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February 3, 2004

Mr. Gerald A. Fisher
Secrest, Wardle, Lynch,
Hampton, Truex & Morley, PC
P.O. Box 3040
Farmington Hills, MI 48333-3040

Re: Rochester Hills – Oakland – Rochester Older Persons Commission

Dear Mr. Fisher:

Certain questions have arisen concerning the new facility (Center) of the Older Persons Commission located in the City of Rochester. It is operated under an Interlocal Agreement entered into in 1983 between the then Township of Avon, Oakland Township and the City of Rochester.

The current questions pertain to whether the Center may serve non-residents, on some basis, and whether persons under the age of 60 may use the facility.

Enclosed is a copy of a letter of opinion I wrote to the Older Persons Commission dated October 29, 2003. Also enclosed is a copy of the Amended and Restated Interlocal Agreement. As stated in my letter, two amendments of the Amended and Restated Agreement are not relevant to the pertinent questions.

Serving non-residents and persons under 60 years of age has become a difficult issue for the Commission. I have been asked by the Executive Director to seek your opinion on behalf of Oakland Township as to whether or not you agree with the opinion I gave on October 29, 2003, or if you would come to a different conclusion.

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The next Commission meeting is scheduled for February 11. This may be too soon for your response, but I do mention the meeting date.

Very truly yours,

BEIER HOWLETT, P.C.

Lawrence R. Ternan
Direct: 248-646-6149

LRT/jmh
Enclosures

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