to submit this grant application on behalf of Kawkawlin Township, Bay County, on this 10th day of April, 2006.

The foregoing resolution offered by Davison.

Second offered by Arnold.

Voting Yes: McNally, Davison, DeLorge, Arnold, Klass.

Voting No: None

Supervisor DeLorge declared resolution adopted.

Township Clerk:

Michael E. Arnold

MEETING OF THE BOARD OF TRUSTEES OF

KAWKAWLIN TOWNSHIP GROUP PENSION PLAN

A regular meeting of the Board of Trustees of <u>KAWKAWLIN TOWNSHIP</u>, <u>Bay County</u>, State of <u>MICHIGAN</u> held on My 8, 2006, the following was offered by Davison/McNally:

NOW THEREFORE BE IT RESOLVED, to adopt an amendment to increase the maximum voluntary contribution permitted under the terms of the Plan, effective January 1, 2005, from 10% to 20%.

Yes: Klass, McNally, Davison, DeLorge, Arnold.

Michael Cando

No: None.

Resolution adopted.

Michael E. Arnold, Clerk

MEETING OF THE BOARD OF TRUSTEES OF

HAVA GRANT

A regular meeting of the Board of Trustees of <u>KAWKAWLIN TOWNSHIP</u>, <u>Bay County</u>, State of <u>MICHIGAN</u> held on July 10, 2006, the following was offered by Davison/DeLorge:

WHEREAS, the Kawkawlin Township board wishes to apply to the Secretary of State for a grant to purchase optical scan voting equipment and/or software to comply with the Help America Vote Act (HAVA).

WHEREAS, the Kawkawlin Township board has chosen to submit a grant application for new optical scan voting equipment.

NOW, THEREFORE, BE IT RESOLVED that the Kawkawlin Township Clerk is authorized to submit this grant application on behalf of Kawkawlin Township, Bay County on this day of July 2006.

Roll call vote—Yes: Klass, McNally, Davison, DeLorge, Arnold. No: None.

The Supervisor declared the resolution adopted.

what Enel

Roy DeLorge

Township Clerk:

Michael E. Arnold

Sleved by: Durson/Medelly KAWKAWLIN TOWNSHIP

2006-009

RESOLUTION

REQUIRING TAP FEE FOR M-13 LOW PRESSURE SEWER SYSTEM

WHEREAS, the Township of Kawkawlin has installed, owns, and operates a Low Pressure Sewer System along M-13, certain portions of Kawkawlin Township, and approximately five (5) miles into Fraser Township, Bay County, MI;

WHEREAS, proper management of that system, in cooperation with the Bay County Department of Water and Sewer, requires establishment of a tap fee for those residents of Kawkawlin Township and Fraser Township seeking to use the Low Pressure Sewer System;

WHEREAS, the public must be informed as to rates established for the tap fee, and the fact rates may from time to time be changed by Kawkawlin Township.

NOW, THEREFORE, BE IT RESOLVED that effective upon adoption of this Resolution, a property owner who wants to connect to the Low Pressure Sewer System must pay to the Township of Kawkawlin the sum of Two Thousand Four Hundred Dollars (\$2,400), or such other amount as established by the Kawkawlin Township Board of Trustees, as a tap fee prior to connection of the property owner's property to the system.

IT IS FURTHER RESOLVED that if tap fee rates change, such changes must be adopted by the Kawkawlin Township Board at a regularly scheduled Kawkawlin Board meeting. Notice of changes will be sent to the Fraser Township Board.

Trustees voting in favor of the R	esolution. <u>Kla</u>	ss, Medally, Davison,
Trustees voting not in favor of the	ne Resolution	One
	; 1	
Absent. Ver	ce	· · · · · · · · · · · · · · · · · · ·
DATED: July 24, 2006		MICHAEL ARNOLD, Clerk Township of Kawkawlin
:	: · · · ·	ROY DELONGE Supervisor

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township of Kawkawlin, County of Bay, State of Michigan at a regular meeting held on July ______, 2006, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by the Act.

MICHAEL ARNOLD, Clerk

KAWKAWLIN TOWNSHIP

RESOLUTION

#2006-010

REQUIRING TAP FEE FOR M-13 LOW PRESSURE SEWER SYSTEM

WHEREAS, the Township of Kawkawlin has installed, owns, and operates a Low Pressure Sewer System along M-13, certain portions of Kawkawlin Township, and approximately five (5) miles into Fraser Township, Bay County, MI;

WHEREAS, proper management of that system, in cooperation with the Bay County Department of Water and Sewer, requires establishment of a tap fee to offset construction costs related to installation of new sewer leads for those residents of Kawkawlin Township and Fraser Township seeking to use the Low Pressure Sewer System;

WHEREAS, the public must be informed as to rates established for the tap fee, and the fact rates may from time to time be changed by Kawkawlin Township.

NOW, THEREFORE, BE IT RESOLVED that effective upon adoption of this Resolution, a property owner who wants to connect to the Low Pressure Sewer System must pay to the Township of Kawkawlin the sum of Two Thousand Four Hundred Dollars (\$2,400), or such other amount as established by the Kawkawlin Township Board of Trustees, as a tap fee prior to connection of the property owner's property to the system.

IT IS FURTHER RESOLVED that if tap fee rates change, such changes must be adopted by the Kawkawlin Township Board at a regularly scheduled Kawkawlin Board meeting. Notice of changes will be sent to the Fraser Township Board.

Trustees voting in favor of the Resolution. Men	Vally, Davison, Deturge,
Trustees voting not in favor of the Resolution.	None_
Absent. Nove	
Aug 14 DATED: July , 2006	MICHAEL ARNOLD, Clerk Township of Kawkawlin ROYDELORGE, Supervisor

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township of Kawkawlin, County of Bay, State of Michigan at a regular meeting held on July _____, 2006, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by the Act.

MICHAEL ARNOLD, Clerk

The following resolution was offered by Davison/McNally at a regular meeting of the Kawkawlin Township Board of Trustees on August 28, 2006.

RESOLUTION 2006-011

RESOLUTION OPPOSING THE "STOP OVERSPENDING" BALLOT PROPOSAL

RESOLUTION #2006-011

WHEREAS, the so-called "Stop OverSpending" SOS proposal would amend the Michigan Constitution to put into place rigid revenue and spending limits at the state and local levels of government, and;

WHEREAS, This proposed Constitutional Amendment would dramatically limit the ability of local and state government to provide services such as public safety, education, health care, and other vital services that ensure a high quality of life for all Michigan citizens, as well as provide infrastructure such as roads, sewer and water, necessary to create and retain jobs, and;

WHEREAS, the proposal is similar to a Colorado initiative that was adopted in 1992, and recently suspended by voters in that state because it crippled essential services at all levels of government, and;

WHEREAS, due to state budget cuts, state funding to local communities in Michigan has already been reduced by \$1.5 billion the last four years, leading to numerous cuts in services including the loss of over 1,500 police officers in Michigan since September 11, 2001, and;

WHEREAS, the SOS proposal would require township- or county-wide votes on projects that may impact only one small area within those jurisdictions and would create delays in critical economic development projects by requiring votes on public construction projects that would be founded out of existing revenues, and;

WHEREAS, passage of the SOS proposal will cause unnecessary litigation, hinder the ability of local elected leaders to act in times of crisis and unpredictable circumstances, and greatly increase local spending on elections, and require voters to become knowledgeable on a broad array of new ballot proposals, the majority of which will have no direct impact on the voter, and;

WHEREAS, such a proposal undermines our system of representative democracy and would require local and state officials to avoid responsibility for making the tough decisions they are elected to make on behalf of the community they serve, now;

THEREFORE BE IT RESOLVED, that the Township of Kawkawlin joins the Michigan Townships Association in opposing the "Stop OverSpending" ballot proposal.

ADOPTED this 28th day of August 2006

The following resolution was offered by Davison/DeLorge at a regular meeting of the Kawkawlin Township Board of Trustees on September 25, 2006.

RESOLUTION 2006-012

SPEED LIMITS ON LINWOOD ROAD EAST OF M-13

KAWKAWLIN TOWNSHIP IS REQUESTING THAT THE SPPED LIMITS FOR LINWOOD ROAD EAST OF M-13 BE AS FOLLOWS:

FROM M-13 EAST TO KAISER TOWER 45 mph

FROM KAISER TOWER TO ELEVATOR 25 mph

FROM ELEVATOR EAST TO THE BAY 45 mph

Yes: Davison, DeLorge, Arnold, Klass, McNally.

No: None.

ADOPTED this 28th day of August 2006

Millacl E Conde

Michael E. Arnold, Clerk Kawkawlin Township

TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN

Resolution 2006-015

RESOLUTION CREATING AND REAFFIRMING SPECIAL ASSESSMENT ROLL FOR THE TREATMENT OF OF AQUATIC WEEDS IN THE KAWKAWLIN RIVER

WHEREAS, on or about October 27, 2003, the Township Clerk received verified petitions requesting the creation of special assessment district for the treatment of aquatic weeds in the Kawkawlin River signed by the owners of sixty-three percent (63%) of the property located within the proposed Special Assessment District; and

WHEREAS, pursuant to notice as required by Act 188 of 1954, and subsequent to the closing of a public hearing, the Township Board did adopt a Resolution Creating Special Assessment District, but that this Resolution (2004-001) failed to state a term for the special assessment district's existence contrary to Section 5(d) of Act 188 of 1954 (MCLA pp41.721); and

WHEREAS, on March 15th, 2004, subsequent to the closing of the public hearing, the Township Board did adopt a Resolution Confirming Special Assessment Roll for the Treatment of Aquatic Weeds in the Kawkawlin River (2004-009); and

WHEREAS, pursuant to the Resolutions adopted pursuant to notice the special assessment has been levied for three (3) years; and

WHEREAS, on or about June 15th, 2006, the Township Clerk received a written request from the President and from the Director of the Kawkawlin River Watershed Property Owners Association requesting that the special assessment be extended for an additional five (5) year period, and

WHEREAS, upon receipt of the request for an extension of the special assessment, it was found that the original Resolution was deficient for it's failure to provide a term for the special assessment district's existence, and that in accordance with Section 13 of Act 188 of 1954, any extension of this special assessment should revert back to the point of the adoption of a new Resolution Creating The District and adopt a Resolution which sets an eight (8) year term; and

WHEREAS, pursuant to the notice as required by Public Act 188, on November 13, 2006, subsequent to the closing of public hearing, the Township Board did adopt a Resolution Creating and Reaffirming the Prior Creation Of A Special Assessment District to Finance the Treatment of Aquatic Weeds in the Kawkawlin River, a copy of which may be examined at the Kawkawlin Township Clerk's Office during regular business hours, which Resolution established the District for an eight (8) year period, thus

effectively extending the existence of the district previously created by an additional five (5) year period.

