

**NOTICE OF SEMI-MONTHLY COUNTY BOARD MEETING
And AUDIT/FINANCE MEETING**

PLEASE TAKE NOTICE that the Schoolcraft County Board of Commissioners will meet on **Thursday, December 14, 2023**, in the District Courtroom of the Schoolcraft County Building, Manistique, Michigan, commencing at **5:00 P.M.**

The following is the proposed Agenda:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Minutes: November 27, 2023, Meeting of the Whole
 November 28, 2023, Board and Audit-Finance Meeting
 November 28, 2023, Closed Session Meeting
5. Approval of agenda
6. Public Hearings:
7. Brief Public Comment:
8. Old and unfinished business:
9. New Business:
 - Overview/Update Brewery/Carpenter Dam / Attorney Stacy Hissong & Spicer Group
 - Proposed 23-9 Resolution – Gulliver Lake – Lake Level
 - Proposed 23-10 Resolution – McDonald Lake – Lake Level
 - Proposed 23-11 Resolution – Manistique Lake – Lake Level
 - Set Organizational Meeting Date
 - Opt-Out PA 152 (Hardcap or 20% Employee Contribution of Medical Insurance)
 - Audit-Finance Committee Report and Action Items
10. Committee and department reports
11. Announcements and notices
12. Public Comment
13. Commissioner’s Comments
14. Communications
15. Audit Claims and Vouchers
16. Adjournment

And, to take up and consider any other matter which may lawfully come before the Board at this time.

Paul Walker ,
Paul Walker, Chairperson
Schoolcraft County Board of Commissioners

Daniel P. Hoholik ,
Daniel P. Hoholik, Chairperson Audit-Finance
Schoolcraft County Board of Commissioners

Public may view this meeting via zoom (listening purposes only), no public comment or interaction via zoom.

Join Zoom Meeting
<https://us02web.zoom.us/j/5117745749>

Meeting ID: 511 774 5749
Passcode: 987456

SCHOOLCRAFT COUNTY BOARD OF COMMISSIONERS

MEETING OF THE WHOLE

The Schoolcraft County Board of Commissioners met on Monday, November 27, 2023, for a MEETING OF THE WHOLE in the District Courtroom of the Schoolcraft County Building, City of Manistique, Michigan, commencing at 3 p.m. The meeting was called to order and roll was taken:

Present: Commissioner Craig Reiter
Commissioner Troy Bassett
Commissioner Paul Walker
Commissioner Daniel P. Hoholik
Beth A. Edwards, Clerk

Absent: Commissioner Bruce Birr (excused)

Pledge of Allegiance was led by Commissioner Daniel P. Hoholik.

Commissioner Paul Walker advised of the purpose of the Meeting of the Whole and the talking points to be addressed (see attached).

Brief Public Comment: None

Discussion:

Attorney Stacy Hissong addressed the 1945 Indian Lake Level Court Order, Circuit Court having continuing jurisdiction, Part 307 has jurisdiction over structures, and a permit is needed for any work on the dam or draw down of the lake level. During discussions with the DNR they don't want to draw down the lake after October 1 as it endangers the habitat. Immediate attention needs to be placed on the current violation and working with EGLE for some level of draw down.

She further stated that the resolutions are important as to allow her team and the engineers to move forward with updating the Court Orders and setting up the Assessment Districts. Once those items are accomplished on all of the Schoolcraft County lake/dam situations (Indian Lake, Gulliver Lake, McDonald Lake, and Manistique Lake) there will need to be a decision as to how to move forward with the delegated authority. Currently Jean Vanderville is the delegated authority for all but it can be set up in many different ways; one for all, a different one for each, or a board could be set up to act as the delegated authority.

The Special Assessment Districts will allow the funds to finance projects specific to that dam. The assessment would also be assessed to the DNR/State land.

Commissioner Troy Bassett asked about whether the replenishing of the lake water level in the spring is an issue and Attorney Hissong stated that the DNR is more concerned with the draw down than they are with the replenish.

Commissioner Craig Reiter asked if it was going to be drawn down yet this winter? Attorney Hissong advised it was being worked on.

Luke O'Brien, Spice Engineering, addressed the possibility of installing deicers fans so the gates can be utilized all winter as EGLE is still doing modeling on the dam/lake level. EGLE's focus is on adverse impact on wildlife, not property damage or flooding. Any prior property damage or flooding should be reported with specific instances and dates.

