

Resolution 12-20

TOWNSHIP OF WHITEWATER

COUNTY OF GRAND TRAVERSE, MICHIGAN

Minutes of a regular meeting of the Township Board of the Township of Whitewater, held at the Township Hall, 5777 Vinton Rd., Williamsburg, Michigan 49690, on the 13th day of November, 2012, at 7:00 p.m.

PRESENT: Members: Benak, Boyd, Hockin, Hubbell, Lake

ABSENT: Members: None

The following preamble and resolution were offered by Member Hockin and supported by Member Benak:

**RESOLUTION TO RATIFY AND CONFIRM RETENTION
OF SPECIAL TOWNSHIP LEGAL COUNSEL**

WHEREAS, this Township Board, or one or more Township elected officials on behalf of the Township Board, has previously authorized Mika Meyers Beckett & Jones PLC of Grand Rapids, Michigan to represent the Township as Special Township Legal Counsel with regard to matters related to the Grand Traverse County Septage Treatment Facility, the related proposal by the Grand Traverse County Board of Public Works to establish a special assessment district, including all lands within this Township which have a septic or holding tank, and to levy special assessments on such lands for the improvement, operation and maintenance of the Grand Traverse County Septage Treatment Facility and litigation related thereto (together such matters shall be referenced as the "Grand Traverse County Septage Matters"); and

WHEREAS, it is this Township's understanding that Mika Meyers Beckett & Jones PLC has been similarly authorized to represent, with respect to the Grand Traverse County Septage Matters, a total of nine (9) townships in Grand Traverse County, including this Township, the

Townships of Blair, Fife Lake, Grant, Green Lake, Long Lake, Mayfield, Paradise, Union and Whitewater (together, the “Rural Townships”) and, in addition, certain individual property owners (the “Property Owners”) who own property with septic or holding tanks within the Rural Townships; and

WHEREAS, it is appropriate under these circumstances for this Township Board to ratify and confirm the previous authorization to retain Special Township Legal Counsel.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The prior action taken by this Township Board and/or elected Township officials of this Township to authorize and direct Mika Meyers Beckett & Jones PLC to serve this Township as Special Township Legal Counsel with regard to Grand Traverse County Septage Matters is hereby ratified and confirmed.

2. This Township waives any potential conflict of interest that might otherwise be presented by the joint legal representation by Mika Meyers Beckett & Jones PLC of the Rural Townships and the Property Owners with regard to the Grand Traverse County Septage Matters.

3. This Township acknowledges and agrees that charges for services provided by Mika Meyers Beckett & Jones PLC as Special Township Legal Counsel to the Rural Townships will be billed to Paradise Township which will act as a clearing house on behalf of all Rural Townships for (1) the allocation of the bill between the Rural Townships on a basis mutually acceptable to the Rural Townships and (2) for the collection of payments from each of the Rural Townships to enable Paradise Township to pay each monthly billing by a single remittance to Mika Meyers Beckett & Jones PLC on behalf of all Rural Townships.

4. The Township Supervisor is hereby authorized and directed to execute and deliver to Mika Meyers Beckett & Jones PLC, as Special Township Legal Counsel, an Engagement

Agreement and Waiver and Consent, which are approved in the form on file with the Township Clerk.

5. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

AYES: Members: Lake, Benak, Boyd, Hockin, Hubbell

NAYS: Members: None

ABSENT: Members: None

RESOLUTION DECLARED ADOPTED.

Carol Hockin
Carol Hockin
Whitewater Township Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF GRAND TRAVERSE)

I, the undersigned, the duly qualified and acting Clerk of the Township of Whitewater, Grand Traverse County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township at a regular meeting held on the 13th day of November, 2012, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this 16th day of November, 2012.

Carol Hockin
Carol Hockin
Whitewater Township Clerk