

**TOWNSHIP OF ROSE
CODE OF ORDINANCE AMENDMENT
CHAPTER 14, ARTICLE II – NORTH OAKLAND COUNTY FIRE AUTHORITY**

AN ORDINANCE TO AMEND THE ROSE TOWNSHIP CODE OF ORDINANCES,
CHAPTER 14, ARTICLE II – NORTH OAKLAND COUNTY FIRE AUTHORITY

THE TOWNSHIP OF ROSE ORDAINS:

ARTICLE 1. AMENDMENT

I - NAME AND OFFICE

The name of this Authority shall be and is the “North Oakland County Fire Authority” hereinafter sometimes referred to as the “Authority.”

II- DEFINITIONS

The terms “Authority,” “Incorporating Municipality,” “Municipal Emergency Services,” and “Municipality,” as used in these Articles of Incorporation shall be as now or hereafter defined in Section 1 of Act 57.

“Agreement” means these Articles of Incorporation.

For the purposes of these Articles, the term “Emergency Services” means fire protections services and emergency medical services.

“Authority Board” means and refers to the board formed to manage and oversee the Authority under Article VIII hereunder.

“Municipal Board” means and refers to the legislative bodies of each Incorporating Municipality, as described in Article III.

Other terms shall have such meaning as may be specified in the various provisions of these Articles of Incorporation.

“Direct relative” is defined as: the Authority Board member’s spouse, their children and stepchildren (including adopted) and their spouses, , grandchildren and their spouses, parents and stepparents, siblings and their spouses, grandparents, parents in-law, grandparents in-law, or any person residing in the Authority member’s household.

III - INCORPORATING MUNICIPALITIES

The incorporating and creating municipalities of this Authority are the Township of Holly and the Township of Rose in the County of Oakland, State of Michigan. Additional incorporating municipalities may be contracted with in accordance with Article XVII of these Articles.

IV - PURPOSE

The purpose of this Authority shall be and is to provide emergency services in accordance with the authorization contained in Act 57, Public Acts of Michigan, 1988, as amended (“Act 57”). The Authority may provide such services within or beyond its jurisdiction described in Article V hereof as may be authorized pursuant to contract with the Authority by any municipality in accordance with Act 57. Further, the purpose of this Authority is to ensure the Fire Authority runs smoothly, provides adequate emergency services and is supported through a mutually agreeable and uniform funding mechanism to provide services to Rose Township and Holly Township; and any further municipalities who may later elect to contractually join pursuant to Article III herein above.

These Amended Articles will only be applied prospectively. No terms herein will be applied retroactively.

V - POWERS

This Authority shall be a body corporate with power to sue or to be sued in any court in the State of Michigan. Its jurisdiction shall include all of the territory embraced within the corporate boundaries of its incorporating municipalities and any other municipalities who contractually join, excluding the territory embraced within the corporate boundaries of the Village of Holly, as now constituted or as hereafter expanded through annexation, consolidation or change of municipal identity. If any one of the incorporating municipalities ceases to exist, all assets controlled or owned by the Authority shall remain with the Authority. The Authority shall possess all of the powers now or hereafter granted by Act 57, or by any other applicable statute of the State of Michigan and by these Articles, and those incidents thereto. In addition, it shall possess all powers necessary to carry out its purposes and those incidents thereto. The enumeration of any powers herein shall not be construed as a limitation upon its general powers unless the context shall clearly indicate otherwise. The Authority may adopt a corporate seal, and may alter the seal, and use it by causing it or a facsimile thereof to be affixed, impressed, or reproduced in any other manner.

VI - TERM

This Authority shall continue in existence perpetually or until dissolved pursuant to Article XX hereof.

VII - FISCAL YEAR

The fiscal year of the Authority shall commence on the first day of July in each year and shall end on the 30th day of June of the next year.