Attorney Hissong stated that after the Resolutions are approved by the Board of Commissioners, Spicer will do a study which may vary from the current lake level order in place. She also stated information and communication is key. Possibly providing a website, questionnaires, and maybe in person contact with individuals.

Daniel P. Hoholik any historical information is helpful and needs to get to Spicer.

Craig Reiter addressed the lowering of the lake this year.

Troy Bassett addressed the individual experiences of the individual landowners are very important.

Paul Walker asked that the public in attendance let the board know during public comment what type of communication they would like.

Public Comment:

Rick Olson addressed the damage to the river if the gates are kept closed.

Greer Fish addressed the historic flooding of her basement on the east side of the lake.

Judy Warnke addressed the impact on the swans at the mouth of the river.

Robin LaCroix addressed the warmers will not work in Gulliver Lake.

Craig Reiter addressed his concern with Indian Lake level.

Paul Walker addressed the Exparte Order that was issued for a winter drawdown and at this point the DNR is still not willing to allow the lower lake level but this is still being worked on.

Keith Aldrich agrees with Dan Hoholik and has many years of experience living on the river.

Craig Reiter addressed what the potential fine would be if it was lowered.

Attorney Stacy Hissong would not advise lowering the lake level as significant fines would be imposed and additionally the County would be charged 10 times the number of fish and mussel they found impacted.

Paul Walker addressed no wiggle room for the County, the County will have to follow the law.

Robin LaCroix addressed Big Springs itself potentially can raise the lake a foot in 7 months.

Paul Walker addressed the need for all commissioners to receive every communication regarding the dams/lake level as they each have a dam in their jurisdiction.

Troy Bassett addressed ice buildup in the Spring.

Keith Aldrich addressed the Special Assessment District and the cost to property owners.

Attorney Stacy Hissong thought that questionnaires and website are good ideas for keeping the property owners informed.

Judy Lucas asked what the assessment covers.

Troy Bassett asked about public notice requirements.

Robin LaCroix inquired if the Drain Commissioner had to be the Delegated Authority.

Gracey Barr has concerns regarding flooding and septic tanks.

David Muxlow addressed the Harrison Beach area flooded the septic tanks in 1994-1995. LMAS may have those records.

Corey Barr is very concerned as City Manager and would like to be kept informed. The DNR doesn't care about property damage, they care about the mussels. If the river water is cut at any time the City will only have 24 hours of service water which includes the hospital and fire protection.

Rick Olson stated that the dam and the property where the lake level stick is will need to be plowed all winter.

Paul Walker addressed the Court Ordered water volume to the City Water Plant. What happens if that cannot be provided.

Corey Barr stated the City does have an Emergency Water Shortage Plan but it is at a significant monetary cost.

4:40 p.m. Attorney Stacy Hissong excused herself from the meeting.

Craig Reiter expressed his concern with the Court Order.

Paul Walker thanked they public for their input.

Troy Bassett asked if the DNR/EGLE decision could be appealed. Attorney Kyle O'Meara stated that it could not be appealed.

Adjournment: Meeting of the Whole was adjourned at 4:47 p.m.

Beth A. Edwards, County Clerk

Approved: _____

**SCHOOLCRAFT COUNTY BOARD OF COMMISSIONERS
BOARD MEETING and AUDIT/FINANCE MEETING**

The Schoolcraft County Board of Commissioner’s Board Meeting / Audit Finance Meeting met on Tuesday, November 28, 2023, in the District Courtroom of the Schoolcraft County Building, City of Manistique, Michigan. Chairman Paul Walker called the meeting to order at 5:00 p.m. The roll was called with the following members present and/or absent:

Present: Commissioner Craig Reiter
 Commissioner Troy Bassett
 Commissioner Paul Walker
 Commissioner Daniel P. Hoholik
 Schoolcraft County Clerk Beth A. Edwards

Absent: Commissioner Bruce Birr (excused)

Chairman Paul Walker led the Schoolcraft County Board of Commissioners and the members of the audience in the Pledge of Allegiance to the Flag of the United States of America.

It was moved by Commissioner Troy Bassett and was seconded by Commissioner Daniel P. Hoholik to approve the minutes of the November 9, 2023, Board and Audit-Finance Meeting of the Schoolcraft County Board of Commissioners. Roll call vote: Troy Bassett, yes; Daniel P. Hoholik, yes; Craig Reiter, abstain- not present; Paul Walker, yes. The motion carried by majority aye vote of the Board members present. [Copies of minutes are available at the Office of the Schoolcraft County Clerk.]