WHEREAS, the Supervisor has prepared a revised special assessment roll of all parcels to be included in the special assessment district and filed said roll with the Clerk, and

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 27th day of November, 2006 at 7:00 p.m. to review the roll and to hear any objections to said roll; and

WHEREAS, no written objections to the roll having been filed with the Clerk;

NOW THEREFORE BE IT RESOLVED, that the special assessment roll as prepared by the Supervisor as it relates to the treatment of aquatic weeds in the Kawkawlin River, for the additional five (5) year period, is hereby confirmed.

NOW THEREFORE BE IT RESOLVED, that the Township shall recoup its out-of-pocket expenses including professional fees, publication and recording expenses associated with, and directly attributable to, the creation and the confirmation of the creation, of the special assessment district.

NOW THEREFORE BE IT RESOLVED, that the total assessment be set at \$96.00 per parcel for the first year, and thereafter until modified by this Board and that this assessment shall be spread on a per lot/parcel basis over land specifically benefited by such improvements, and which land is located adjacent to the Kawkawlin River in the Township of Kawkawlin, Bay County, Michigan as follows:

09-080-036-300-085-00	09-080-036-300-125-00	09-080-036-300-135-00
09-080-036-300-180-00	09-080-036-300-175-00	09-080-036-300-170-00
09-080-036-300-165-00	09-080-036-300-160-00	09-080-036-300-155-00
09-080-036-300-150-00	09-080-036-300-145-00	09-080-036-400-200-00
09-080-036-400-205-00	09-080-036-400-210-00	09-080-036-400-215-00
09-080-036-400-220-02	09-080-036-400-220-03	09-080-036-400-235-00
09-080-036-400-240-00	09-080-036-400-245-01	09-080-036-400-250-02
09-080-036-400-255-00	09-080-036-400-260-00	09-080-036-400-265-00
09-080-036-400-275-01	09-080-036-400-275-03	09-080-036-400-275-04
09-080-036-400-275-02	09-080-036-400-275-00	09-080-036-400-280-00
09-080-036-400-285-00	09-080-036-400-220-01	

IT IS FURTHER RESOLVED that the Clerk shall endorse the assessment roll with the date of the confirmation.

The above resolution was offered by	anold Deverine
On a roll call vote the following peop	A
Yes: and, Klass, W	10 Welly, Davison, De Tirge
No: Mo-	ee .
Adopted: Nov. 21, 2006	,
	Mislad Could
Koydelorge	Michael Could
Roy DeLorge, Supervisor	Michael E. Arnold, Clerk

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RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on February 12, 2007,

The following resolution was offered by Arnold supported by Davison.

Michael & and

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2007 the annual salary of the township Supervisor shall be as follows \$22,475.63.

Yes: Davison, DeLorge, Arnold, Klass.

No: None.

Absent: McNally

Recorded by: Michael E. Arnold, Clerk

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on February 12, 2007,

The following resolution was offered by Davison supported by Arnold.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2007 the annual salary of the township Clerk shall be as follows \$22,475.63.

Yes: DeLorge, Arnold, Klass, Davison.

No: None.

Absent: McNally

Recorded by: Michael E. Arnold, Clerk

Michael Elemila

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on Feb 12, 2007,

The following resolution was offered by Davison supported by DeLorge.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2007 the annual salary of the township Treasurer shall be as follows \$22,475.63.

Yes: Arnold, Klass, Davison, DeLorge.

No: None.

Absent: McNally

Recorded by: Michael E. Arnold, Clerk

Muchael Elanto

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on February 12, 2007,

The following resolution was offered by Arnold supported by DeLorge.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2007 the annual salary of the township Trustee shall be as follows \$3,678 per year person.

Yes: Klass, Davison, DeLorge, Arnold.

No: None.

Absent: McNally

Recorded by: Michael E. Arnold, Clerk

Michael Eanth

At a regular meeting of the Kawkawlin Township Board of Trustees on March 12, 2007, the following resolution was offered by Davison/Arnold.

RESOLUTION – AMENDING RESOLUTION 2005-008 REGARDING RENTAL OF TOWNSHIP HALL FOR BENEFITS

Use of Township Hall for Benefits

After discussing with other townships, we could not find any township that allowed the use of the township halls for free gratis. It is the committee's opinion that all <u>benefits</u> be charged the Hall Rental fee's for <u>Sunday thru Thursday</u> (\$470.00 plus \$100.00 deposit, no security charge, but pay for cleanup) for Township residents only. All non-resident <u>benefits</u> will pay the Hall Rental fee's for Saturday. Any township group with Township Board approval of up to 4 months can use the hall with no rental fees.

Adopted: March 12, 2007

Roy DeLorge, Supervisor

Michael E. Arnold, Clerk

Water rate Charges

At a Special meeting of the Kawkawlin Township Board of Trustees, the following resolution was offered by Davison and supported by DeLorge:

Whereas, the City of Bay City has increased the wholesale cost of water by \$.20 per ccf (hundred cubic feet) and

Whereas, the cost of service has been determined to be \$9.89 per quarterly bill, and

THEREFORE BE IT RESOLVED that the Kawkawlin Township Board of Trustees authorizes the increase in the water rate for the Kawkawlin Water System to cover said expenses to be changed from the present \$2.86/ccf to \$3.06/ccf and the service charge from the current \$5.66 to \$9.89 per quarter effective the third billing quarter of 2007.

YEAS: DeLorge, Arnold, Klass, McNally, Davison

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

TOWNSHIP CLERK'S CERTIFICATION

State of Michigan) County of Bay)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Kawkawlin Township Board of Trustees at a Special meeting on the 16th day of July 2007

Michael E. Arnold, Clerk

Michael Eauth

Kawkawlin Township

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on February 11, 2008,

The following resolution was offered by Petrimoulx supported by Davison.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2008 the annual salary of the township Supervisor shall be as follows \$23,040.

Yes: Petrimoulx, Klass, McNally, Davison, DeLorge.

No: None.

Recorded by: Gregory A. Petrimoulx, Clerk

Gregory a Peterset

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on February 11, 2008,

The following resolution was offered by Petrimoulx supported by McNally.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2008 the annual salary of the township Clerk shall be as follows \$23,040.

Yes: Klass, McNally, Davison, DeLorge, Petrimoulx.

No: None.

Recorded by: Gregory A. Petrimoulx, Clerk

Gray a Petinic

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on Feb 11, 2008.

The following resolution was offered by Petrimoulx supported by Davison.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2008 the annual salary of the township Treasurer shall be as follows \$23,040.

Yes: McNally, Davison, DeLorge, Petrimoulx, Klass.

No: None.

Recorded by: Gregory A. Petrimoulx, Clerk

Drug of attimes

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

At a regular meeting held on February 11, 2008.

The following resolution was offered by Petrimoulx supported by Klass.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2008 the annual salary of the township Trustee shall be as follows \$3,770 per year/Trustee

Yes: Davison, DeLorge, Petrimoulx, Klass, McNally.

No: None.

Recorded by: Gregory A. Petrimoulx, Clerk

Lugar a Permer

KAWKAWLIN TOWNSHIP

2008-05

RESOLUTION AMENDING RESOLUTION NO. 2006-010 REQUIRING TAP FEE FOR M-13 LOW PRESSURE SEWER SYSTEM

WHEREAS, the Township of Kawkawlin has installed, owns, and operates a Low Pressure Sewer System along M-13, certain portions of Kawkawlin Township, and approximately five (5) miles into Fraser Township, Bay County, MI;

WHEREAS, proper management of that system, in cooperation with the Bay County Department of Water and Sewer, requires establishment of a tap fee to offset construction costs related to installation of new sewer loads for those residents of Kawkawlin Township and Fraser Township seeking to use the Low Pressure Sewer System.

WHEREAS, the public must be informed as to rates established for the tap fee, and the fact rates may from time to time be changed by Kawkawlin Township.

WHEREAS, the public must be informed as to the entity to which fees must be paid.

NOW, THEREFORE, BE IT RESOLVED that effective upon adoption of this Resolution, a property owner who wants to connect to the Low Pressure Sewer System in either Fraser or Kawkawlin Township must pay to the Bay County Department of Water and Sewer the sum of Two Thousand Four Hundred and No/100 (\$2,400.00) Dollars or such other amount as established by the Kawkawlin Township Board of Trustees, the Fraser Township Board of Trustees, or required by the Bay County Department of Water and Sewer, as a tap fee prior to connection of the property owner's property to the system.

IT IS FURTHER RESOLVED that if tap fee rates change, such changes must be adopted by the Kawkawlin Township Board at a regularly scheduled Kawkawlin Board meeting. Notice of changes will be sent to the Fraser Township Board and to the Bay County Department of Water and Sewer.

Sewer.	
Adopted at regular meeting Septe	
Trustees voting in favor of the Resolution	on. Klass, McNally, Davison
Petrimoulx	
Trustees voting not in favor of the Resolu	ution. None
•	
Absent: <u>De Lorge</u>	Drug on a Petinself GREGORY A. PETRIMOULX, Clerk
	Kawkawlin Township
•	\mathcal{I} , \mathcal{I}

ROY DÉLORGE, Supervisor Township of Kawkawlin

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by McNally.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2009 the salary of the township Supervisor shall be as follows \$23,500.

