

TOWNSHIP OF LYON
(Roscommon County, Michigan)

RESOLUTION NO. 22- 010

**RESOLUTION CONCERNING THE TOWNSHIP'S TENTATIVE DECLARATION OF
INTENT TO MAKE PUBLIC IMPROVEMENTS AROUND HIGGINS LAKE**

At a regular meeting of the Lyon Township Board, Roscommon County, Michigan held at the Lyon Township Hall, 7851 W. Higgins Lake Drive, Roscommon, Michigan 48653, on the 15th day of June, 2022 at 7:00 pm.

PRESENT: Tatro, Schnell, Grier, Carlson and Tomak

ABSENT: None

The following resolution was offered by Member Schnell and supported by Member Grier.

WHEREAS, the Gerrish Lyon Utility Authority (the "GLUA") was established by the Townships of Lyon and Gerrish to explore the possibility of acquiring, owning, improving, enlarging, extending or operating a sewer service or system to address declining water quality in or near Higgins Lake;

WHEREAS, Higgins Lake is a critical asset to Lyon Township, including its residents and the community at-large. Acting to prevent further decline in the health and water quality of Higgins Lake is critical to protecting the public health, safety, and general welfare of the Township's persons and property;

WHEREAS, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended ("Act 188"), as well as other statutory authority, the Township Board may initiate and carry out sanitary sewer and water system improvements, and finance the same by the levy of special assessments against benefiting properties within a special assessment district in the Township;

WHEREAS, the Township Board has received a preliminary plan, dated May 5, 2022, showing proposed sanitary sewer and water system improvements near or around Higgins Lake, and an estimate of the costs of the same at approximately \$35,440,000;

WHEREAS, the Board is sensitive to its residents' concerns concerning the affordability of the special assessment on benefited properties in light of the estimated costs thereof, and the Board desires to enable the improvements to be made at a reasonable cost so as not to impose an unreasonable hardship on the benefited properties and property owners;

WHEREAS, pursuant to Resolution No. 2022-GLUA1, the Board has decided to tentatively declare its intention to proceed with the proposed public improvements, either directly or through the GLUA, pursuant to Act 188. However, the Township desires to seek additional state, federal or other funding to supplement the funds that would be obtained by special assessment in an effort to reduce the portion of costs to be assessed against benefitted properties and property owners;

WHEREAS, the Township has reason to believe that external state or federal funding opportunities available this year are greater than what may or may not be available in coming years due to existing infrastructure funds available from a variety of sources; and

WHEREAS, to the extent supplementary funding is not received, and, therefore, costs cannot be made reasonable for those to be served by the project, the Board will reevaluate the feasibility of the project.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Lyon Township, Roscommon County, Michigan, as follows:

1. The Township Board intends to proceed under Resolution No. 2022-GLUA1 for the purpose of allowing the Township or the GLUA to file requests for external funding for the proposed improvements. In the event supplementary funding is not obtained, the

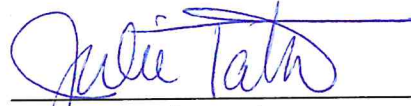
Township Board will not proceed forward unless it reevaluates the feasibility of the proposed improvements to ensure the costs to be allocated by special assessment are reasonable.

YEAS: Tatro, Schnell Grier, Carlson and Tomak

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

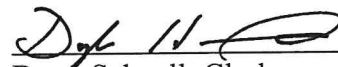


Julie Tatro, Supervisor

CERTIFICATION

I, Doug Schnell, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Lyon at a meeting held on June 25, 2022, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including, in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

Dated: June 15, 2022



Doug Schnell, Clerk