

**TOWNSHIP OF HEATH
ALLEGAN COUNTY, MICHIGAN**

**RESOLUTION TO DECLINE JURISDICTION AND RESPONSIBILITY
OVER A COMMUNITY SANITARY TREATMENT SYSTEM**

RESOLUTION NO. 73

WHEREAS, Heath Township has been notified of a project to create a condominium for the existing food market, gas station, Subway Restaurant and other businesses operating within the Hamilton Food Center property located at 3416 M-40 within Heath Township; and

WHEREAS, these combined businesses utilize a common septic system and drain field;
and

WHEREAS, the Township is supportive of the proposed development; and

WHEREAS, the Allegan County Health Department has indicated that the use and existing septic and drain field system can be created to form a community system; and

WHEREAS, MDNRE authorizes a community system under what is referred to as the Part 41 permit process; and

WHEREAS, under statute and administrative rules, the local unit of government must declare whether or not it will assume all jurisdiction and responsibility over a community system or whether it will decline jurisdiction responsibility over said system; and

WHEREAS, Heath Township does not currently operate a sanitary system and further it has been the policy of the Township not to assume jurisdiction and responsibilities for a private sanitary system and does not wish to become involved in said system with potential responsibilities for monitoring, maintenance, reconstruction, replacement and other responsibilities should the community system fail or need assistance; and

NOW THEREFORE BE IT RESOLVED that Heath Township hereby declines jurisdiction and any responsibility over said proposed community sanitary system but is supportive of the condominium association to assume all jurisdiction of said system and approves of the proposal to construct, own and operate the private sewage system

BE IT FURTHER RESOLVED that the Township also supports the MDNRE authorizing and issuing a permit to construct said system for the proposed development.

Upon roll call vote the following voted "aye":

Ron Jones, Supervisor
Sheila Meiste
Misti Lindholm
Hilda Boerman
Dick Schipper

The following voted "nay": None.

The Supervisor declared the motion carried and the resolution duly adopted.

HEATH TOWNSHIP
Sheila Meiste, Clerk
PO Box 241
Hamilton, MI 49419-0241
269-751-2403

CERTIFICATE

The undersigned, Sheila Meiste, the duly elected and acting Clerk of Heath Township, hereby certifies that the foregoing constitutes a true and complete copy of the Resolution of the Township Board of Heath, together with an excerpt of the minutes pertinent thereto held on March 14, 2011, at which meeting a quorum was present; that said meeting was conducted in accordance with the Open Meetings Act of the State of Michigan; and the members of said Board voted upon said Resolution as hereinbefore set forth.

Sheila Meiste, Township Clerk