Yes: Bragiel, Petrimoulx, Klass, McNally, Hetherington

No: None

Recorded by: Gregory A. Petrimoulx, Clerk

Drugory attitude

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2009 the salary of the township Clerk shall be as follows \$23,500.

Yes: Petrimoulx, Klass, McNally, Hetherington, Bragiel.

No: None

Recorded by: Gregory A. Petrimoulx, Clerk

Longon a Petrule

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Bragiel.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2009 the salary of the township Treasurer shall be as follows \$23,500.

Yes: Klass, McNally, Hetherington, Bragiel, Petrimoulx.

No: None

Recorded by: Gregory A. Petrimoulx, Clerk

Gracy a Pitrum

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Klass.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2009 the salary of the township Trustee shall be as follows \$3845.

Yes: McNally, Hetherington, Bragiel, Petrimoulx, Klass.

No: None

Recorded by: Gregory A. Petrimoulx, Clerk

Dregay aPelball

At a special meeting of the Kawkawlin Township Board of Trustees on September 22, 2009, the following resolution was offered by Bragiel/Hetherington.

WHEREAS, Past actions have not followed the Township Ordinances on the issuing of Billboard Permits, and

WHEREAS, To cease any further issuing of Billboard Permits that don't follow the Township Ordinances, and

WHEREAS, To act in the best interest of all Township residents.

NOW, THEREFORE, BE IT RESOLVED, That a moratorium be placed on the issuing of any Billboard Permits in the Township until the Township has time to fully study and amend, if necessary, the current Ordinances on Billboards.

On a roll call vote the following people voted:

Yes: Bragiel, Petrimoulx, Klass, McNally, Hetherington

No: None

The Supervisor declared the resolution passed.

Lugar a Potent

I, Gregory A. Petrimoulx, Kawkawlin Township Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Kawkawlin Township Board of Trustees at a Special Meeting held on 22nd day of September, 2009. The said resolution will take effect immediately.

Gregory A. Petrimoulx, Clerk

Kawkawlin Township

2009-006

Resolution of 2009-2013 Bay County Recreation Plan

Whereas, Bay County, and fourteen local jurisdictions within Bay County including the City of Auburn, Bangor Township, Beaver Township, the City of Essexville, Frankenlust Township, Fraser Township, Gibson Township, Hampton Township, Kawkawlin Township, Merritt Township, Monitor Township, the City of Pinnconning, Portsmouth Township, and Williams Township, have undertaken a multi-jurisdictional five-year Recreation Plan which describes the physical features, existing recreational facilities, and the desired actions to be taken to improve and maintain recreational facilities during the period between 2009 and 2013 and,

WHEREAS, public input opportunities were held on March 13, 2008 at Pinconning District Library, and March 19, 2008 at Auburn Area Branch Library, and on Wednesday, March 24, 2008 at Garber High School, to provide an opportunity for citizens to share ideas, express opinions, ask questions, and discuss all aspects regarding the future of parks and recreation in Bay County and Kawkawlin Township, and,

WHEREAS, an on-line survey was also made available to the public from March 1 through May 12, 2008, and,

WHEREAS, a public meeting was held on December 16, 2008, at 4:00 P.M. at the Bay County Building to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan, and,

WHEREAS, the Kawkawlin Township Parks and Recreation Committee has recommended the adoption of the Recreation Plan, and,

WHEREAS, Bay County and Kawkawlin Township have developed the Recreation Plan for he benefit of the entire community and wish to adopt the plan as a document to assist in meeting the recreation needs of the community, and,

WHEREAS, on this day, the Kawkawlin Township Board voted to adopt said Recreation Plan.

NOW, THEREFORE BE IT RESOLVED that the Kawkawin Township Board adopts the Recreation Plan as a guideline for improving parks and recreation for the residents of Kawkawlin Township.

Yeas:	Nays:		Absent:	0
that the foregoing	is a true and original of at a Regular Meeting t	copy of a	resolution adopted	by the Kawkawlin

Gregory a Pethenell (Clerk)

Resolution of 2009-2013 Bay County Recreation Fran

Whereas, Bay County, end fourteen local jurisdictions within Bny County including the City of Authurn, Bangor Township, Beaver Township, the City of Essex, life, Frankenhast Township, Fraser Township, Gibson Township, Hampron Lownship, Kewkawite Township, Mercht Township, Monitor Township, the City of Phinceroliag, Portsmonth Township, and Williams Township, have undertaken a multi-jurisdictional five-year Recreation Plan which describes the physical features, existing recreational facilities and the desired actions to be taken to improve and maintain recreational facilities during the period between 2008 and 2013 and.

WHEREAS, public input opportunities were held on March 13, 2008 at Pinconning District Library, and March 19, 2008 at Auburn Arca Branch Labrary, and on Wednesday. March 24, 2008 at Garber High School, to pravide an operationity for citizons to share ideas, express opinions, ask questions, and discuss all aspects regarding the finure of parks and recreation in Bay County and Kaulawdir, Township, and.

WINDAS, on on-fine storce; was also made available to the pathle from March 1 through May 12, 2008, end.

WHEREAS, a public raceling was held on December (a, 2008, at 4 00 PA), at the Bay County Building to provide an opportunity for citizons to express opinions, ask questions, and discuss all aspects of the Recognion Plan, and,

WHEREAS, the isankardin Township Pariss and Recreation Committee has recommended the adoption of the Recreation Part, and,

WHIREAS, Day County and Kawkawhit Township have developed the Recreation Plan for the benefit of the order community and with to adopt the plan as a decument to assist in meeting the recreation needs of the community, and,

WHEREAS, on this day, the Kawkawlin Township Board voted to adapt seld Recreotion Plan

NOW, UNEXCOME HE IT RESOLVED that the Kowkersin Town-bir Board adopts the Recreation Plan as a guideline for improving parks and recreation for the residents of Kawkardie Township

A1.80	~ ~~~·	SAPA	Absent	0
.1	•	200	* *	•

I. C. C. C. L. II. P'a frem cu/s. Karskawije Township Clark, do barchy certify that the foregoing is a true and original copy of a resolution adopted by the Karskawija Township freund, at a Regular Meeting thereof held on January 12, 2000, at 7.00 P.M.

Graying a Pilling

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2010 the salary of the township Supervisor shall be as follows \$23,970.

Yes: Bragiel, Petrimoulx, Hetherington

No: McNally

Absent: Klass

Recorded by: Gregory A. Petrimoulx, Clerk

Gregay a Petunit

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2010 the salary of the township Clerk shall be as follows \$23,970.

Yes: Petrimoulx, Hetherington, Bragiel.

No: McNally

Absent: Klass

Recorded by: Gregory A. Petrimoulx, Clerk

Mugay a Potunce

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2010 the salary of the township Treasurer shall be as follows \$23,970.

Yes: Hetherington, Bragiel, Petrimoulx.

No: McNally

Absent: Klass

Recorded by: Gregory A. Petrimoulx, Clerk

Greger a Polimere

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2010 the salary of the township Trustee shall be as follows \$3922.

Yes: Hetherington, Bragiel, Petrimoulx.

No: McNally

Absent: Klass

Recorded by: Gregory A. Petrimoulx, Clerk

Drugay a Petunice

2011-001

RESOLUTION The Township of Kawkawlin

Whereas: The Township of Kawkawlin falls within the urbanized area of Bay County and is subject to the provisions of the Federal Clean Water Act of 1974 through the National Pollution Discharge Elimination System Phase II guidelines; and

Whereas: Under the current guidelines developed by the MDEQ. The Township of Kawkawlin has applied for and received Certificate of Coverage. As part of the application, the Township is committed to carry out a number of storm water quality improvement activities, including developing a "Storm Water Pollution Prevention Initiative" or SWPPI; and

Whereas: The "Storm Water Pollution Prevention Initiative" submitted by The Township of Kawkawlin includes a strategy to reduce harmful peak storm water flows entering the Township's storm water system; and

Whereas: The Bay County Drain Commissioner has developed standards to protect land, personal property and the inherent and prescriptive rights of the citizens served for non-residential site development; and

Whereas: The Office of the Bay County Drain Commissioner has the expertise and ability to review project <u>plans</u> to insure developments comply with post-construction control standards for peak flow management of storm water.

Therefore be it resolved that: The Township of Kawkawlin Board of Trustees formally adopts the "Storm Water Management Plan and Design Standards for Commercial, Industrial, Subdivision, Condominium and Manufactured Home Site Developments" issued by the Bay County Drain Commissioner on June 16, 2003;

Be it further resolved: All proposed non-residential, subdivision or condominium site developments within the Township are required to submit storm water management plans for the review and approval Bay County Drain Commissioner prior to approval of the Township Planning Commission.

Ayes5, Nays 0

Gregory Petrimoulx
Township Clerk

Dre of Petimes

April 11, 2011

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Bragiel supported by McNally.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2011 the salary of the township **Supervisor** shall be as follows \$23,970.

Yes: Petrimoulx, Klass, McNally, Hetherington, Bragiel

No: None

Recorded by: Many afthing

Date: 3/29/11

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by **Petrimoulx** supported by **Hetherington**.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2011 the salary of the township **Clerk** shall be as follows \$23,970.

Yes: Klass, McNally, Hetherington, Bragiel, Petrimoulx

No: None

Recorded by: My cy a Petersel

Date: $\frac{3/29/11}{}$

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Klass supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2011 the salary of the township Treasurer shall be as follows \$23,970.

Yes: Klass, Hetherington, Bragiel, Petrimoulx, Klass, McNally

No: None

Recorded by: Mayery a Potential

Date: 3/29/11

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by McNally supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2011 the salary of the township Trustee shall be as follows \$3,922.

Yes: Hetherington, Bragiel, Petrimoulx, Klass, McNally

No: None

Recorded by: Mug ey a Petrinell

Date: 3/29/11

At a regular meeting of the Kawkawlin Township Board of Trustees on October 11, 2011, the following resolution was offered by Hetherington/McNally.