Chairman Paul Walker asked if there were any additions, deletions, or corrections to the printed agenda. Commissioner Paul Walker asked to add Indian Lake Resolutions. **It was moved** by Commissioner Troy Bassett and was seconded by Commissioner Craig Reiter to approve the amended agenda. The motion carried by a unanimous aye vote of the Board members present.

“Public Hearings”: None

“Brief Public Comment”: None

“Unfinished Business”: None

“New Business”:

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to approve the Interlocal Agreement for the Provision of and Payment for Ambulance Services and authorize Paul Walker, Board Chairman, to sign the agreement. There was discussion. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to approve the Letter of Representation by Stacy Hissong of Fahey Schultz Burzych Rhodes and authorize Paul Walker, Board Chairman, to sign the agreement. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Troy Bassett and was seconded by Commissioner Craig Reiter to approve the Application for Campground License for Merwin Creek together with the \$109 expense and authorize Paul Walker, Board Chairman, to sign the application. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to approve the new Self-Serve Fueling Terminal from Sparling Corporation in the amount of \$42,645 to be paid as follows: Fund Balance of \$31,893.29 and the remaining \$10,741.71 from Designated Cash -Airport Fuel to be repaid by an immediate \$.25 per gallon increase in all fuel sold, once the \$10,751.71 is repaid to the Designated Cash -Airport Fuel the additional \$.25 would go into a designated line item for Airport repairs/improvements. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Troy Bassett and Commissioner Paul Walker to approve the budget increase for Governance Training (10 spots total — 5 Commissioners, County Clerk, 2 from Planning Commission, and 2 from Zoning Board of Appeals) in the amount of \$1,950 from Miscellaneous Contingencies. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Paul Walker and was seconded by Commissioner Troy Bassett to approve the Engagement Letter (which includes the EDC Audit at a separate hourly rate) with Anderson, Tackman & Company, PLC for services as follows: Financial Audit \$27,000, Single Audit \$4,800, Preparation of Financial Statements, F-65, and GASB 68 Pension Calculations \$3,800, and authorize Paul Walker, Board Chairman, to sign the Engagement Letter. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to approve an additional \$50,000 in ARPA Funds for the Germfask Township Fire Department for the construction of a building for Fire Truck Storage. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to approve the purchase of Six (6) MSA 10215805 G1 Industrial SCBA G1 iRC with Hardcase, \$2,569.75 each, total \$15,418.50 excluding tax from ARPA Funds for Seney Township Fire Department for safety and security. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Troy Bassett and was seconded by Commissioner Craig Reiter to approve Medial Insurance with BCBSM and 44North Seamless HRA, in the amount of \$846,719 per year for current employee status; Renew with Delta Dental in the amount of \$16,286 per year; and Renew with BCBSM Blue Vision LG, in the amount of \$4,896 per year. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to approve Resolution 23-7 RESOLUTION Indian Lake – Lake Level – Exparte Petition and Order. The motion carried by a unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Daniel P. Hoholik to approve Resolution 23-8 RESOLUTION Indian Lake – Lake Level. The motion carried by a unanimous aye vote of the Board members present.

Under Committee and Department Reports, the following matters were heard:

Commissioner Daniel P. Hoholik: attended Meeting of the Whole.

Commissioner Craig Reiter : attended HBH Personnel, CMH Association, Seney Township, FOPLC Union Negotiations, Audit-Finance, HBH Board, and Meeting of the Whole meetings.

Commissioner Paul Walker: attended City of Manistique and Meeting of the Whole meetings.

Commissioner Troy Bassett: attended Conservation District, Automotive Advisory Board, Hiawatha Township, FOPLC Union Negotiations, Road Commission and Audit/Finance Meetings.

Sheriff Charles Willour stated that the Mental Health Services Grant has been approved.

Rick Demers thanked the board for helping to resolve the EDC Audit issues. Also praised Victoria George for doing a great job as EDC Director. EDC will be looking at reestablishing the Brownfield Authority.

Corey Barr thanked the County Board, Schoolcraft Memorial Hospital, Schoolcraft Medical Care Facility, Pioneer Tribune and Advisor for the collaboration with the Ambulance Millage request. Mr. Barr also addressed the Brewery/Carpenter Dam and the 1963-1967 Flood.

