

**CHARTER TOWNSHIP OF EAST BAY**

Resolution No: 2006-11

**Approving  
Agreement Regarding Capacity Lease  
Second Amended Restated Operating Agreement (2006)**

**Whereas** The Townships of Acme, Blair, and Peninsula, and the Charter Townships of East Bay, Elmwood, and Garfield have reached agreement regarding the admission of Blair Township to the Department of Public Works system, and

**Whereas** agreements regarding the Capacity Lease with the City of Traverse City and an amendment to the operating agreement among the townships and the Board of Public Works as well as a resolution for the Board of Public Works adding Blair Township to the Sewer and Water Committee have been prepared by staff and reviewed by counsel for Blair and Acme Townships, and

**Whereas** the Sewer and Water Committee found the proposed agreements and resolution necessary and convenient to accomplish the admission of Blair Township to the DPW system and suitable for adoption by the Board of Public Works and the Townships; and has recommended their adoption to the Board of Public Works; and

Whereas the Board of Public Works on February 27, 2006 approved the "Agreement Regarding Capacity Lease" and the "Second Amended Restated Operating Agreement (2006)", adopted a resolution making Blair Township a member of the Sewer and Water Committee, and referred the agreements to the townships for consideration and approval,

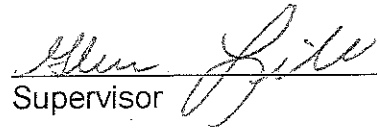
**Now, Therefore, It is Resolved**

1. The following proposed agreements in the form attached hereto are hereby approved by the Township, and the Supervisor and Township Clerk are hereby authorized and directed to execute the documents together with such minor changes as may be approved by the Supervisor as to content and by counsel for the Township as to form.

"Agreement Regarding Capacity Lease", and  
"Second Amended Restated Operating Agreement (2006)"

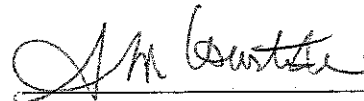
2. The Township Clerk is hereby instructed to send a copy of this Resolution and the attached agreements and Resolution to the Board of Public Works.

Dated: 3-14-06

  
Supervisor

**CERTIFICATION**

The undersigned, being the duly qualified and acting Township Clerk of the Township named above, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Trustees of the above-named Township at a regular/special meeting held on March 14, 2006 at which meeting a quorum was present and remained throughout, (2) that an original of said resolution is on file in the records of the Township, (3) the meeting was conducted, and public notice there was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meetings were kept and will be made available as required by law.



Township Clerk  
Date of Certification:

Drafted by:

Michael J. Houlihan Esq. (P15157)  
539 S. Garfield Ave.  
P.O. Box 28  
Traverse City, Michigan 49685  
tel 231-941-4646 : [mjh@mhoulihan.com](mailto:mjh@mhoulihan.com)