BE IT RESOLVED, that the attached ballot proposal seeking renewal of one mill for four consecutive years, for an amount approximately \$140,000.00 per year, be and hereby adopted by the Kawkawlin Township Board for presentation to the Bay County Clerk for inclusion on the August 2012 Primary Election ballot.

A copy of this resolution, the Township Board minutes of the meeting in which it was considered, a record of the vote on the resolution, and the ballot proposal will be forwarded to the County Clerk.

On a roll call vote the following people voted:

Yes: Klass, McNally, Hetherington, Bragiel, Petrimoulx

No: None

Adopted: October 11, 2011

Dennis Bragiel, Supervisor

Gregory Petrimoulx, Clerk

Resolution 2011 - O g

KAWKAWLIN TOWNSHIP

RESOLUTION APPOINTING TRUSTEE

At a regular meeting of the Kawkawlin Township Board of Trustees, Bay County, Michigan, held at the Township Hall of said Township on the day of 2011 at 2011 at pm., prevailing time.
PRESENT: Dennis Bragiel, Sandra Klass, Melvin Mc Nally
ABSENT: Gregory Petrimoulx, Jack Hetherington
Supervisor
The following resolution was offered by Trustee <u>Dennis</u> <u>Bragiel</u> and supported by <u>Melvin Me Wally</u> .
WHEREAS, the Township was a participant in Bay County litigation in the cases of Kawkawlin Township v Sallmen, Bay County Circuit Court Case No. 07-3447-CE-KS and Sallmen (and Kusch) v Kawkawlin Township, Bay County Circuit Court Case No. 07-3516-AA-KS;
WHEREAS, the litigation evolved to the point that the Township no longer took an active role but the litigation was carried on by the Sallmens and Kuschs;
WHEREAS, it appears from information received by this Township

WHEREAS, it further appearing that the resolution has been reduced to the form of a Consent Judgment which will effectively resolve these differences in the Township;

Board from its attorney that matters had been resolved between the Sallmens and

Kuschs in both cases cited above;

WHEREAS, it further appearing that the participation of the Township as a consenting party to the Consent Judgment is required.

NOW, THEREFORE, BE IT RESOLVED that the Township hereby authorizes its Supervisor and Clerk to sign the Consent Judgment. Further, the Township attorney is authorized to sign the Consent Judgment.

Yeas: D. Bragiel , S. Klass , M. Mc Wally

Nay: None

Absent: G. Petrimoulx, J. Hetherington

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township of Kawkawlin, County of Bay, State of Michigan at a regular meeting held on _______, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by the Act.

Greg Pětrimoulx

Kawkawlin Township Clerk

RESOLUTION # 2011-009

Saginaw Bay Plastics Industrial Facilities Tax Abatement Application

During a regular meeting of the Township Board of the Township of Kawkawlin, Bay County, Michigan, held in the Administration Building in said Township on the 12th of December 2011, at 7:00 p.m., Prevailing Eastern Time.

PRESENT: Bragiel, Klass, McNally, Hetherington, Petrimoulx

ABSENT: None

The following Preamble and Resolution was offered by Supervisor Bragiel and seconded by Trustee Hetherington.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on November 13, 1995, the Kawkawlin Township Board by resolution established an Industrial Development District that was approved by the State of Michigan, and

WHEREAS, Saginaw Bay Plastics, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to a new equipment acquired and installed within the approved Industrial Development District, and

WHEREAS, before acting on said application, the Kawkawlin Township Board held a public hearing on December 12, 2011, at the Township Administration Building, in Kawkawlin, at 7:00 p.m. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application, and

WHEREAS, installation of new machinery and equipment had not begun earlier than six (6) months before December 5, 2011, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate, and

WHEREAS, completion of the installation of the new machinery is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the Township of Kawkawlin.

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within Kawkawlin Township, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Kawkawlin Township that:

- 1. The Kawkawlin Township Board finds and determines that granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impending the operation of Kawkawlin Township, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in Kawkawlin Township.
- 2. The application from Saginaw Bay Plastics, Inc. for an Industrial Facilities Exemption Certificate, with respect to new personal property being installed in Saginaw Bay Plastics, Inc. situated within the Industrial Development District to wit:

COM ON W ¼ COR TH S 445 FT TH S 445 FT TH E 611.72 FT TO WLY ROW OF HURON RD. TH N 17D 08M W 465.24 FT ALG ROW TO E & W ¼ LI TH W TO BEG. EX NLY 100 FT THRF SEC 36 T15N R4E.

Be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of twelve (12) years.

AYES: McNally, Petrimoulx, Klass, Hetherington, Bragiel

NAYS: None ABSENT: None

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Board of Trustees of Kawkawlin Township, County of Bay, State of Michigan, at a regular meeting held on December 12, 2011.

Gregory A. Petrimoulx, Clerk

Kawkawlin Township

TOWNSHIP OF KAWKAWLIN

RESOLUTION OF APPLICATION FOR LAYING OUT AND DESIGNATING A COUNTY DRAIN DRAINAGE DISTRICT

Whereas: A flooding problem exists within Section 36 of Kawkawlin Township in the area of South Huron and Old Kawkawlin Roads due to the excavation of the area for the construction of M-13; and

Whereas: The Michigan Department of Transportation has acknowledged some responsibility for the existing condition and has committed to funding work necessary to correct the current flooding issue; and

Whereas: The flooded area is causing a public health hazard and there is no existing county drain or drainage district for the area impacted by excess storm water.

Therefore be it resolved: The Kawkawlin Township hereby makes application to the Bay County Drain Commissioner for the layout and establishment of A drainage district within Section 36 T15N;R5Eof the Township under the provisions of Michigan Public Act 40 of 1956: and

Be it further resolved: The location, route and course of the drain will be finally determined by the Bay County Drain Commissioner:

Approved this day May 14

Dennis Bragiel

Kawkawlin Township Supervisor

Gregory Petrimoulx

Kawkawlin Township Clerk

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Bragiel supported by Petrimoulx.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2012 the salary of the township Supervisor shall be as follows \$24,450.

Yes: McNally, Hetherington, Bragiel, Petrimoulx

No: None

Absent: Klass

Recorded by: Drug on a Potential

Date: 3/12/12

Resolution 2012-003

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by **Bragiel** supported by **Petrimoulx**.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2012 the salary of the township Clerk shall be as follows \$24,450.

Yes: McNally, Hetherington, Bragiel, Petrimoulx

No: None

Absent: Klass

Recorded by: Mrz any a Pateurs

Date: 3/12/12

Resolution _2012-004

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by **Bragiel** supported by **Petrimoulx**.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2012 the salary of the township **Treasurer** shall be as follows **\$24,450**.

Yes: McNally, Hetherington, Bragiel, Petrimoulx

No: None

Absent: Klass

Recorded by: Yrigan a Potumos

Date: 3/12/12

Resolution _2012-00#5

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Bragiel supported by Petrimoulx.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2012 the salary of the township Trustee shall be as follows \$4,001.

Yes: McNally, Hetherington, Bragiel, Petrimoulx

No: None

Absent: Klass

Recorded by: My ey a Polluminos

Date: 3/12/12

RESOLUTION # 2012-006

Saginaw Bay Plastics Industrial Facilities Tax Abatement Application

During a regular meeting of the Township Board of the Township of Kawkawlin, Bay County, Michigan, held in the Administration Building in said Township on the 29th of May, 2012, at 4:00 p.m., Prevailing Eastern Time.

PRESENT: Klass, McNally, Hetherington, Bragiel, Petrimoulx

ABSENT: None

The following Preamble and Resolution was offered by Supervisor Bragiel and seconded by Trustee McNally.

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on November 13, 1995, the Kawkawlin Township Board by resolution established an Industrial Development District that was approved by the State of Michigan, and

WHEREAS, Saginaw Bay Plastics, Inc. has filed an application for an Industrial Facilities Exemption Certificate with respect to a new equipment acquired and installed within the approved Industrial Development District, and

WHEREAS, before acting on said application, the Kawkawlin Township Board held a public hearing on May 29, 2012, at the Township Administration Building, in Kawkawlin, at 4:00 p.m. at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application, and

WHEREAS, installation of new machinery and equipment had not begun earlier than six (6) months before May 16, 2012, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate, and

WHEREAS, completion of the installation of the new machinery is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the Township of Kawkawlin.

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within Kawkawlin Township, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Kawkawlin Township that:

- 1. The Kawkawlin Township Board finds and determines that granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impending the operation of Kawkawlin Township, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in Kawkawlin Township.
- 2. The application from Saginaw Bay Plastics, Inc. for an Industrial Facilities Exemption Certificate, with respect to new personal property being installed in Saginaw Bay Plastics, Inc. situated within the Industrial Development District to wit:

COM ON W ¼ COR TH S 445 FT TH S 445 FT TH E 611.72 FT TO WLY ROW OF HURON RD. TH N 17D 08M W 465.24 FT ALG ROW TO E & W ¼ LI TH W TO BEG. EX NLY 100 FT THRF SEC 36 T15N R4E.

Be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force for a period of twelve (12) years.

AYES: Hetherington, Bragiel, Petrimoulx, Klass, McNally

NAYS: None ABSENT: None

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Board of Trustees of Kawkawlin Township, County of Bay, State of Michigan, at a regular meeting held on May 29, 2012.