Announcements and Notices: None

Public Comment: Greer Fish addressed the inability for flood insurance on Indian Lake and who will pay the bills.

Commissioner's Comment: None

Communications: None.

At 6:07 p.m., meeting was turned over to Daniel P. Hoholik, Audit-Finance Chairman.

It was moved by Commissioner Paul Walker and was seconded by Commissioner Troy Bassett to approve the claims and vouchers numbered **6513 through 6609**, inclusive. The motion carried by unanimous aye vote of the Board members present.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Paul Walker to approve the budget adjustments numbered **24-5 through 24-18**, inclusive. The motion carried by unanimous aye vote of the Board members present.

At 6:08 p.m., the meeting was turned back over to Chairman Paul Walker. Chairman Paul Walker asked if there was any further business to come before the Board.

At 6:08 p.m. **It was moved** by Commissioner Troy Bassett and was seconded by Commissioner Troy Bassett to go into Closed Session for FOPLC Union Negotiation. The motion carried by a unanimous aye vote of the Board members present.

At 6:50 p.m. Commissioner Paul Walker recalls the meeting to open session.

It was moved by Commissioner Craig Reiter and was seconded by Commissioner Troy Bassett to adjourn. The motion carried by a unanimous aye vote of the Board members present.

Chairman Paul Walker adjourned the Board and Audit Finance Meeting at 6:51 P.M.

Beth A. Edwards, County Clerk

Approved: _____

DRAFT

239 Proposed

SCHOOLCRAFT COUNTY BOARD OF COMMISSIONERS

GULLIVER LAKE – LAKE LEVEL

RESOLUTION NO. _____

At a meeting of the Schoolcraft County Board of Commissioners, Schoolcraft County, Michigan, held on _____, 2023 at _____, Eastern Standard Time;

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Gulliver Lake, located in Doyle Township, Schoolcraft County, Michigan has an established normal lake level by the Schoolcraft County Circuit Court under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended (“Part 307”); and

WHEREAS, the Schoolcraft County Board of Commissioners and its delegated authority have jurisdiction for the operation and maintenance of the normal level of Gulliver Lake. MCL 324.30702; and

WHEREAS, Part 307’s primary mechanism to fund infrastructure and activities to maintain and operate the normal level of Gulliver Lake is by special assessments using a lake level special assessment district established by the Schoolcraft County Circuit Court. See e.g., MCL 324.30711; and

WHEREAS, a review of the historical court order relating to Gulliver Lake’s normal level found that the prior order does not delineate the boundaries of a lake level special assessment district to fund maintenance of Gulliver Lake’s normal level. Moreover, maintenance and repairs are necessary on the lake level infrastructure, requiring annual expenditures in excess of \$10,000; and

WHEREAS, based on the facts above, the Schoolcraft County Board of Commissioners finds it necessary to: (1) approve annual expenditures of over \$10,000 for activities to maintain the normal level of Gulliver Lake; (2) approve hiring legal counsel and engineers to assist with the Part 307 lake level process, including filing a petition in the Schoolcraft County Circuit Court; (3) amend the lake level order for Gulliver Lake to allow for lake level variations, establish and confirm the boundaries of a lake level special assessment district, and conduct any other needed updates; and (4) coordinate regarding ownership and operation of lake level control infrastructure.

NOW, THEREFORE, BE IT RESOLVED:

1. **Over \$10,000 Expenditure.** The Schoolcraft County Board of Commissioners approves annual expenditures of over \$10,000 for activities to maintain Gulliver Lake’s normal level, including the maintenance and repair of lake level 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 authorized activities above continues to occur.

2. **Legal Counsel.** Schoolcraft County may retain legal counsel Fahey Schultz Burzych Rhodes PLC to assist with legal matters related to the Part 307 lake level process. Said legal counsel is explicitly authorized to file a petition in the Schoolcraft County Circuit Court on behalf of Schoolcraft County to allow for lake level variations, establish and confirm the boundaries of a lake level special assessment district, and conduct any other updates to the lake level order that are necessary to allow Schoolcraft County to maintain and operate the normal lake level of Gulliver Lake. See MCL 324.30707(5) (circuit court has continuing jurisdiction).

