

---

Schedule 2.2(a)

Resolutions of each Township Approving the  
Termination of the Prior Agreements

---



# MARION TOWNSHIP

www.mariontownship.com

COPY

2877 W. Coon Lake Rd.  
Howell, MI 48843

Phone (517) 546-1588  
Fax (517) 546-6622

## MARION TOWNSHIP RESOLUTION TO ADOPT THE MHOG MASTER OPERATING AGREEMENT Resolution #2011-9

At a meeting of the Township Board (the "Township Board") of the Township of Marion (the "Township") held at the Township Hall on February 24, 2011 at 7:30 p.m. local time, there were:

PRESENT: Lowe, Beal, Andersen, Hanvey, Wyckoff, Hodge, Lloyd

ABSENT: None

The following preamble and resolution were offered by Tammy Beal and seconded by Les Andersen.

### **Resolution Approving the Master Operating Agreement and Approving the Water System and Terminating Certain Prior Agreements**

WHEREAS, Marion Township, Howell Township, Oceola Township and Genoa Charter Township (the "Constituent Municipalities") are members of the Marion, Howell, Oceola and Genoa Sewer and Water Authority (the "Authority");

WHEREAS, the Township Board has reviewed the proposed Water System Master Operating Agreement (the "Master Operating Agreement"), a copy of which is attached as Exhibit A;

WHEREAS, the Township Board desires to approve the Master Operating Agreement;  
and

WHEREAS, the Township Board acknowledges and agrees that Section 11.3(d) of the Master Operating Agreement provides that it may be modified, amended and supplemented from time to time in the future by a majority vote of the Board of the Authority, except that Section 11.3(d) requires the unanimous vote of all of the members of the Board of the Authority that are present at a meeting to amend certain specified sections of the Master Operating Agreement;

NOW, THEREFORE, IT IS RESOLVED that:

1. Approval of Master Operating Agreement. The Township Board hereby approves the Master Operating Agreement and approves the Authority entering into the Master Operating Agreement.

2. Resolution to Constitute Evidence of Approval. Any Township Officer is authorized to provide a copy of this Resolution to the Authority as evidence that the Master Operating Agreement has been approved by the Township Board.

3. Approval of the Water System. The Township Board hereby confirms that the Township has approved and agreed to the operation and maintenance of the System (as defined in the Master Operating Agreement) under and pursuant to 1955 Public Act 233 and approved the designation of "MHOG Water System" as the name of the System. Additionally, the Township Board hereby confirms that the Township has consented and agreed to the establishment and location of the System within its municipal boundaries in accordance with the terms of the Master Operating Agreement and in compliance with Section 29, Article VII, Michigan Constitution of 1963. Furthermore, the Authority shall be the exclusive provider of municipal water service to the properties in the Township that are served by the System, as the System may be modified from time to time as provided for in the Master Operating Agreement.

4. Termination of Prior Agreements. The Constituent Municipalities and the Authority have previously entered into certain agreements that are being terminated in connection with the adoption of the Master Operating Agreement. Attached as Exhibit B is the Agreement Terminating the Prior Agreements and attached as Schedule 1 to Exhibit B is a list of the Prior Agreements that are being terminated. The Township Board hereby authorizes each Township Officer to enter into the Agreement Terminating the Prior Agreements, the form of which is attached as Exhibit B.

5. Additional Steps to Effectuate the Purpose of this Resolution. The Township Board authorizes any officer of the Township to take all necessary steps required to effectuate the purposes of this resolution.

A vote on the foregoing resolution was taken and was as follows:

Yes: Hanvey, Wyckoff, Lowe, Beal, Andersen, Hodge, Lloyd

No: None

Clerk's Certificate

The undersigned, being the duly qualified and acting Clerk of the above-referenced Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting at which a quorum was present and remained throughout, (2) the original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof 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 meeting were kept and will be or have been made available as required thereby.

Sammy A. Beal  
Township Clerk

**TOWNSHIP OF HOWELL**

Resolution # 03.11.284

At a meeting of the Township Board (the "Township Board") of the Township of Howell (the "Township") held at the Township Hall on March 28, 2011 at 7:00 p.m. local time, there were:

PRESENT: Coddington, Eaton, Hammond, Phelan, Hubbel, Howard.

ABSENT: Henry

The following preamble and resolution were offered by Eaton and seconded by Hubbel.

**Resolution Approving the Master Operating Agreement and  
Approving the Water System and Terminating Certain Prior Agreements**

WHEREAS, Marion Township, Howell Township, Oceola Township and Genoa Charter Township (the "Constituent Municipalities") are members of the Marion, Howell, Oceola and Genoa Sewer and Water Authority (the "Authority");

WHEREAS, the Township Board has reviewed the proposed Water System Master Operating Agreement (the "Master Operating Agreement"), a copy of which is attached as Exhibit A;

WHEREAS, the Township Board desires to approve the Master Operating Agreement;  
and

WHEREAS, the Township Board acknowledges and agrees that Section 11.3(d) of the Master Operating Agreement provides that it may be modified, amended and supplemented from time to time in the future by a majority vote of the Board of the Authority, except that Section 11.3(d) requires the unanimous vote of all of the members of the Board of the Authority that are present at a meeting to amend certain specified sections of the Master Operating Agreement;

NOW, THEREFORE, IT IS RESOLVED that:

1. Approval of Master Operating Agreement. The Township Board hereby approves the Master Operating Agreement and approves the Authority entering into the Master Operating Agreement.

