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## **County of Montmorency Board of Commissioners**

### **Resolution #2023-07**

#### **HIAWATHA LAKES – LAKE LEVEL**

At the meeting of the County of Montmorency Board of Commissioners held in the County of Montmorency Building located in Atlanta, Michigan on May 4, 2023.

**PRESENT:** Dell Bolser, Gary Girardin, Don Edwards, Mary Hardies & Lloyd Peltier

**ABSENT:** None

The following resolution was made by Dell Bolser and seconded by Gary Girardin, to-wit:

**WHEREAS, Part 307 of the Natural Resources and Environmental Protection Act, MCL 324.30701, et seq. (“Part 307”) outlines a process to maintain, improve, and repair lake level control infrastructure; and**

**WHEREAS, a board of county commissioners must authorize annual expenditures in excess of \$10,000 to repair, maintain, or improve lake level control infrastructure by resolution. MCL 324.30722(4); and**

**WHEREAS, Hiawatha Lakes (meaning the lakes commonly referred to as Little Brush Lake, Lake Hiawatha, and Moose Lake), located in Hillman Township, Montmorency County, Michigan has a normal lake level established by the Montmorency County Circuit Court (“Circuit Court”) under Part 307. See MCL 324.30701, et seq.; and**

**WHEREAS, the Montmorency County Board of Commissioners desires to adopt this resolution authorizing annual expenditures of over \$10,000 for necessary improvements to the Hiawatha Lakes lake level control infrastructure as part of a current lake level control project. MCL 324.30722(4); and**

**WHEREAS, pursuant to a resolution previously approved by the County Board of Commissioners, the Hiawatha Lakes – Lake Level Special Assessment District has issued its Lake Level Note, Series 2023 (the “Note”).**

**NOW, THEREFORE, BE IT RESOLVED:**

**1. Over \$10,000 Expenditure: The Montmorency County Board of Commissioners approves annual expenditures of over \$10,000 for activities related to maintenance, repair, and improvement of the Hiawatha Lakes’ lake level control infrastructure. MCL**

324.30722(4). This express authorization to spend more than \$10,000 annually shall authorize annual expenditures of over \$10,000 for all years in which work for the current lake level control project continues not to exceed three years from this date.

2. **Costs of Activities:** All costs associated with the lake level activities authorized in this resolution, including retaining all necessary consultants (e.g., legal counsel and engineers), shall be reimbursed by a lake level special assessment district to the extent permitted by Part 307 and may be paid initially from proceeds of the Note, the issuance of which is hereby ratified and approved.

**YES: Bolser, Girardin, Edwards, Hardies & Peltier**


**NO: None**

### **RESOLUTION DECLARED ADOPTED.**

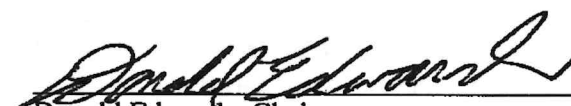
#### **CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County of Montmorency at a regular meeting held on **May 4, 2023**, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the open meetings act.

**Dated: May 4, 2023**

  
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Cheryl A. Neilsen, Clerk  
County of Montmorency, Michigan

**Dated: May 4, 2023**

  
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Donald Edwards, Chairperson  
County of Montmorency, Michigan