Gregory A. Petrimoulx, Clerk

Kawkawlin Township

Resolution Supporting Intergovernmental Contract for New Bay Area Water Treatment Plant

Township of Kawkawlin

- WHEREAS, the Township of Kawkawlin, Board of Trustees adopted a Resolution Supporting a New Membrane Water Filtration Plant on September 27, 2011; and,
- WHEREAS, that resolution resolved that the Township of Kawkawlin, Board of Trustees supported concentrating all efforts on constructing a new membrane water filtration plant utilizing Saginaw Midland Municipal Water Supply Corporation (SMMWSC) raw water, continuing efforts to secure a contract from the SMMWSC, identifying the water transmission system, and defining a governance structure that best serves all water customers in the Bay Area community; and,
- WHEREAS, in that resolution, the Township of Kawkawlin, Board of Trustees stated their support of the efforts of the Bay County Department of Water and Sewer, Hampton Township, the City of Essexville, and the City of Bay City to partner in providing the best, most cost effective means of providing quality filtered water throughout the entire Bay Area community; and,
- WHEREAS, similar resolutions were adopted by townships, cities, and water districts throughout Bay County served by filtered water from the Bay City Water Treatment plant; and,
- WHEREAS, on behalf of all townships, cities, and water districts served by filtered water from the Bay City Water Treatment plant, the Bay County Road Commission through its Department of Water and Sewer submitted a 2012 Drinking Water Revolving Fund (DWFR) Application including a Bay Area Water Treatment Plant Project Plan to the Michigan Department of Environmental Quality (MDEQ) for funding in FY 2013, with additional funding segments in future years; and,
- WHEREAS, the Bay Area WTP Project Plan has ranked high and this project is very likely to receive DWRF funding since the MDEQ has ranked and included this project on the draft Project Priority List (PPL) and Draft Intended Use Plan (IUP) to receive a commitment of \$12 million in FY2013 with additional funding segments in FY2014 and FY2015 likely: and,
- WHEREAS, the MDEQ can provide up to \$6 million in principal forgiveness for green project components of any one project and has indicated that the Bay Area WTP Project could qualify for a principle forgiveness amount of \$6 million out of the proposed \$12 million FY2013 commitment; and,
- WHEREAS, the Bay Area water users must have a water authority established or signed intergovernmental agreement by December 31, 2012, a signed purchase agreement with the Saginaw Midland Municipal Water Supply Corporation by January 31, 2013, and meet many other milestone dates to receive DWRF funding in FY2013; and,

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- WHEREAS, the townships, cities, and water districts served by filtered water from the Bay City Water Treatment plant have participated in Governance Workshops since April 2012 to consider options and identify a governance structure that best serves all water customers to be served by a new Bay Area Water Treatment Plant (WTP); and,
- WHEREAS, many governance structures have been considered during the Governance Workshops including a Water Authority and Intergovernmental Agreements; and,
- WHEREAS, the Out-City/City Water Workgroup and Water Technical Committee have considered elements of forming a Water Authority or Intergovernmental Agreements that will best serve the needs of all water customers to be served by a new Bay Area Water Treatment Plant (WTP); and,
- WHEREAS, it is not apparent that an Intergovernmental Agreement structure will provide the Bay Area water partners and customers with the most cost effective means of financing, operating, and maintaining a new Bay Area WTP for the next 40 years and beyond.
- NOW, THEREFORE, BE IT RESOLVED, that the Township of Kawkawlin, Board of Trustees on this 24 day of July, 2012, adopts this resolution in support of concentrating all efforts on developing a governance structure through a Water Authority for a Bay Area WTP operated and maintained by the Water Authority and other Agreement elements as identified that will best serve all water customers of a new Bay Area WTP;
- BE IT FURTHER RESOLVED, that the Township of Kawkawlin, Board of Trustees understands that the Water Authority Agreement or Agreements as developed will need to be provided to all local units in a timely manner for consideration of each governing board and review by legal counsel before any Agreement can be executed;
- BE IT FURTHER RESOLVED, that while the Township of Kawkawlin, Board of Trustees supports a governance structure based upon a Water Authority Agreements, the Township of Kawkawlin, Board of Trustees is not approving a final Agreement or Agreements in advance by adoption of this resolution;
- BE IT FINALLY RESOLVED, that the Township of Kawkawlin, Board of Trustees supports and applauds the efforts of the townships, cities, water districts and Road Commission, DWS in exploring and developing a governance structure that will provide a partnership and provide the most cost effective means of supplying quality filtered water throughout the entire Bay Area community.

AYES: Mc Nally, Hetherington, Klass, Petrimoulx, Bragiel

NAYS: None

RESOLUTION DECLARED ADOPTED

Township Supervisor

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I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township of Kawkawlin, Board of Trustees, County of Bay, Michigan at a Regular Meeting held on July 24, 2012, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Langery a Polling

At a properly called meeting of the Board of Trustees, Township of Kawkawlin, Bay County, State of Michigan, held in said Township on the 24th day of July, 2012, at 7 o'clock.

Present: Dennis Bragiel, Sandra Klass, Gregory Petrimoulx, Jack Hetherington

Absent: Melvin McNally

The following resolution was offered by <u>Dennis Bragiel</u> and seconded by <u>Jack Hethgerington</u>.

WHEREAS, the following described district has become impaired for drainage and flood relief by the accumulation of sediment, debris, vegetation and obstructions, and,

WHEREAS, the public health, welfare and convenience that is served by this drain district has been diminished affecting the use and enjoyment of public and private property and roads, and

WHEREAS, all or portions of this drain will become by this petition, legally established, and,

WHEREAS, the Drain Commissioner is hereby requested to seek monies for the design and implementation of improvements with recognition that all private lands and public corporations contributing water to the drain and watercourses should bear responsibility for the costs of establishing, constructing, maintaining and improving them, and,

WHEREAS, the final determination of the project scope by the Drain Commissioner will take into consideration testimony from affected interests and recommendations of competent engineering and natural resource consultants with approval of the appropriate state and federal agencies if needed:

NOW THRERFORE BE IT RESOLVED, that the Township of Kawkawlin, Bay County, Michigan make and cause to be filed this resolution and the following petition in accordance with MCL 280.71, P.A. 40 of 1956 as amended, the Drain Code of 1956.

To the County Drain Commissioner of the County of Bay:

Your petitioners make petition, and hereby respectfully ask you to locate, establish and construct a drain to properly purify or improve the flow, or construct one or more relief drains, which may consist of new drains or extensions or consolidation with one or more existing drains or enlargements or connections to existing drains, or add one or more branches, to any portions thereof, which will properly drain the lands in said district, under the provision of Sections

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The Control of the State of the Control of the State of the Control of the State of En tour to the second of the s 280.71, Act 40 of the Public Acts of 1956 amended, the location of said drain or drains, or any portion thereof is more or less as follows:

Beson Drain, as established in the Order Designating a County Drainage District.

Your petitioners further respectfully declare that the locating, establishing, constructing or relocating along a highway, installing structures or mechanical devices to properly purify or improve the flow, or pumping equipment necessary to properly assist or relieve the flow of the drain, or constructing one or more relief drains, which may consist of new drains or extensions or consolidation with one or more existing drains or enlargements or connections to existing drains or adding one or more branches to any portion thereof, will be necessary and conductive to the public health, convenience or welfare of said Township.

BE IT FURTHER RESOLVED, That this Township hereby consents to the foregoing described drain project and to an assessment at large for a percentage of the total amount assessed for the cost of the proposed work

BE IT FURTHER RESOLVED, That the Township Supervisor and Township Clerk be and they are hereby authorized and directed to execute said Petition for and on behalf of this Township and to file the same with the Bay County Drain Commissioner.

Dated this 24th day of July A.D., 2012

Township Supervisor

Township Clerk

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Township Board Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test

WHEREAS, the homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under the General Property Tax Act; and

WHEREAS, the township board is required by Section 7u of the General Property Tax Act, Public Act 206 of 1893 (MCL 211.7u), to adopt guidelines for poverty exemptions;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, that the Township of Kawkawlin, Bay County, adopts the following guidelines for the supervisor and board of review to implement.

The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a homestead the property for which an exemption is requested.
- 2) File a claim with the supervisor or board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) Produce a valid drivers' license or other form of identification if requested.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
- 5) Meet the federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget.
- 6) Meet additional eligibility requirements as determined by the township board, including Asset Test

Asset Test Guidelines

As required by P.A. 390 of 1994, all guidelines for poverty exemptions as established by the governing body of the local assessing unit **SHALL** also include an asset level test. The following assets **shall not** be considered when applying an asset test to determine qualification for tax exemption.

1) The value of the applicant's **primary residence** subject to the exemption request along with any contiguous residential land, **except as follows:**

Under no circumstances shall a poverty exemption be granted on a principal residence purchased within two (2) years from appeal date. An exemption shall also not be granted to a property whose aggregate state equalized value exceeds the township wide average, as calculated by the Township Assessor, unless it has been the sole primary residence of a senior citizen as defined by the Michigan Income Tax Act for the past 10 (ten) consecutive years.

- 2) The value of all personal property, such as furniture and clothing.
- 3) The value of one automobile.

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Notwithstanding the value of property listed above, in order to be considered for tax exemption under MCL 211.7u, the value of all additional assets shall not exceed five (5) limes the annual household income of the applicant.

All asset information, as requested in the <u>Application for Property Tax Exemption</u> must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and <u>may reject</u> any application if assets are not properly identified.

Summary

In conclusion, the Board of Review has been given exclusive jurisdiction over the granting of property tax relief due to financial hardship. The Board of Review of Kawkawlin takes this task seriously and attempts to provide relief to all deserving residents within the Township. The Board of Review may deny any appeal, regardless of income, if the financial hardship appears to be self created by the actions of the person or persons making the application. The Board of Review reserves the right to modify these guidelines as necessary.

BE IT ALSO RESOLVED, that the board of review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these are communicated in writing to the claimant.

The foregoing resolution offered by J, Hetherington and supported by M. Mc Nally
Upon roll call vote the following voted
Aye
G. Petrimoulx, M. McNally, J. Hetherington, D. Bragiel.
Nay
None
The Supervisor declared the resolution adopted
Gregory Petrimoulx Clerk

I, <u>Gregory Petrimouix</u>, the duly elected and acting Clerk of Kawkawlin Township, hereby certify that the foregoing resolution was adopted by the township at the regular meeting of said board held on <u>January</u> 29, 2012, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.

