

**RESOLUTION: ‘OPERATION OF WASTE MANAGEMENT PROJECT’**

WHEREAS, P.A. 451 of 1994 grants to municipalities, including townships, the authority to operate a waste management project, including waste collections, and

WHEREAS, the above act authorizes the township to enter into contracts with individuals or corporations providing for the collection of waste and to negotiate with parties who may submit bids to the township for a waste collection contract; and

WHEREAS, Section 11903 of the act authorizes the township to impose rates, charges and fees to secure a contract for waste collection by one or more or a combination of the following methods:

- A. Pledge the full faith and credit of the township and levy a tax on taxable property;
- B. By the levy and collection of rates or charges to users and beneficiaries of the services furnished by the waste management project;
- C. By using tax monies returned and received from the State of Michigan;
- D. From any other funds which may be validly used for that purpose.

WHEREAS, the township initially established its Waste Management Project under a companion statute which has been replaced by the aforesaid Act.

WHEREAS, it is to the advantage of the residents of Gerrish Township to contract with one waste collection party and to require all residential properties to pay for and use the services of the waste collector selected by the township; and

WHEREAS, Section 11904 of the Act permits a lien to be placed upon the premises of the users and beneficiaries of the service for the rates and charges;

NOW THEREFORE, be it RESOLVED by the Township of Gerrish, as follows:

1. That the Board is authorized to continue an existing contract, and at the appropriate time to negotiate a new contract, with the company which the Board believes will provide the best service for the lowest cost.
2. That the rate and charges for each benefited premise shall be a lien upon the benefited premises as provided in the act.
3. That the cost per benefited premise shall be levied and collected and the lien enforced in the same manner as the collection of taxes assessed upon the tax roll and the enforcement of a lien for unpaid taxes.
4. That the rate or charges for each improved parcel shall be assessed at the total amount of all costs and expenses for all collection and waste disposal, divided by the total number of improved parcels within the township.

5. That based upon the total calculation as set forth above, the collection and disposal charge to each residential premise shall be established annually by the board, payable annually in advance. The charge to be billed for each residential improved parcel will be included with the December tax statements; Annual fee shall be established by Board action at the November regular meeting. The Treasurer is authorized to remove the garbage collection fee from any unimproved parcel not benefiting from the Waste Management Project which may have been billed for the current year. Any requests for prior years shall be referred to the entire board.
6. That the term "improved parcel" includes each of the following:
  - a. A residential or agricultural lot or parcel which includes a residential structure capable of producing refuse;
7. That the Supervisor and Clerk are authorized to execute any contracts consistent hereto as finally negotiated and approved by the Board.

The foregoing resolution offered by Board Member Valentino and supported by Board Member Lippert.

Upon roll call vote, the following voted:

"Aye:" Homola, Link, Tulgetske, Lippert, Valentino  
"Nay:" None

I, Jodi Valentino, the duly elected and acting Clerk of Gerrish Township, hereby certify that the foregoing resolution was adopted by the township board of said township at the regular meeting of said board held on Tuesday, June 11, 2013, 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.

THE SUPERVISOR DECLARED THE RESOLUTION ADOPTED

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Jodi Valentino, Township Clerk