VIII - GOVERNING BOARD

The Authority shall be managed by the Board of Directors, hereinafter called the “Authority Board”, which shall be responsible for the planning and operation of the Authority within the boundaries of Holly Township and Rose Township. The Authority Board shall consist of five (5) members: Two (2) members shall be members of the Board of Trustees of each of the respective incorporating municipalities (“Municipal Board”) and shall be appointed by that governing body, and the four (4) members so chosen shall select the fifth (citizen-at-large) member from lists of registered voters residing within the municipal boundaries of the incorporating municipalities. None of the Authority Board Members nor the citizen-at-large shall be a current or past employee of N.O.C.F.A. or a direct relative of a current or past employee of N.O.C.F.A. Each participating governmental unit shall select its representatives in accordance with state law and these Articles of Incorporation.

Each member after the first Authority Board shall serve for a full term of four years, beginning with the first regular meeting of the Authority Board next following his or her respective appointment. The citizen-at-large shall serve a two-year term, each term alternating between a registered voter of Holly Township and a registered voter of Rose Township. The Authority Board reserves the right to reappoint the citizen-at-large for additional terms. A member of the Authority Board shall be deemed to have vacated his/her seat on the Authority Board in the event of four (4) consecutive unexcused absences or if a pattern develops showing the inability of said member to participate in assigned committee projects or regular/special meetings that causes the appointing Municipal Board to believe it is not being sufficiently represented.

Each member of the Authority Board shall qualify by taking the constitutional oath of office and filing it with the clerk of his or her respective incorporation municipality or, in the case of the at-large member, with the clerk of the Township in which the at-large member resides. The members of the first Authority Board shall be selected within twenty (20) days after the effective date of the incorporation of this Authority and the terms thereof shall continue until the next General Election at which members of the Boards of Trustees of the incorporating municipalities are elected. Except for the Chief of the Authority (an ex-officio member), a member of the Authority Board shall not be an employee of an emergency services entity of any incorporating municipality. Except for the Chief of the Authority (an ex-officio member), a member of the Board shall not be an employee of any emergency service operated by the Authority.

Within (30) days and after taking the constitutional oath of office, the members of the first Authority Board shall meet for the purpose of organization. At such organizational meeting, the Board shall select a Chairperson, a Vice Chairperson a Secretary and may select a Treasurer, each of whom shall be a member of the Board. The Authority Board may also select an Assistant Secretary and an Assistant Treasurer, each of whom shall not be a member of the Board. Authority Board officers shall serve until the first regular public meeting of the following year, after term of

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offices change which shall be held annually at the January meeting date as set by Board Resolution,

as amended time to time, or until their respective successors shall be selected and qualify. No selection to the Authority Board and no selection of an officer of the Authority Board shall be deemed to be invalid because it was not made within or at the time specified in these Articles. An Authority Board member may be removed at any time with or without cause by the Municipal Board which appointed him or her, the at-large member may be removed for cause by a majority vote of the remaining members of the Authority Board (

A Municipal appointed Authority Board member and/or the Citizen At Large may be suspended, censured or terminated by the Authority Board for, among other things, the following actions::

- Violation of N.O.C.F.A. bylaws of rules and regulations.
- Engagement in misfeasance, malfeasance, or nonfeasance,
- Failure to attend 4 or more meetings consecutively whether excused or unexcused,
- Refusal to engage in or willful neglect of duties as an Authority Board member,
- Engaging in any theft or embezzlement of funds or assets from N.O.C.F.A. or either respective Municipality,
- Failing to disclose or abstaining if the Authority Board member has a conflict of interest as a Authority Board member as that is defined under state law, including Standards of Conduct for Public Officers and Employees, 1973 PA 196 (Act 196) and Contracts of Public Servants with Public Entities, 1968 PA 317 (Act 317).

An affirmative vote of a majority of the Authority Board members present at any board meeting is required to censure or to suspend a member.