Gregory Petrimoulx Clerk

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RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

This sample combines the offices for illustration only. A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95($\frac{3}{2}$), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of (*supervisor*, *clerk*, *treasurer OR trustee*) is warranted in consideration of (*the increase in the cost of living and/or additional responsibilities taken by the supervisor*, *clerk*, *treasurer OR trustee*) since township board members' salaries were last adjusted, now

Hpril 1, 2013
BE IT RESOLVED, that as of (*effective date*), the salary of the office of (*supervisor, clerk, treasurer OR trustee*) shall be as follows:

•
Supervisor: \$\frac{24,93}{3}\text{alary (not directly performing assessing)}
\$ salary if properly certified as assessor and directly performing assessing
OR:
Clerk: \$ salary
OR:
Treasurer: \$ salary
(Or two-part option: \$ salary / \$ salary if two tax collections per year)
OR:
Trustee: \$ (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)
This resolution offered by board member <u>Petrimourx</u> .
Supported by board member <u>Klass</u> .
Upon a roll call vote, the following voted: <u>5</u> Aye <u>O</u> No.
The supervisor declared the resolution adopted.
Mue an a Potumel Clerk

2013-002

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

This sample combines the offices for illustration only. A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of (*supervisor*, *clerk*, *treasurer OR trustee*) is warranted in consideration of (*the increase in the cost of living and/or additional responsibilities taken by the supervisor*, *clerk*, *treasurer OR trustee*) since township board members' salaries were last adjusted, now

April 1,2013

BE IT RESOLVED, that as of (*effective date*), the salary of the office of (*supervisor, clerk, treasurer OR trustee*) shall be as follows:

Supervisor: \$ salary (not directly performing assessing)
\$ salary if properly certified as assessor and directly performing assessing
OR:
Clerk: \$24,439 salary
OR:
Treasurer: \$ salary
(Or two-part option: \$ salary / \$ salary if two tax collections per year)
OR:
Trustee: \$ (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)
This resolution offered by board member $\underbrace{Petrimoulx}$.
Supported by board memberKlass
Upon a roll call vote, the following voted: <u>5</u> Aye <u>O</u> No.
The supervisor declared the resolution adopted.
Moreon a Petimelo, Clerk

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

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April 1, 2013

BE IT RESOLVED, that as of (*effective-date*), the salary of the office of (*supervisor*, *clerk*, *treasurer OR trustee*) shall be as follows:

Supervisor: \$ salary (not directly performing assessing)
\$ salary if properly certified as assessor and directly performing assessing
OR:
Clerk: \$ salary
OR:
Treasurer: \$ <u>२५,५३५</u> salary
(Or two-part option: \$ salary / \$ salary if two tax collections per year)
OR:
Trustee: \$ (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)
This resolution offered by board member $Petrimoulx$.
Supported by board member Klass
Upon a roll call vote, the following voted: <u>5</u> Aye <u>D</u> No.
The supervisor declared the resolution adopted.
Grean a Petinial Clerk

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

This sample combines the offices for illustration only. A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

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April 1,2013

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trustee) stidil be as follows.
Supervisor: \$ salary (not directly performing assessing)
\$ salary if properly certified as assessor and directly performing assessing
OR:
Clerk: \$ salary
OR:
Treasurer: \$ salary
(Or two-part option: \$ salary / \$ salary if two tax collections per year)
OR:
Trustee: \$ 8 62 (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)
This resolution offered by board member Petrimoulx.
Supported by board member <u>Klass</u> .
Upon a roll call vote, the following voted: <u>5</u> Aye <u>O</u> No.
The supervisor declared the resolution adopted.
Lynna a Potemity, Clerk

This resolution assumes that there is no annual meeting. It assumes that there is no salary compensation commission established by MCL 41.95(4).

Pursuant to MCL 41.95(7), a salary resolution cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction.

If, within 30 days after the township board votes, a petition signed by 10% of the qualified electors of the township is filed requesting that the question be submitted to the electorate, the township board shall call a special election and submit the question of salary to the electors

At a regular meeting of the governing body of the Township of Kawkawlin, Bay County, Michigan (the Municipality), held on the 12th day of August, 2013.

PRESENT: Dennis Bragiel, Sandy Klass, Gregory Petrimoulx, Jack Hetherington, Melvin

McNally

ABSENT: None

The Clerk presented to the governing body of the Municipality a form of contract between the County of Bay (the "County") and the Charter Township of Bangor, the City of Bay City, the Township of Beaver, the City of Essexville, the Township of Frankenlust, the Township of Fraser, the Charter Township of Hampton, the Township of Kawkawlin, the Township of Merritt, the Charter Township of Monitor, the City of Pinconning, the Charter Township of Portsmouth, and the Charter Township of Williams (the Charter Township of Bangor, the City of Bay City, the Township of Beaver, the City of Essexville, the Township of Frankenlust, the Township of Fraser, the Charter Township of Hampton, the Township of Kawkawlin, the Township of Merritt, the Charter Township of Monitor, the City of Pinconning, the Charter Township of Portsmouth, and the Charter Township of Williams collectively, the "Municipalities") relative to the acquisition, construction and financing of the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project (the "Project"), and the plans and estimates of the cost and period of usefulness thereof.

The following resolution was offered by McNally and seconded by Hetherington:

BE IT RESOLVED by the governing body of the Municipality, that:

1. The governing body of the Municipality hereby approves the contract between the County and the Municipalities relating to the acquisition and construction of the Bay Area Water

Treatment Plant and Raw Water Transmission Mains Project (the "Contract") as part of the Bay Area Water Treatment Plant and Raw Water Transmission Mains System (the "System"); providing for the payment of the Municipality's share of the services provided by the Project and the System; providing for the financing of all or part of the cost by the issuance of County revenue bonds in several series secured by revenues of the System including payments made by the Municipalities for the services provided by the Project and the System; and providing for other matters relating to the Project and the acquisition, construction, financing and operation thereof, all under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended, and Act No. 94, Public Acts of Michigan, 1933, as amended.

- 2. The governing body of the Municipality hereby approves the preliminary plans for the Project, and the estimates of the cost and period of usefulness thereof, as contained in Appendixes #1 and #2 to the Contract.
- 3. The Chief Executive Officer and the Clerk are authorized and directed to execute and deliver the Contract for and on behalf of the Municipality in such number of counterparts as may be desirable.
- 4. A copy of the Contract as presented to the governing body of the Municipality and herein approved and authorized to be executed and delivered shall be attached to the minutes of this meeting and made a part thereof and shall be placed on file with the Clerk and made available for examination by any interested person during normal business hours.

RESOLUTION DECLARED ADOPTED.

YEAS:	Bragiel, Klass,	Petrimoulx,	McNally,	Hetherington

NAYS: <u>None</u>

ABSTENTIONS: None

STATE OF MICHIGAN))ss COUNTY OF BAY)

I, the undersigned Clerk of the Township of Kawkawlin, Bay County, Michigan, hereby certify that the foregoing is a true and complete copy of a resolution adopted by its governing body at a regular meeting duly called and held on the 12th day of August, 2013, the original of which resolution is on file in my office.

Gregory Petrimoulx

Clerk

Township Board Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test

VHEREAS, the homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under the General Property Tax Act; and

WHEREAS, the township board is required by Section 7u of the General Property Tax Act, Public Act 206 of 1893 (MCL 211.7u), to adopt guidelines for poverty exemptions;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, that the Township of Kawkawlin, Bay County, adopts the following guidelines for the supervisor and board of review to implement.

The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a homestead the property for which an exemption is requested.
- 2) File a claim with the supervisor or board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) Produce a valid drivers' license or other form of identification if requested.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested frequested.
- 5) Meet the federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget.
- 6) Meet additional eligibility requirements as determined by the township board, including Asset Test

Asset Test Guidelines

As required by P.A. 390 of 1994, all guidelines for poverty exemptions as established by the governing body of the local assessing unit **SHALL** also include an asset level test. The following assets **shall not** be considered when applying an asset test to determine qualification for tax exemption.

1) The value of the applicant's **primary residence** subject to the exemption request along with any contiguous residential land, **except as follows:**

Under no circumstances shall a poverty exemption be granted on a principal residence purchased within two (2) years from appeal date. An exemption shall also not be granted to a property whose aggregate state equalized value exceeds the township wide average, as calculated by the Township Assessor, unless it has been the sole primary residence of a senior citizen as defined by the Michigan Income Tax Act for the past 10 (ten) consecutive years.

- 2) The value of all personal property, such as furniture and clothing.
- 3) The value of one automobile.

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Notwithstanding the value of property listed above, in order to be considered for tax exemption under MCL 211.7u, the value of all additional assets shall not exceed five (5) limes the annual household income of the applicant.

All asset information, as requested in the <u>Application for Property Tax Exemption</u> must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and <u>may reject</u> any application if assets are not properly identified.

Summary

Gregory Petrimoulx Clerk

In conclusion, the Board of Review has been given exclusive jurisdiction over the granting of property tax relief due to financial hardship. The Board of Review of Kawkawlin takes this task seriously and attempts to provide relief to all deserving residents within the Township. The Board of Review may deny any appeal, regardless of income, if the financial hardship appears to be self created by the actions of the person or persons making the application. The Board of Review reserves the right to modify these guidelines as necessary.

BE IT ALSO RESOLVED, that the board of review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these are communicated in writing to the claimant.

The foregoing resolution offered by G. Petninoulv and supported by J. Hethering ton
Upon roll call vote the following voted
Aye
Petrimouly, Klass, McNally, Hetherington, Bragiel
Nay
None
The Supervisor declared the resolution adopted
Gregory Petrimoulx Clerk
I, <u>Gregory</u> Petrimour, the duly elected and acting Clerk of Kawkawlin Township, hereby certify that the foregoing resolution was adopted by the township at the regular meeting of said board held on <u>Feb.</u> , 2012, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth that said resolution was ordered to take immediate effect.

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Resolution 2014 - 003

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Braciel supported by Petrimouly

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2014 the salary of the township **Trustee** shall be as follows \$4,162.62.

Yes: Bragiel, Petrimoulx, Klass, McNally, Hetherington

No: None

Recorded by: Yrig cry Poterine

Resolution 2014 - 004

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by McNelly supported by Hether instan

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2014 the salary of the township **Treasurer** shall be as follows \$25,437.78.