3. **Engineers.** Schoolcraft County may retain the engineering firm Spicer Group, Inc. to assist with activities related to maintenance and operation of the normal level of Gulliver Lake, including but not limited to preparation of studies and recommendations related to the boundaries of a lake level special assessment district and any other necessary updates to the lake level order; providing expert testimony related to the lake level order; coordination regarding ownership of lake level control infrastructure; preparation of an operator agreement; and assistance with the compilation and approval of a special assessment roll.

4. **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.

RESOLUTION DEEMED APPROVED

Dated: _____

Paul Walker, Chair
Schoolcraft County Board of Commissioners

Roll call vote:

APPROVE: _____

DENY: _____

ABSENT/ABSTAIN: _____

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF SCHOOLCRAFT)

I, the undersigned, the duly qualified and acting Clerk of Schoolcraft County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Schoolcraft 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: _____

Beth A. Edwards, Clerk
Schoolcraft County

23-10 Proposed

SCHOOLCRAFT COUNTY BOARD OF COMMISSIONERS

MCDONALD LAKE – LAKE LEVEL

RESOLUTION NO. _____

At a meeting of the Schoolcraft County Board of Commissioners, Schoolcraft County, Michigan, held on _____, 2023 at _____, Eastern Standard Time;

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, McDonald Lake, located in Doyle Township and Mueller Township, Schoolcraft County, Michigan has an established normal lake level by the Schoolcraft County Circuit Court under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended (“Part 307”); and

WHEREAS, the Schoolcraft County Board of Commissioners and its delegated authority have jurisdiction for the operation and maintenance of the normal level of McDonald Lake. MCL 324.30702; and

WHEREAS, Part 307’s primary mechanism to fund infrastructure and activities to maintain and operate the normal level of McDonald Lake is by special assessments using a lake level special assessment district established by the Schoolcraft County Circuit Court. See e.g., MCL 324.30711; and

WHEREAS, a review of the historical court order relating to McDonald Lake’s normal level found that the prior order does not delineate the boundaries of a lake level special assessment district to fund maintenance of McDonald Lake’s normal level; and

WHEREAS, based on the facts above, the Schoolcraft County Board of Commissioners finds it necessary to: (1) approve hiring legal counsel and engineers to assist with the Part 307 lake level process, including filing a petition in the Schoolcraft County Circuit Court; and (2) amend the lake level order for McDonald Lake to allow for lake level variations, establish and confirm the boundaries of a lake level special assessment district, and conduct any other needed updates.

NOW, THEREFORE, BE IT RESOLVED:

1. **Legal Counsel.** Schoolcraft County may retain legal counsel Fahey Schultz Burzych Rhodes PLC to assist with legal matters related to the Part 307 lake level process. Said legal counsel is explicitly authorized to file a petition in the Schoolcraft County Circuit Court on behalf of Schoolcraft County to allow for lake level variations, establish and confirm the boundaries of a lake level special assessment district, and conduct any other

updates to the lake level order that are necessary to allow Schoolcraft County to maintain and operate the normal lake level of McDonald Lake. See MCL 324.30707(5) (circuit court has continuing jurisdiction) and to assist the Delegated Authority with the compilation and approval of a special assessment roll.

2. **Engineers.** Schoolcraft County may retain the engineering firm Spicer Group, Inc. to assist with activities related to maintenance and operation of the normal level of McDonald Lake, including but not limited to preparation of studies and recommendations related to the boundaries of a lake level special assessment district and any other necessary updates to the lake level order; providing expert testimony related to the lake level order; and any other services deemed necessary by the Delegated Authority related to the compilation and approval of a special assessment roll.
3. **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.

RESOLUTION DEEMED APPROVED

Dated: _____

Paul Walker, Chair
Schoolcraft County Board of Commissioners

Roll call vote:

APPROVE: _____

DENY: _____

ABSENT/ABSTAIN: _____

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF SCHOOLCRAFT)

I, the undersigned, the duly qualified and acting Clerk of Schoolcraft County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Schoolcraft 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: _____

Beth A. Edwards, Clerk
Schoolcraft County

23-11 Proposed

SCHOOLCRAFT COUNTY BOARD OF COMMISSIONERS

MANISTIQUE LAKE – LAKE LEVEL

RESOLUTION NO. _____

At a meeting of the Schoolcraft County Board of Commissioners, Schoolcraft County, Michigan, held on _____, 2023 at _____, Eastern Standard Time;