Fourteen Day (14) day notice must be given to any accused member of the intention of the Authority Board's decision to consider and determine whether an Authority Board member will be terminated. Notice to the member must specifically state the provision or provisions of the bylaws or rules and regulations that are alleged to have been violated or the improper conduct as set forth above. The accused member may appear at the Authority Board meeting and present evidence or make arguments, as he or she may deem necessary in defense of himself/herself. Only an affirmative vote of 2/3 of the entire Authority Board membership can authorize termination of an Authority Board member. Upon any Authority Board termination of a member, said termination needs to be affirmed by the Municipal Board that appointed said member. In the event of a termination of an Authority Board member that creates a vacancy, Article XI, herein shall be followed to fill the vacancy.

IX – AUTHORITY

In addition to other authority provided in the within Agreement, the Authority shall have full

responsibility for the management and operation of the Emergency Services including, without limitation, the following:

1. Establishing the qualifications, job requirements and performance expectations for the Fire Chief and the hiring of a Fire Chief;
2. Establishing a process for annually evaluating the Fire Chief's performance;
3. Establishing the qualifications, job requirements and performance expectations for fire department officers and Fire Department personnel; annually reviewing the Fire Chief's individual evaluations of the Fire Department's personnel;
4. Aid the department in setting the job descriptions, duties and responsibilities of all Fire Department personnel;
5. Establishing policies for review of personnel performance, procedures for improvement and discipline, procedures for dismissal from employment, and procedures for appeal of personnel management decisions;
6. Establishing procedures for working with the Fire Chief, the officers and the department personnel, and/or their representatives, to determine compensation packages and conditions of employment;
7. Provide feedback to aid the Fire Chief in the preparation of a budget;
8. Approving the delegation of duties and responsibilities to the Fire Chief;
9. The securing and maintaining of liability insurance covering all capital assets owned or operated by the Fire Department and covering all Fire Department personnel, as well as general liability for damages and injury to persons and property resulting from operations of the Department.
10. Set standards for the Fire Chief concerning maintenance and repair of all Fire Department equipment and assets owned or utilized by the Fire Department;
11. The negotiation and execution of any mutual aid fire protection agreements with adjoining municipalities that are not part of the above-named participating Municipalities;
12. The acquisition of all Fire Department equipment, buildings, property and assets within the limits of the annual budgets approved by the participating Municipal Boards or which might otherwise specifically be authorized by said Municipal Boards. Such acquisition can include construction, purchasing or leasing such assets;
13. Accept gifts, grants, or bequests to the Fire Department.

X - COMPENSATION

The members of the Authority Board shall not be compensated for performing the duties required of Authority Board Members.

XI – VACANCY AND OPEN SEAT

In the event of a vacancy on the Authority Board other than the at-large member, the affected Municipal Board who appointed the representative of the vacated seat shall fill the vacancy for

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the unexpired term as expeditiously as possible and in no event to exceed ninety (90) days from the date such vacancy occurs.

In the event of a vacancy in the office of the at-large member, a majority of the Authority Board membership shall fill the vacancy for the unexpired term as expeditiously as possible and in no event to exceed ninety (90) days from the date such vacancy occurs

In the event of an open seat for an officer position of the Authority Board, such open seat shall be filled by the Authority Board for the unexpired term within 60 days of the notice of the opening.

XII - MEETINGS

The Authority Board shall meet no less than once a quarter. At the beginning of each fiscal year, the time and place of meetings shall be determined by the Board by resolution, as amended from time to time. Notification of the times and places of all meetings shall be published in accordance with the requirements of the Open Meetings Act. Special meetings may be called by the Chairperson to conduct such business as may be necessary for the efficient operations of the Authority. A special meeting may be called for the purpose of addressing Authority business by the submission, to the Board Secretary, of a written request. Upon receipt of a written request for a special meeting, the Chairperson shall schedule and notice the meeting consistent with the date, time and place specified in the request, provided it complies with the provisions of the Open Meetings Act.

Each member of the Board shall have one vote.

The presence of three (3) voting members at a meeting of the Authority Board shall constitute a quorum. The Authority Board shall act by motion, resolution or ordinance. A vote of the majority of the members of the Authority Board who are present at any meeting at which a quorum is present and who are authorized to vote on such matter shall be sufficient for passage.

