



# Roscommon County Board of Commissioners

500 Lake St.  
Roscommon, MI 48653  
(989) 275-8021  
(989) 275-3161 (fax)

Robert E. Schneider, Chairman  
David Russo, Vice-Chairman  
Ken Melvin, Commissioner  
Marc J. Milburn, Commissioner  
Tim Muckenthaler, Commissioner

## **SPECIAL MEETING AGENDA**

**MARCH 2, 2022**

**1:00 P.M. HYBRID ACCESSIBLE IN PERSON OR VIA ZOOM**

1. Meeting Called to Order by Robert E. Schneider – 1:00 p.m.
2. Pledge of Allegiance
3. Roll Call of Board Members
4. Approval of Agenda
5. Public Comment – Agenda Items Only – Please limit to 5 minutes/person
6. New Business
7. Motion
8. Public Comment – Please limit to 5 minutes/person
9. Adjournment



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## **MOTION MARCH 2, 2022**

### **1. Move to adopt Resolution No. 2022-03-01 ‘Houghton Lake – Lake Level Delegated Authority’:**

#### **‘HOUGHTON LAKE – LAKE LEVEL DELEGATED AUTHORITY’**

**WHEREAS**, Houghton Lake, located in Markey Township, Denton Township, Roscommon Township, and Lake Township, Roscommon County, Michigan has a normal lake level established by the Roscommon County 34<sup>th</sup> Circuit Court (“Circuit Court”) under Part 307 of the Natural Resources and Environmental Protection Act (“Part 307”). See MCL 324.30701, *et seq.*; and

**WHEREAS**, Part 307’s primary mechanism to fund infrastructure and activities to maintain Houghton Lake’s normal lake level is by special assessments using a lake level special assessment district established by the Circuit Court. See generally MCL 324.30714.; and may utilize legal counsel and engineers to perform services; and

**WHEREAS**, a review of Circuit Court orders relating to Houghton Lake’s normal level found that a lake level special assessment district to maintain Houghton Lake’s normal lake level has not been established. Moreover, there needs to be maintenance on lake level infrastructure requiring annual expenditures in excess of \$10,000. See e.g., MCL 324.30722(4); and

**WHEREAS**, based on the facts above, the Roscommon County Board of Commissioners desires to: (1) approve annual expenditures of over \$10,000 for activities to maintain Houghton Lake’s normal lake level; and (2) approve filing a petition in the Circuit Court to establish a lake level special assessment district for Houghton Lake.



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## **MOTION** **MARCH 2, 2022** (cont'd)

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

**Delegated Authority:** The Roscommon County Administrator/Controller shall serve as the County's delegated authority for Houghton Lake under Part 307. See MCL 324.30702(2).

- **Over \$10,000 Expenditure:** The Roscommon County Board of Commissioners approves annual expenditures of over \$10,000 for activities to maintain Houghton Lake's normal level, including, but not limited to, updating its lake level order to establish a special assessment district including specifying its boundaries and performing maintenance and repairs on lake level infrastructure. MCL 324.30722(4).
  - a. **File Petition:** The Roscommon County Board of Commissioners may utilize legal counsel and engineers to perform services related to updating Houghton Lake's lake level order, preparing boundaries of a recommended Houghton Lake – Lake Level Special Assessment District under Part 307, and any further services that are necessary related to maintaining the lake's normal lake level. Further, the Roscommon County Board of Commissioners specifically authorizes retained legal counsel to file a petition in the Circuit Court to amend the lake level order to establish a special assessment district for Houghton Lake. See MCL 324.30707(5) (Circuit Court has continuing jurisdiction).
  - b. **Costs of Activities:** All costs associated with the activities, including retaining all necessary consultants (legal counsel and engineers) to establish a lake level special assessment district, authorized above, shall be reimbursed by a lake level special assessment district to the extent permitted by Part 307.