

CHARTER TOWNSHIP OF ELMWOOD
Resolution 16 of 2024
**RESOLUTION APPROVING THE RELINQUISHMENT OF JURISDICTION AND
CONTROL OVER BREWERY CREEK DRAIN**

At a regular meeting of the Elmwood Charter Township Board, held in Leelanau County, State of Michigan on the 12th day of November, 2024, at 6.00 ~~am~~/p.m.

PRESENT: Connie Preston, Jordan Ballaghen, Dave Darga, Jeff Shaw,
Kyle Trevas, Terry Lautner, and Chris Mikowski

ABSENT: None

The following resolution was offered by Darga and seconded by Lautner.

WHEREAS, the Brewery Creek Drain is a county drain pursuant to Public Act 40 of 1956, as amended (“Drain Code”), and wholly located within Elmwood Charter Township; and

WHEREAS, Section 395 of the Drain Code authorizes a Drain Commissioner to relinquish an existing drain to a county, township, city, village or authority in which all or the part of the drain and the area the drain or part of the drain services in wholly located, as long as there is no outstanding indebtedness or contract liability of the drainage district; and

WHEREAS, pursuant to Section 395 of the Drain Code, the Drain Commissioner has determined that the Drain should be relinquished to Elmwood Charter Township; and

WHEREAS, there is no outstanding indebtedness or contract liability of the Brewery Creek Drain Drainage District; and

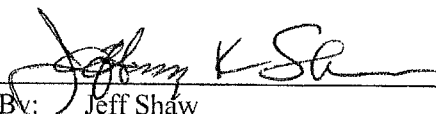
WHEREAS, pursuant to Section 395(1)(c)(ii) of the Drain Code, for the relinquishment to become effective, the governing body of the township that is to accept jurisdiction and control of the drain must approve the relinquishment.

NOW, THEREFORE BE IT RESOLVED THAT, the Township Board does approve the relinquishment of the Brewery Creek Drain from the Leelanau County Drain Commissioner to Elmwood Charter Township and does accept jurisdiction and control of the Brewery Creek Drain.

BE IT FURTHER RESOLVED that the Clerk shall forward to the Leelanau County Drain Commissioner a copy of this Resolution for its approval of the relinquishment the Brewery Creek Drain.

ELMWOOD CHARTER TOWNSHIP

Dated: 11/14/24


By: Jeff Shaw
Its: Supervisor

Yeas: Mikowski, Lautner, Trevas, Durga, Gallagher, and Preston

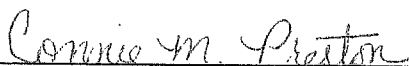
Nays: None

Abstain: Shaw

Absent: None

Resolution No. 16

I, the undersigned, being duly qualified and acting Clerk of Elmwood Charter Township, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Township Board for Elmwood Charter Township at a regular meeting held on the 12th day of November, 2024, and that notice of said meeting was given in accordance with the Open Meetings Act.



Connie Preston, Clerk
Elmwood Township

Nov 14, 2024

Date