The Authority Board shall have the right to adopt rules and policies governing its procedure, which rules and policies shall not conflict with the terms of any statute of the State of Michigan or of these Articles of Incorporation. All meetings shall be conducted in conformity of the Open Meetings Act, to the extent practicable, in accordance with generally accepted parliamentary procedure, as governed by "Robert's Rules of Orders." However, application of "Robert's Rules" shall not be utilized in order to stifle discussion or debate and may be implemented only to the extent required to maintain the orderliness of the meeting. Only members of the Authority Board in attendance at a meeting shall have the right to cast a vote. All votes shall be cast in accordance with Roberts Rules and polices as set forth herein, the Authority Board shall keep minutes of its proceedings, which minutes shall be signed by the Chairperson and the recording secretary and

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open to the public. The Chief is the custodian of the minutes.

XIII - BOARD AND OFFICER DUTIES

The Chairperson of the Authority Board shall be the presiding officer thereof. Except as herein otherwise provided, the Chairperson shall have no executive or administrative functions other than as a member of the Authority Board. In the absence or disability of the Chairperson, the Vice Chairperson shall perform the duties of the Chairperson. The Secretary shall be the recording officer of the Authority Board. The Chief shall be custodian of the funds of the Authority and shall give to it a bond conditioned upon the faithful performance of the duties of his or her office. All moneys shall be deposited in a bank or banks, to be designated by the Authority Board, and all checks or other forms of withdrawal therefrom shall be signed by two persons, which persons shall be the Secretary or the Treasurer and the Fire Chief employee of the Authority, or their respective written designees. All authorized signatories shall give a minimum of \$25,000 bond conditioned upon the faithful performance of the prescribed duties. The cost of such bonds shall be paid by the Authority. The officers of the Authority Board shall have such other powers and duties as may be conferred upon them by the Board and Act 57.

It shall be the duty of the Authority Board to secure an annual audit of the Authority and to present the annual audit to the Authority Board at its regular meeting by the end of each calendar year in accordance with the provisions of Article XXIII of these Articles.

The Authority's fiscal year shall be July 1 to June 30. It shall be the duty of the Authority Board to prepare an annual budget for submission to the Municipal Boards on or before May 1 each year. Each Municipal Board shall approve or reject a proposed budget on or before the 30th of June preceding the commencement of the Authority's fiscal year. In the event a Municipal Board does not approve any budget by June 30, it shall be deemed to have given notice of its intent to withdraw from the Authority. In this instance, the Authority shall continue operating by extending the most recently adopted budget until completion of the dissolution process.

Upon adoption by all Municipal Boards, the budget shall become the budget of the Authority for the ensuing fiscal year. The Authority may from time to time amend the adopted budget without review or action of the Municipal Boards provided said amendments do not increase a participating community's contribution over that specified in the budget as originally adopted. Amendments that result in or have the potential to result in an increase of a community's annual contribution shall not take effect until approved by both governmental units.

The accounting and budgeting practices of the Authority shall conform to standard accounting practices, the Uniform Budgeting and Accounting Act, Act 2. Public Acts of Michigan, 1968, as amended and all other applicable provisions of law. Not later than January 1 of each year,

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commencing January 1, 2009, the Authority shall prepare a five-year capital improvement plan for the five-year period commencing with the July 1 immediately succeeding each such January

XIV - PROPERTY

The Authority shall possess all the powers necessary to carry out the purposes thereof and those incidents thereto. It may acquire property by purchase, lease, gift, devise or condemnation, wither within or without its corporate limits, and may hold, manage, control, sell, exchange or lease such property. For the purpose of condemnation, it may proceed under the provisions of Act 149, Public Acts of Michigan, 1911, as now or hereafter amended, Act 87, Public Acts of Michigan 1980, as now or hereafter amended, or any other appropriate statute.

XV - CONTRACTS TO PROVIDE EMERGENCY SERVICES

The Authority may enter into contracts with any incorporating municipality for the provision of emergency services in the Municipality as authorized and provided in Act 57. The Authority may also enter into contracts with a city, village or township or Municipal Corporation that is not an incorporating municipality for the provision of emergency services, as authorized and provided in Act 57. No contracts shall be for a period exceeding thirty (30) years.