Yes: Petrimouly, Klass, McNally, Hetherington, Bragiel

No: None

Recorded by: Gry Ord Petimele

Resolution 2014 - 005

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Hethering Supported by Mc Nally.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2014 the salary of the township **Clerk** shall be as follows \$25,437.78.

Yes: Klass, Mc Nully, Hetherington, Bragiel, Petrimoulx

No: None

Recorded by: Ing on Peterself

Resolution 2014 - vou

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petri moistipported by Hethering ton

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2014 the salary of the township Supervisor shall be as follows \$25,437.78.

Yes: Mc Nully, Hetherington, Bragiel, Petrimoux, Klass

No: None

Recorded by: Long on Petrume

RESOLUTION OF INTENT TOWNSHIP OF KAWKAWLIN FOR LAND ACQUISITION

Resolution No. <u>2014 - 009</u>

WHEREAS, the Township of Kawkawlin has been offered an opportunity to acquire real estate on Jose Road; and

WHEREAS, the Township has conducted its due diligence through contact with the Michigan Department of Natural Resources, the Michigan Department of Environmental Equality, the Bay County Road Commission, and other pertinent government entities regarding the requirements and advisability of using the subject property for a parking lot; and

WHEREAS, it will benefit the citizens of Kawkawlin Township, adjacent property owners, and users of the Tobico Marsh area;

IT IS THEREFORE RESOLVED:

That the Township pursue the purchase of the parcel of real estate identified by Tax Code No. <u>09-080-026-400-120-00</u> for the consideration of \$14,000.00

IT IS FURTHER RESOLVED:

That the Township Supervisor and the Township Clerk be and hereby are authorized to complete all documents necessary to effectuate the purchase.

Yeas: Klass, McNally, Hetherington, Petrimoulx, Bragiel

Nay: None

DATED: <u>April 21, 2014</u>

RESOLUTION NUMBER: 2-24

TOWNSHIP OF KAWKAWLIN BAY COUNTY MICHICAN

RESOLUTION TO APPROVE THE AMENDMENT TO THE BAY COUNTY SOLID WASTE MANAGEMENT PLAN

A regular meeting of the Board of Trustees of Kawkawlin Township organized and existing under and by virtue of the laws of the State of Michigan was held on the 24th day of February, 2015.

PRESENT: E	Klass, Pet:	rimoulx, Mcl	Nally, Hethe	rington,	, Bragiel	
ABSENT:						
The f	ollowing p	preamble an	d resolutio	n were	offered	by Membe
Hetherington	n and supp	orted by Me	mber <u>Bragiel</u>	• .		•
the Bay Co	unty Board o establis	d of Commis sh Siting Co	ship Board lasioners to riteria for the Plan.	conside	er approv	val of the
environmenta material pro	al enhance ovides a r	ement in m new source o		s recyc ial and	ling and	l reuse of the amount
of the Town	ship of Ka	awkawlin do	ED, that th es hereby ap nt Plan for	prove t	he Amendm	ment to the
YEAS:	Klass, Pet	rimoulx, Mc	Nally, Hethe	rington	, Bragiel	-
NAYS: _		None				
ABSENT	·	None		_		
RESOLUTION I	DECLARED A	DOPTED.				

CERTIFICATION

The above Resolution was duly adopted by the Kawkawlin Township Board at a regular meeting of the Board held on the 24th day of February, 2015, at the Kawkawlin Township Hall, Bay County, Michigan.

Greg Petrimoulx

Kawkawlin Township Clerk

Resolution 2015 – 3-9A

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Hetherington supported by McNally.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2015 the salary of the township **Clerk** shall be as follows \$25,946.54.

Yes: Klass, Bragiel, McNally, Hetherington, Petrimoulx

No: None

Recorded by: Lucy a Poliment

Date: 3-9-15

Alexander Alexander Designation (Alexander)

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Resolution 2015 – 3-9B

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Bragiel supported by Hetherington.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2015 the salary of the township **Treasurer** shall be as follows \$25,946.54.

Yes: Klass, Bragiel, McNally, Hetherington, Petrimoulx

No: None

Recorded by: Long cy a Peternic

Date: 3-9-15

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.Resolution 2015 - 3-9C

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Petrimoulx supported by Bragiel

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2015 the salary of the township **Trustee** shall be as follows \$4,245.87

Yes: Klass, Bragiel, McNally, Hetherington, Petrimoulx

No: None

Recorded by: Mugay a Polimine

Date: 3 ~ 9 ~ 15

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Resolution 2015 – 3-9D

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by McNally supported by Petrimoulx.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2015 the salary of the township **Supervisor** shall be as follows \$25,946.54.

Yes: Klass, Bragiel, McNally, Hetherington, Petrimoulx

No: None

Recorded by: Mry cy a Pitumela

Date: 3-9-15

RESOLUTION #2015-4-20

APPROVAL OF MICHIGAN TOWNSHIP PARTICIPATING PLAN GRANT APPLICATION

WHEREAS,

The Michigan Township Participating Plan sponsors a Risk Reduction Grant Program

WHEREAS,

The Township of Kawkawlin has experienced causality loss at their cemetery, Heavenly Rest

WHEREAS,

The Township of Kawkawlin has also experienced causality loss at their Park

THEREFORE, BE IT RESOLVED that

The Township of Kawkawlin Board seek to install surveillance camera systems in both the Cemetery and Park

NOW, THEREFORE, BE IT RESOLVED that

The Township of Kawkawlin Board approve the Grant application for the Risk Reduction Grant Program

The foregoing resolution offered by Board Member <u>Greg Petrimoulx</u>. Second offered by Board Member <u>Jack Hetherington</u>.

Upon roll call vote the following voted "aye": Melvin McNally, Jack Hetherington, Dennis

Bragiel, Greg Petrimoulx, Melissa Klass

"nay": None

The Supervisor declared the resolution adopted.

Greg Petrimoulx, Clerk

2016-001

Township Board Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test

WHEREAS, the homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under the General Property Tax Act; and

WHEREAS, the township board is required by Section 7u of the General Property Tax Act, Public Act 206 of 1893 (MCL 211.7u), to adopt guidelines for poverty exemptions;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, that the Township of Kawkawlin, Bay County, adopts the following guidelines for the supervisor and board of review to implement.

The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a homestead the property for which an exemption is requested.
- 2) File a claim with the supervisor or board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) Produce a valid drivers' license or other form of identification if requested.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
- 5) Meet the federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget.
- 6) Meet additional eligibility requirements as determined by the township board, including Asset Test

Asset Test Guidelines

As required by P.A. 390 of 1994, all guidelines for poverty exemptions as established by the governing body of the local assessing unit **SHALL** also include an asset level test. The following assets **shall not** be considered when applying an asset test to determine qualification for tax exemption.

1) The value of the applicant's **primary residence** subject to the exemption request along with any contiguous residential land, **except as follows:**

Under no circumstances shall a poverty exemption be granted on a principal residence purchased within two (2) years from appeal date. An exemption shall also not be granted to a property whose aggregate state equalized value exceeds the township wide average, as calculated by the Township Assessor, unless it has been the sole primary residence of a senior citizen as defined by the Michigan Income Tax Act for the past 10 (ten) consecutive years.

- 2) The value of all personal property, such as furniture and clothing.
- 3) The value of one automobile.

Notwithstanding the value of property listed above, in order to be considered for tax exemption under MCL 211.7u, the value of all additional assets shall not exceed five (5) limes the annual household income of the applicant.

All asset information, as requested in the <u>Application for Property Tax Exemption</u> must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and <u>may reject</u> any application if assets are not properly identified.

Summary

In conclusion, the Board of Review has been given exclusive jurisdiction over the granting of property tax relief due to financial hardship. The Board of Review of Kawkawlin takes this task seriously and attempts to provide relief to all deserving residents within the Township. The Board of Review may deny any appeal, regardless of income, if the financial hardship appears to be self-created by the actions of the person or persons making the application. The Board of Review reserves the right to modify these guidelines as necessary.

BE IT ALSO RESOLVED, that the board of review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these are communicated in writing to the claimant.

The foregoing resolution offered by J. Hetherington and supported by D. Bragiel
Upon roll call vote the following voted
Aye
M. Mc Nally, J. Hetherington, O. Bragiel, M. Klass
Nay
None Excusal: G. Petrimour
The Supervisor declared the resolution adopted
Gregory Petrimoulx Clerk
I, Gregory Petrimous, the duly elected and acting Clerk of Kawkawlin Township, hereby certify that the foregoing resolution was adopted by the township at the regular meeting of said board held on <u>Feb. 8</u> , 2012, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.
Gregory Petrimoulx Clerk

The following resolution was offered by <u>Fetrimour</u> supported by <u>Brasiel</u> .
BE IT RESOLVED , that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.
BE IT RESOLVED, that as of April 1, 2016 the salary of the township Trustee shall be as follows \$4,330.80
Yes: Klass, Mc Nally, Hotherington, Bragiel, Petrimour
No: None
Recorded by: Jugay Petumoel

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by Hetherington supported by McNally.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2016 the salary of the township Clerk shall be as follows \$26,465.52.

Yes: Mc Nally, Hetherington, Bragiel, Petrimoulx, Klas	55
No: None	
Recorded by: Lugary Petimens Date: 3/14/16	

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

The following resolution was offered by <u>Petrimour</u> supported by <u>Hethering ton</u>.

BE IT RESOLVED, that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.

BE IT RESOLVED, that as of April 1, 2016 the salary of the township **Treasurer** shall be as follows \$26,465.52

Yes: Her	Inerington, Bragiel, Petrimo	UIX, Klass, McNally
No:	None	<u>.</u>
Recorded	1 by: Lugary Peterment	
	114/16	

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

Date: 3/14/16

2017-001

Township Board Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test

WHEREAS, the homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under the General Property Tax Act; and

WHEREAS, the township board is required by Section 7u of the General Property Tax Act, Public Act 206 of 1893 (MCL 211.7u), to adopt guidelines for poverty exemptions;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, that the Township of Kawkawlin, Bay County, adopts the following guidelines for the supervisor and board of review to implement.