2. Resolution to Constitute Evidence of Approval. Any Township Officer is authorized to provide a copy of this Resolution to the Authority as evidence that the Master Operating Agreement has been approved by the Township Board.

3. Approval of the Water System. The Township Board hereby confirms that the Township has approved and agreed to the operation and maintenance of the System (as defined in the Master Operating Agreement) under and pursuant to 1955 Public Act 233 and approved the designation of "MHOG Water System" as the name of the System. Additionally, the Township Board hereby confirms that the Township has consented and agreed to the

establishment and location of the System within its municipal boundaries in accordance with the terms of the Master Operating Agreement and in compliance with Section 29, Article VII, Michigan Constitution of 1963. Furthermore, the Authority shall be the exclusive provider of municipal water service to the properties in the Township that are served by the System, as the System may be modified from time to time as provided for in the Master Operating Agreement.

4. Termination of Prior Agreements. The Constituent Municipalities and the Authority have previously entered into certain agreements that are being terminated in connection with the adoption of the Master Operating Agreement. Attached as Exhibit B is the Agreement Terminating the Prior Agreements and attached as Schedule 1 to Exhibit B is a list of the Prior Agreements that are being terminated. The Township Board hereby authorizes each Township Officer to enter into the Agreement Terminating the Prior Agreements, the form of which is attached as Exhibit B.

5. Additional Steps to Effectuate the Purpose of this Resolution. The Township Board authorizes any officer of the Township to take all necessary steps required to effectuate the purposes of this resolution.

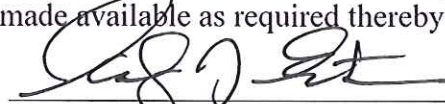
A vote on the foregoing resolution was taken and was as follows:

Yes: Howard, Jammond, Phelan, Coddington, Hubbel, Eaton.

No: None

Clerk's Certificate

The undersigned, being the duly qualified and acting Clerk of the above-referenced Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting at which a quorum was present and remained throughout, (2) the original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof 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 meeting were kept and will be or have been made available as required thereby.

  
\_\_\_\_\_  
Carolyn J. Eaton, Township Clerk

TOWNSHIP OF OCEOLA

At a meeting of the Township Board (the "Township Board") of the Township of OCEOLA (the "Township") held at the Township Hall on MARCH 3, 2011 at 7:00 p.m. local time, there were:

PRESENT: BAMBER, MCLEAN, CORNELL, DUNLEAVY, SCHUHMACHER, HUFF, HENSHAW

ABSENT: N/A

The following preamble and resolution were offered by SCHUHMACHER and seconded by HUFF.

**Resolution Approving the Master Operating Agreement and Approving the Water System and Terminating Certain Prior Agreements**

WHEREAS, Marion Township, Howell Township, Oceola Township and Genoa Charter Township (the "Constituent Municipalities") are members of the Marion, Howell, Oceola and Genoa Sewer and Water Authority (the "Authority");

WHEREAS, the Township Board has reviewed the proposed Water System Master Operating Agreement (the "Master Operating Agreement"), a copy of which is attached as Exhibit A;

WHEREAS, the Township Board desires to approve the Master Operating Agreement; and

WHEREAS, the Township Board acknowledges and agrees that Section 11.3(d) of the Master Operating Agreement provides that it may be modified, amended and supplemented from time to time in the future by a majority vote of the Board of the Authority, except that Section 11.3(d) requires the unanimous vote of all of the members of the Board of the Authority that are present at a meeting to amend certain specified sections of the Master Operating Agreement;

NOW, THEREFORE, IT IS RESOLVED that:

1. Approval of Master Operating Agreement. The Township Board hereby approves the Master Operating Agreement and approves the Authority entering into the Master Operating Agreement.

2. Resolution to Constitute Evidence of Approval. Any Township Officer is authorized to provide a copy of this Resolution to the Authority as evidence that the Master Operating Agreement has been approved by the Township Board.

3. Approval of the Water System. The Township Board hereby confirms that the Township has approved and agreed to the operation and maintenance of the System (as defined in the Master Operating Agreement) under and pursuant to 1955 Public Act 233 and approved the designation of "MHOG Water System" as the name of the System. Additionally, the

Township Board hereby confirms that the Township has consented and agreed to the establishment and location of the System within its municipal boundaries in accordance with the terms of the Master Operating Agreement and in compliance with Section 29, Article VII, Michigan Constitution of 1963. Furthermore, the Authority shall be the exclusive provider of municipal water service to the properties in the Township that are served by the System, as the System may be modified from time to time as provided for in the Master Operating Agreement.