XVI - FINANCING THE AUTHORITY

Financial Contribution From Each Municipal Board

Each Municipal Board agrees to appropriate and pay over to the Authority funds equal to the amount calculated by dividing the total Authority budget, minus other revenue paid directly to the Authority, by the number of Municipal Boards. The amount so derived shall be paid over to the Authority in two (2) equal installments, with the first installment due July 1, and payable July 10, and the second installment due January 1, payable by January 10 of each fiscal year. In the event a Municipal Board does not approve a budget by June 30, it shall be deemed to have given notice of its intent to withdraw from the Authority. The formula for financing the Authority set forth in this Article may be changed if approved by resolution of the Municipal Boards and the Authority Board.

Property Tax Levy by Authority

Subject to the terms and conditions provided in Section 12 of Act 57, the Authority may levy a tax on all of the taxable property within the limits of the Authority for the purposes provided in Act 57. Such tax, however, shall not be levied without the authorization of each Municipal Board and the approval of a majority of the registered electors residing within the limits of the Authority who are qualified to vote and who vote on such tax at an election conducted in accordance with the provisions of Act 57.

Other Sources of Revenue

The sources of revenue for financing the Authority specified herein are non-exclusive. The Authority and each Municipal Board may provide for their respective financial contributions to the Authority from all other sources or types of revenues authorized by law.

XVII - COOPERATIVE AGREEMENTS

The Authority may enter into other agreements with any Municipal Board, incorporated or non-incorporated pursuant to the Urban Cooperation Act, Act 7, Public Acts of Michigan, 1967, as amended, and Act 33, Public Act of Michigan 1951, as amended, for purposes of, among other things, providing emergency services to such Municipal Boards, both incorporated and non-incorporated and their residents.

XVIII - FINANCING IMPROVEMENTS

The Authority shall create and maintain a Capital Purchase Account that shall be used for the acquisition of capital equipment and apparatus, land, buildings and improvements thereto. All interest earned by this account shall be retained in the fund. Upon a 4/5 affirmative vote of the entire Authority Board, the monies from this fund may be used for purposes other than that specified herein.

The Authority may acquire, construct, purchase, improve, enlarge or extend buildings for the provision of emergency services, and the necessary sites therefore, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, and furnish and equip the same.

The Authority may take whatever action is legally necessary for the purpose of obtaining funds to finance the cost of acquiring, constructing, purchasing, improving, enlarging or extending buildings for the provision of emergency services, and the necessary sites therefore, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, or furnishing or equipping the same in accordance with lease provisions.

XIX - WITHDRAWAL FROM AUTHORITY

A Municipal Board may withdraw from the Authority of which it is a part by resolution of that Municipal Board's legislative body approving the withdrawal.

A Municipal Board that withdraws from an Authority shall continue to be subject to any tax levied

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in its jurisdiction under section 12 of MCLA 124.612 for the duration of the period of that tax as determined pursuant to section 12(3) of MCLA 124.612.

Employees of an Authority who perform emergency services in the jurisdiction of a municipality that withdraws from an Authority shall be protected in relation to the municipality to the same extent as employees of an incorporating municipality are protected under Section 10 of MCLA 124.610.

A Municipal Board that withdraws from an authority shall remain liable for a proportion of the debts and liabilities of the authority incurred while that Municipal Board was a part of the Authority. The proportion of the Authority's debts for which a municipality is liable under this subsection shall be determined by dividing the state equalized value of the real property in the municipality by the state equalized value of all real property in the authority at the time of the withdrawal.

