

CHARTER TOWNSHIP OF LARKIN

At a regular meeting of the Board of Trustees of the Charter Township of Larkin (the "Township Board"), County of Midland, held at the Township Hall on Tuesday, May 14, 2019, beginning at 7:00 o'clock p.m., there were

PRESENT: Maria Sandow, Kathy Moe, Sandy Reardon, Dan Owens,
Karen Hitchcock, Jill Deitsch, Todd Draves

ABSENT: None

The following preamble and resolution were moved for adoption by Karen Hitchcock, and the motion was supported by Sandy Reardon.

RESOLUTION RENEWING MORATORIUM ON WATER CONNECTION PERMITS FOR NON-ASSESSED PROPERTIES

WHEREAS, the Charter Township of Larkin (the "Township") is party to a Water Service Agreement between the Township and the City of Midland (the "City") whereby the City supplies to the Township potable treated water for Township customers and services and manages the public water distribution system owned by the Township (the "Agreement"); and

WHEREAS, the Agreement contains limitations upon the number of water connections in the Township that may receive water from the City; and

WHEREAS, the Township Board has created special assessment districts to finance the construction of the water distribution system within the Township through which water from the City is distributed and in so doing specially assessed greater than 1,500 parcels in the Township; and

WHEREAS, The Township heretofore has also allowed Township parcels which have not borne the expense of the construction of water mains through special assessment (the "Township Water System") to connect to Township Water System upon payment of a connection fee; and

WHEREAS, the current number of available connections to the Township Water System under the Agreement is less than the number of parcels assessed by the Township which have not so connected and continued connection of un-assessed parcels will reduce the number of connections for assessed parcels further; and

WHEREAS, an increase in the number of connections available to Township properties will require amendment of the Agreement by each of the Township Board and the City Council, which discussions the Township Board will now seek; and

WHEREAS, the Township Board requires sufficient time for full consideration and review of the existing connections and assessments and for the discussions with the City to accommodate additional connections for assessed parcels and future growth of the Township in order to adequately protect the public health, safety and welfare of the Township residents and the availability of connections to assessed parcels which have not connected to the Township Water System; and

WHEREAS, on March 13, 2018, the Township Board established a moratorium, on a temporary basis, on the issuance of water connection permits under Section 18 of the Larkin Township Water Ordinance (Ordinance No. 226, as amended) for premises that have not borne the expense of construction of water mains in the Township Water System through special assessment, said moratorium being in effect for a period of six months following the date of adoption; and

WHEREAS, on November 13, 2018, the Township Board extended the aforesaid moratorium, for a period of six months following the date of adoption of the extension.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Sections 15 and 20 of Public Act 359 of the State of Michigan of 1947, as amended, and the inherent powers vested in the Township Board to regulate activities within the Township for protection of the health, safety and welfare of the residents of the Township, the Township Board hereby extends the moratorium on the issuance of water connection permits under Section 18 of the Larkin Township Water Ordinance (Ordinance No. 226, as amended) for premises that have not borne the expense of construction of water mains in the Township Water System through special assessment for an additional six (6) months. Notwithstanding the foregoing, a total of not more than 10 connections may be issued in existing developments having developer paid water mains installed prior to this date, after issuance of a building permit for new construction.

BE IT FURTHER RESOLVED that the Township Supervisor is herein authorized and directed to establish, administer, and continue such policies as necessary to effectuate this moratorium.

BE IT FURTHER RESOLVED that this moratorium shall remain in effect for a period of six (6) months following the date of adoption of this Resolution or until the Agreement is amended to permit additional Township connections, whichever occurs first.

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


Yes: Karen Hitchcock, Todd Draves, Maria Sandow, Kathy Moe, Sandy Reardon, Dan Owens, Jill Deitsch

No: None

ABSTAIN: None

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of the Charter Township of Larkin, Midland County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on November 13, 2018, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (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.



Sandy Reardon
Larkin Township Clerk