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, Manistique Lake (also referred to as “Big Manistique Lake”), located in Germfask Township, Schoolcraft County; Lakefield Township, Luce County; and Portage Township, Mackinac County, Michigan has an established normal lake level by the Luce County Circuit Court under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended (“Part 307”); and

WHEREAS, the Schoolcraft County Board of Commissioners and its delegated authority, in coordination with the Luce County Board of Commissioners and the Mackinac County Board of Commissioners and their delegated authorities, appear to have jurisdiction for the operation and maintenance of the normal level of Manistique Lake. MCL 324.30702; and

WHEREAS, Part 307’s primary mechanism to fund infrastructure and activities to maintain and operate the normal level of Manistique Lake is by special assessments using a lake level special assessment district established by the Luce County Circuit Court. See e.g., MCL 324.30711; and

WHEREAS, a review of the historical court order relating to Manistique Lake’s normal level found that the prior order does not delineate the boundaries of a lake level special assessment district to fund maintenance of Manistique Lake’s normal level. Moreover, maintenance and repairs are necessary on the lake level infrastructure, requiring annual expenditures in excess of \$10,000; and

WHEREAS, based on the facts above, the Schoolcraft County Board of Commissioners finds it necessary to: (1) approve annual expenditures of over \$10,000 for activities to maintain the normal level of Manistique Lake; (2) approve hiring legal counsel and engineers to assist with the Part 307 lake level process, including filing a petition in the Luce County Circuit Court; and (3) amend the lake level order for Manistique Lake to establish seasonal lake levels, allow for lake level variations, establish and confirm the boundaries of a lake level special assessment district, and conduct any other needed updates.

NOW, THEREFORE, BE IT RESOLVED:

1. **Over \$10,000 Expenditure.** The Schoolcraft County Board of Commissioners approves annual expenditures of over \$10,000 for activities to maintain Manistique Lake’s normal level, including the maintenance and repair of lake level 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 authorized activities above continues to occur.

2. **Legal Counsel.** Schoolcraft County may retain legal counsel Fahey Schultz Burzych Rhodes PLC to assist with legal matters related to the Part 307 lake level process. Said legal counsel is explicitly authorized to file a petition in the Luce County Circuit Court on behalf of Schoolcraft County to establish seasonal lake levels, allow for lake level variations, establish and confirm the boundaries of a lake level special assessment district, and conduct any other updates to the lake level order that are necessary to allow Schoolcraft County to maintain and operate the normal lake level of Manistique Lake in coordination with Luce County and Mackinac County. See MCL 324.30707(5) (circuit court has continuing jurisdiction) and assist with the compilation and approval of a special assessment .

3. **Engineers.** Schoolcraft County may retain the engineering firm Spicer Group, Inc. to assist with activities related to maintenance and operation of the normal level of Manistique Lake, including but not limited to preparation of studies and recommendations related to the boundaries of a lake level special assessment district, appropriate winter and summer levels, and any other necessary updates to the lake level order; providing expert testimony related to the lake level order; and assistance with the compilation and approval of a special assessment roll.

4. **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.

RESOLUTION DEEMED APPROVED

Dated: _____

Paul Walker, Chair
Schoolcraft County Board of Commissioners

Roll call vote:

APPROVE: _____

DENY: _____

ABSENT/ABSTAIN: _____

CERTIFICATION

STATE OF MICHIGAN)
) ss
COUNTY OF SCHOOLCRAFT)

I, the undersigned, the duly qualified and acting Clerk of Schoolcraft County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Schoolcraft 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: _____

Beth A. Edwards, Clerk
Schoolcraft County

NOTICE OF COMMITTEE MEETING

PLEASE TAKE NOTICE that there will be a meeting of the *Audit-Finance Committee* of the Schoolcraft County Board of Commissioners on **Monday, December 11, 2023, at 3:30 p.m.** in the 1st Floor Conference Room, Schoolcraft County Courthouse, Manistique, Michigan.

1. Call to order
2. Roll call
3. Pledge of Allegiance
4. Discussion:
 - Survey & Remonumentation Grant
 - Unimog Repair Invoice
 - Review Budget
 - Any other matter brought to the Committee.
5. Public Comment
6. Adjournment

and to take up and consider any other matter which may lawfully come before the Board at this time.

Daniel P. Hoholik

Dated: December 7, 2023

Daniel P. Hoholik, Audit-Finance Committee Chairman
Schoolcraft County Commissioner