XX - DISSOLUTION OF THE AUTHORITY

The Authority shall be deemed to be perpetual, unless the participating Municipal Boards elect to dissolve the Authority. In the event that there is more than one participating Municipal Board, they shall adhere to the following noticing procedure:

1. Give notice to the Authority Board of its intention to dissolve the Authority on or before July 1st two years prior to the beginning of the fiscal year in which it intends to effect dissolution.
2. The Municipal Board seeking to dissolve the Authority must provide a forty five-day cooling-off period between authorizing its letter of intent and the adoption of a resolution to dissolve the Authority. An irrevocable resolution to dissolve the Authority shall be submitted to the Authority Board no later than forty-five days after the conclusion of the cooling-off period. Upon passage of such a dissolution resolution, the Municipal Board shall tender all sums due to the Authority prior to the effective date of the dissolution. Upon adoption of a dissolution resolution, the parties will adhere to the following procedure:
 - a. All Property, of any nature, from whatever source titled to the Township(s) will remain the property of the respective Incorporating Municipality.
 - b. All real estate, buildings and, improvements thereto, and equipment purchased by the Authority shall be appraised.
 - c. The Authority shall appoint an appraiser, the Municipal Board seeking dissolution shall appoint an appraiser, and in the event of failure to agree on the value of any particular asset, the two (2) appraisers shall agree upon a third appraiser whose opinion as to such value shall be binding on the Authority and the Municipal Boards. The appraiser(s) shall fix a value for any improvements to real property and purchases made by the Authority during the period it had control of the asset(s), and that amount, less appropriate deduction for depreciation

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and any outstanding debt shall be deemed to be the amount required to be paid by the Municipal Board desiring to acquire property pursuant to subparagraph (4).

The Municipal Board in which the Authority owns real estate or buildings it purchased after July 1, 2004, shall have the right of first refusal.

Costs associated with dissolution of the Authority shall be borne by the Municipal Board that moves to dissolve the Authority.

d. The Municipal Boards shall have the option to purchase all acquired equipment, rolling stock, fixtures and other assets, at the value set by the appraiser. All equipment, rolling stock, fixtures and assets acquired by the Authority which is not purchased by either Municipal Board shall be sold to third parties with the proceeds equally divided among the Municipal Boards less any amount needed to satisfy any and all outstanding debts or other encumbrances.

3. The Authority may be dissolved where the outstanding indebtedness of the Authority exceeds the assets of the Authority, only if the net indebtedness is assumed by the Municipal Boards then participating in the Authority based upon each Incorporating Municipality's most recent financing contribution to the Authority, calculated pursuant to the formula for contributions.

4. Upon dissolution, the Authority shall no longer be responsible for providing fire protection and emergency medical services.

XXI – DISPUTE RESOLUTION

In the event of any dispute between the participating Municipal Boards concerning any provisions of the Bylaws for the Authority, the Authority's operation or any Agreement thereto, such dispute shall be resolved as follows and consistent with the Open Meetings Act.

Step 1. Within 60 days of the initial date of the occurrence of such dispute, representatives of the Municipal Board(s) shall meet and negotiate in good faith in an attempt to resolve the dispute with the Authority.

Step 2. If the dispute is not resolved by negotiation as provided in Step 1, above, the parties shall meet with a neutral third-party mediator in an attempt to resolve the dispute. The mediator shall be mutually agreed to by the parties and may be selected from the list of civil mediators maintained by the ADR Clerk of the 6th Circuit Court or from a list of civil mediators maintained by the Conflict Resolution Services in Oakland County. If the parties are unable to agree on a mediator, the parties agree to permit the Conflict Resolution Services to select a mediator for them. The representatives of each Municipal Board(s) shall meet with the mediator and participate in good faith in the mediation which, unless otherwise agreed to with the mediator, is to be conducted within 30 days of the selection of the mediator. Again, any mediation shall be conducted consistent with the Open Meetings Act.

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Any resolution reached shall be approved by both Municipal Boards.

If the Municipal Boards agree, the parties may waive Step 1, above, and proceed directly to the Step 2 mediation process.

If resolution is not reached, any Member Board may initiate litigation in a court of competent jurisdiction.

XXII - EMPLOYEES

Subject to the terms and condition provided in Section 10 of Act 57, the Authority may employ such personnel as it may consider desirable and may retain from time to time the services of attorneys, accountants and other consultants as the Authority considers necessary to carry out the purpose of the Authority.