The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a homestead the property for which an exemption is requested.
- 2) File a claim with the supervisor or board of review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) Produce a valid drivers' license or other form of identification if requested.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
- 5) Meet the federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget.
- 6) Meet additional eligibility requirements as determined by the township board, including Asset Test

Asset Test Guidelines

As required by P.A. 390 of 1994, all guidelines for poverty exemptions as established by the governing body of the local assessing unit **SHALL** also include an asset level test. The following assets **shall not** be considered when applying an asset test to determine qualification for tax exemption.

1) The value of the applicants **primary residence** subject to the exemption request along with any contiguous residential land, **except as follows:**

Under no circumstances shall a poverty exemption be granted on a principal residence purchased within two (2) years from appeal date. An exemption shall also not be granted to a property whose aggregate state equalized value exceeds the township wide average, as calculated by the Township Assessor, unless it has been the sole primary residence of a senior citizen as defined by the Michigan Income Tax Act for the past 10 (ten) consecutive years.

- 2) The value of all personal property, such as furniture and clothing.
- 3) The value of one automobile.

Notwithstanding the value of property listed above, in order to be considered for tax exemption under MCL

211.7u, the value of all additional assets shall not exceed five (5) times the annual household income of the applicant.

All asset information, as requested in the <u>Application for Property Tax Exemption</u> must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and <u>may reject</u> any application if assets are not properly identified.

Summary

In conclusion, the Board of Review has been given exclusive jurisdiction over the granting of property tax relief due to financial hardship. The Board of Review of Kawkawlin takes this task seriously and attempts to provide relief to all deserving residents within the Township. The Board of Review may deny any appeal, regardless of income, if the financial hardship appears to be self created by the actions of the person or persons making the application. The Board of Review reserves the right to modify these guidelines as necessary.

BE IT ALSO RESOLVED, that the board of review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these are communicated in writing to the claimant.

The foregoing resolution offered by Petrimoulx	and supported	lby Klass	
Upon roll call vote the following voted	٠, ٠, ١	•	,
Aye			
Petrimovix, Klass, McNally, M	acconnell, l	Bragiel	
Nay			
None	· .	,	
The Supervisor declared the resolution adopted			
91 Pot	·,		,
Gregory Petrimoulx Clerk	•		

I, $G_{v \in SO^{c}g}$ $Petrimour_{K}$, the duly elected and acting Clerk of Kawkawlin Township, hereby certify that the foregoing resolution was adopted by the township at the regular meeting of said board held on Feb.

13, 2017, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.

Gregory Petrimoulx Clerk

Resolution 2017 - 02

The following resolution was offered by Bragie! supported by Petrimoulx.
BE IT RESOLVED , that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.
BE IT RESOLVED, that as of April 1, 2017 the salary of the township Trustee shall be as follows \$4,417.44.
Yes: Klass, Mc Nally, Macconnell, Bragiel, Petrimoulx
No: None
Recorded by: Greg Petrimoulx - Clerk
Date: $2/48/12$

Resolution 2017 <u>~ 0,3 _ </u>

The following resolution was offered by Macconnell supported by Mic Nally.
BE IT RESOLVED , that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.
BE IT RESOLVED, that as of April 1, 2017 the salary of the township Clerk shall be as follows \$26,994.84
Yes: McNally, Macconnell, Bragiel, Petrimoulx, Klass
No: None
Recorded by: Greg Petrimoulx - Clerk
Date: 2/28/17

Resolution 2017 <u>~ 0 4</u>

Resolution 2017 <u>~ 0 5 </u>

The following resolution was offered by Macconnell supported by Petrimoulx
BE IT RESOLVED , that this resolution is subject to MCLA 41.95(3). In the township that does not hold an annual meeting; the salary for officers composing the township board shall be determined by the township board.
BE IT RESOLVED, that as of April 1, 2017 the salary of the township Supervisor shall be as follows \$26,994.84
Yes: Bragiel, Petrimoulx, Klass, Mc Nally, Maccomnell
No:
Recorded by: Greg Petrimoulx ~ Clerk
Date: 2/28/17

April 5, 2017

At a special meeting of the Kawkawlin Township Board on April 5, 2017 adopted the following:

WHEREAS, the Kawkawlin Township board wishes to apply to the Secretary of State for a grant to purchase a new voting system which includes precinct tabulators, Absent Voter Counting Board tabulator, accessible voting device for individuals with disabilities and related Election Management System (EMS) software.

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State appropriated funds.

WHEREAS, Kawkawlin Township plans to begin implementation of the new voting system in 2017.

NOW, THEREFORE, BE IT RESOLVED that the Kawkawlin Township Clerk is authorized to submit this grant application on behalf of Kawkawlin Township, Bay County, on this 5th day of April, 2017.

The foregoing resolution offered by M. McNally

Second offered by K. Macconnell

Voting Yes: Petrimoulx, Klass, McNally, Macconnell, Bragiel

Voting No: None

Supervisor Bragiel declared resolution adopted.

Drycy a Potence

Township Clerk:

Gregory A. Petrimoulx

TOWNSHIP OF KAWKAWLIN BAY COUNTY, MICHIGAN

Resolution 2017-

RESOLUTION CREATING AND REAFFIRMING SPECIAL ASSESSMENT ROLL FOR THE TREATMENT OF OF AQUATIC WEEDS IN THE KAWKAWLIN RIVER

WHEREAS, on or about October 27, 2003, the Township Clerk received verified petitions requesting the creation of special assessment district for the treatment of aquatic weeds in the Kawkawlin River signed by the owners of sixty-three percent (63%) of the property located within the proposed Special Assessment District; and

WHEREAS, pursuant to notice as required by Act 188 of 1954, and subsequent to the closing of a public hearing, the Township Board did adopt a Resolution Creating Special Assessment District, but that this Resolution (2004-001) failed to state a term for the special assessment district's existence contrary to Section 5(d) of Act 188 of 1954 (MCLA pp41.721); and

WHEREAS, on March 15th, 2004, subsequent to the closing of the public hearing, the Township Board did adopt a Resolution Confirming Special Assessment Roll for the Treatment of Aquatic Weeds in the Kawkawlin River (2004-009); and

WHEREAS, pursuant to the Resolutions adopted pursuant to notice the special assessment has been levied for three (3) years; and

WHEREAS, on or about June 15th, 2006, the Township Clerk received a written request from the President and from the Director of the Kawkawlin River Watershed Property Owners Association requesting that the special assessment be extended for an additional five (5) year period, and

WHEREAS, upon receipt of the request for an extension of the special assessment, it was found that the original Resolution was deficient for it's failure to provide a term for the special assessment district's existence, and that in accordance with Section 13 of Act 188 of 1954, any extension of this special assessment should revert back to the point of the adoption of a new Resolution Creating The District and adopt a Resolution which sets an eight (8) year term; and

WHEREAS, pursuant to the notice as required by Public Act 188, on November 13, 2006, subsequent to the closing of public hearing, the Township Board did adopt a Resolution Creating and Reaffirming the Prior Creation Of A Special Assessment District to Finance the Treatment of Aquatic Weeds in the Kawkawlin River, a copy of which may be examined at the Kawkawlin Township Clerk's Office during regular business hours, which Resolution established the District for an eight (8) year period, thus

effectively extending the existence of the district previously created by an additional five (5) year period.

WHEREAS, on or about March 27, 2017, the Township Clerk received a written request from the President and from the Director of the Kawkawlin River Watershed Property Owners Association requesting that the special assessment be extended for an additional five (5) year period.

WHEREAS, the Supervisor has prepared a revised special assessment roll of all parcels to be included in the special assessment district and filed said roll with the Clerk, and

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 25th day of April, 2017 at 4:00 p.m. to review the roll and to hear any objections to said roll; and

WHEREAS, no written objections to the roll having been filed with the Clerk;

NOW THEREFORE BE IT RESOLVED, that the special assessment roll as prepared by the Supervisor as it relates to the treatment of aquatic weeds in the Kawkawlin River, for the additional five (5) year period, is hereby confirmed.

NOW THEREFORE BE IT RESOLVED, that the Township shall recoup its out-of-pocket expenses including professional fees, publication and recording expenses associated with, and directly attributable to, the creation and the confirmation of the creation, of the special assessment district.

NOW THEREFORE BE IT RESOLVED, that the total assessment be set at \$90.00 per parcel for the first year, and thereafter until modified by this Board and that this assessment shall be spread on a per lot/parcel basis over land specifically benefited by such improvements, and which land is located adjacent to the Kawkawlin River in the Township of Kawkawlin, Bay County, Michigan as follows:

09-080-036-300-085-00	09-080-036-300-125-00	09-080-036-300-135-00
09-080-036-300-140-00	09-080-036-300-150-00	09-080-036-300-155-00
09-080-036-300-160-00	09-080-036-300-165-00	09-080-036-300-170-00
09-080-036-300-175-00	09-080-036-300-180-00	09-080-036-400-200-00
09-080-036-400-205-00	09-080-036-400-210-00	09-080-036-400-215-00
09-080-036-400-220-01	09-080-036-400-220-02	09-080-036-400-235-00
09-080-036-400-240-00	09-080-036-400-245-01	09-080-036-400-250-02
09-080-036-400-255-00	09-080-036-400-260-00	09-080-036-400-265-00
09-080-036-400-275-01	09-080-036-400-275-02	09-080-036-400-275-03
09-080-036-400-275-04	09-080-036-400-275-05	09-080-036-400-275-06
09-080-036-400-285-00		

IT IS FURTHER RESOLVED that the Clerk shall endorse the assessment roll with the date of the confirmation.

The above resolution was offered by Bragiel / Petrimoulx

On a roll call vote the following people voted:

Yes: Klass, Mc Nally, Macconnell, Bragiel, Petrimoulx

No: None

Adopted: 4/25/17

Dennis Bragiel, Supervisor

Greg Petrimoulx, Clerk

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