4. Termination of Prior Agreements. The Constituent Municipalities and the Authority have previously entered into certain agreements that are being terminated in connection with the adoption of the Master Operating Agreement. Attached as Exhibit B is the Agreement Terminating the Prior Agreements and attached as Schedule 1 to Exhibit B is a list of the Prior Agreements that are being terminated. The Township Board hereby authorizes each Township Officer to enter into the Agreement Terminating the Prior Agreements, the form of which is attached as Exhibit B.

5. Additional Steps to Effectuate the Purpose of this Resolution. The Township Board authorizes any officer of the Township to take all necessary steps required to effectuate the purposes of this resolution.


A vote on the foregoing resolution was taken and was as follows:

Yes: 7

No: 0

Clerk's Certificate

The undersigned, being the duly qualified and acting Clerk of the above-referenced Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting at which a quorum was present and remained throughout, (2) the original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof 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 meeting were kept and will be or have been made available as required thereby.

  
Township Clerk Kathleen E. McLean

## Resolution No. 110221-C

### GENOA CHARTER TOWNSHIP

At a regular meeting of the Genoa Charter Township Board (the "Township Board") of the Township of Genoa (the "Township") held at the Township Hall on February 21, 2011 at 6:30 p.m. local time, there were:

PRESENT: Gary McCririe, Paulette A. Skolarus, Robin Hunt, Steve Wildman, Jim Mortensen, Todd Smith and Jean Ledford.

ABSENT: None.

The following preamble and resolution were offered by Smith and seconded by Mortensen.

#### **Resolution Approving the Master Operating Agreement and Approving the Water System and Terminating Certain Prior Agreements**

WHEREAS, Marion Township, Howell Township, Oceola Township and Genoa Charter Township (the "Constituent Municipalities") are members of the Marion, Howell, Oceola and Genoa Sewer and Water Authority (the "Authority");

WHEREAS, the Township Board has reviewed the proposed Water System Master Operating Agreement (the "Master Operating Agreement"), a copy of which is attached as Exhibit A;

WHEREAS, the Township Board desires to approve the Master Operating Agreement; and

WHEREAS, the Township Board acknowledges and agrees that Section 11.3(d) of the Master Operating Agreement provides that it may be modified, amended and supplemented from time to time in the future by a majority vote of the Board of the Authority, except that Section 11.3(d) requires the unanimous vote of all of the members of the Board of the Authority that are present at a meeting to amend certain specified sections of the Master Operating Agreement;

NOW, THEREFORE, IT IS RESOLVED that:

1. Approval of Master Operating Agreement. The Township Board hereby approves the Master Operating Agreement and approves the Authority entering into the Master Operating Agreement.
2. Resolution to Constitute Evidence of Approval. Any Township Officer is authorized to provide a copy of this Resolution to the Authority as evidence that the Master Operating Agreement has been approved by the Township Board.



3. Approval of the Water System. The Township Board hereby confirms that the Township has approved and agreed to the operation and maintenance of the System (as defined in the Master Operating Agreement) under and pursuant to 1955 Public Act 233 and approved the designation of "MHOG Water System" as the name of the System. Additionally, the Township Board hereby confirms that the Township has consented and agreed to the establishment and location of the System within its municipal boundaries in accordance with the terms of the Master Operating Agreement and in compliance with Section 29, Article VII, Michigan Constitution of 1963. Furthermore, the Authority shall be the exclusive provider of municipal water service to the properties in the Township that are served by the System, as the System may be modified from time to time as provided for in the Master Operating Agreement.

4. Termination of Prior Agreements. The Constituent Municipalities and the Authority have previously entered into certain agreements that are being terminated in connection with the adoption of the Master Operating Agreement. Attached as Exhibit B is the Agreement Terminating the Prior Agreements and attached as Schedule 1 to Exhibit B is a list of the Prior Agreements that are being terminated. The Township Board hereby authorizes each Township Officer to enter into the Agreement Terminating the Prior Agreements, the form of which is attached as Exhibit B.

5. Additional Steps to Effectuate the Purpose of this Resolution. The Township Board authorizes any officer of the Township to take all necessary steps required to effectuate the purposes of this resolution.


A vote on the foregoing resolution was taken and was as follows:

Yes: Ledford, Smith, Hunt, Wildman, Mortensen, Skolarus and McCririe.

No: None.

Clerk's Certificate

The undersigned, being the duly qualified and acting Clerk of the above-referenced Township, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a meeting at which a quorum was present and remained throughout, (2) the original thereof is on file in the records of the Township, (3) the meeting was conducted, and public notice thereof 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 meeting were kept and will be or have been made available as required thereby.

  
Paulette A. Skolarus, Township Clerk