## **MONTMORENCY COUNTY BOARD OF COMMISSIONERS**

## HIAWATHA LAKES – LAKE LEVEL

# RESOLUTION NO. 2024-01

At a meeting of the Montmorency County Board of Commissioners, Montmorency County, Michigan, held on \_\_\_\_\_\_ January 18th \_\_\_\_\_, 2024 \_\_at \_9:00 am \_\_\_\_\_, Eastern Standard Time;

PRESENT: Bolser, Girardin, Edwards, Hardies, and Peltier

#### ABSENT: None

The following resolution was offered by Bolser and supported by Hardies

WHEREAS, Hiawatha Lake/Lake Hiawatha, Little Brush Lake, and Moose Lake (collectively referred to as "Hiawatha Lakes"), located in Hillman Township, Montmorency County, Michigan have established normal lake levels by the Montmorency County Circuit Court under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended ("Part 307"); and

WHEREAS, a special assessment district known as the Hiawatha Lakes – Lake Level Special Assessment District ("District") was established by the Montmorency County Circuit Court ("Circuit Court") under Part 307. MCL 324.30704; and

**WHEREAS,** the Montmorency County Board of Commissioners ("Board of Commissioners") approved an assessment roll and computation of costs for lake level project on Hiawatha Lakes by resolution on August 17, 2023; and

**WHEREAS,** an appeal of the assessments for parcels 004-360-000-156-00 and 004-360-000-156-01 was filed in the Circuit Court on behalf of Dennis Durandetto on November 29, 2023. See MCL 324.30714(4); and

WHEREAS, the Board of Commissioners desires to authorize settlement of the appeal as recommended by legal counsel.

### NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Commissioners authorizes resolution of pending litigation in Circuit Court Docket No. 23-5385-CH as recommended by legal counsel.

## **RESOLUTION DEEMED APPROVED**

Dated: 1/18/2024

Donald Edwards, Chair Montmorency County Board of Commissioners

**Roll call vote:** 

APPROVE: Edwards, Girardin, Hardies, Peltier, Bolser

DENY: None

ABSENT/ABSTAIN: None

# CERTIFICATION

STATE OF MICHIGAN )

) ss COUNTY OF MONTMORENCY )

I, the undersigned, the duly qualified and acting Clerk of Montmorency County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Montmorency County Board of Commissioners at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_, and that notice of said meeting was given in accordance with the Open Meetings Act, and further certify that the above resolution was adopted at said meeting.

Dated:

Cheryl A. Neilsen, Clerk Montmorency County