XXIII - AUDIT

As required in Article XIII of these Articles, the Authority Board shall cause an annual audit to be made of the books, records and financial transactions of the Authority by a certified public accountant. Copies of the audit report prepared by the certified public accountant shall be furnished to each Municipal Board. The books and records of the Authority shall be open for inspection by any participating Municipal Board at all reasonable times.

XXIV - FEDERAL OR STATE GRANTS

The Authority shall have the power to apply for and accept grants, loans, or contributions from the United States of America or any agency or instrumentality thereof, the State of Michigan or other public or private agencies; and to do any and all things necessary or desirable to secure such financial or other aid or cooperation in carrying out any of the purposes of Act 57.

XXV - EXEMPTION FROM TAXATION

The property of the Authority shall be exempt from all taxation and assessment and no writ of attachment or writ of execution shall be levied upon the property of the Authority.

XXVI – PUBLICATION

These Articles shall be published once in a newspaper of general circulation in the incorporating municipalities. One printed copy of such Articles of Incorporation, certified as a true copy thereof,

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with the dates and places of publication, shall be filed with the Secretary of State within thirty (30) days after the execution there has been completed.

XXVII - EFFECTIVE DATE

The Authority shall become effective upon the filing of certified copies of these Articles with the Secretary of State, as provided in the preceding Article.

XXVIII - AMENDMENT

These Articles of Incorporation may be amended at any time so as to permit any county, city, village or township to become an Incorporating Municipality of the Authority, if such amendment to and the Articles of Incorporation are adopted by the legislative body of such county, city, village or township proposing to become a member, and if such amendment is adopted by each existing Municipal Member.

Other amendments may be made to these Articles at any time if adopted by each Municipal Member. Any such amendment shall be endorsed, published, and certified and printed copies thereof filed in the same manner as the original Articles of Incorporation, except that the filed and printed copies shall be certified by the recording officer of the Authority.

XXIX - MISCELLANEOUS

These Articles of Incorporation may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

The captions in these Articles of Incorporation are for convenience only and shall not be considered as part of these Articles of Incorporation or in any way limit or amplifying the terms and provisions hereof.

These Articles have been adopted by the Township of Holly and the Township of Rose, Oakland County, Michigan as set forth in the following endorsements and in witness whereof the Supervisor and the Clerk of the Township of Holly and the Supervisor and the Clerk of the Township of Rose, Oakland County, Michigan have endorsed thereon the statement of such adoption.

ARTICLE 2 - SEVERABILITY

If any portion, subsection, sentence, clause, provision, or requirement of this section shall be deemed invalid or unenforceable by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof which shall remain in full force and effect. It is the express intent of this ordinance that the next most valid and enforceable but restrictive provision be substituted in

its place in order to effect the intent of this Section.

ARTICLE 3 -REPEALER

All other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

ARTICLE 4 - SAVINGS CLAUSE

Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court or any liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

ARTICLE 5 - EFFECTIVE DATE

This Ordinance shall take effect immediately following publication in the manner prescribed by law.

ARTICLE 6 - ADOPTION

At a special meeting of the Township Board of the Township of Holly held on February 5, 2025 adoption of the foregoing ordinance was moved by R. Kinnamon and supported by R. Matson. This ordinance is hereby declared adopted and ordered to be given publication in a manner prescribed by law.

Ayes: 5

Nays: 0

Absent: 0

CERTIFICATION

I, duly elected clerk of the Township of Rose, County of Oakland, and State of Michigan, do hereby certify that the foregoing is a true copy of the Amendment to the Rose Township Code of Ordinances Chapter 14, Article II adopted by the Township Board of Trustees of the Township of Rose at the regular meeting held on the 19th of February, 2025 at which time a quorum was present.

Debbie Miller
Rose Township Clerk
Oakland County, Michigan

Attest:

Brad Stilwell
Rose Township Supervisor
Oakland County, Michigan

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