

**Excerpt**

**LEELANAU COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION –APRIL 20, 2004**

Tentative minutes – meeting taped.

Meeting called to order at 7:00 p.m. by Chairman Robert L. Hawley.

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Roll Call:	District #1 – Jean I. Watkoski	PRESENT
	#2 – Mark Walter	PRESENT
	#3 – Richard A. Schmuckal	PRESENT
	#4 – Mary P. Tonneberger	PRESENT
	#5 – Tom F. Evans	PRESENT
	#6 – Robert L. Hawley	PRESENT
	#7 – Melinda C. Lautner	PRESENT

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**ACTION ITEMS:**

LELAND DAM AUTHORITY:

**MOTION BY SCHMUCKAL THAT THE LEELANAU COUNTY BOARD OF COMMISSIONERS RESOLVES TO ESTABLISH THE LELAND DAM AUTHORITY, DELEGATING THE POWERS AND DUTIES FOR THE MAINTENANCE OF THE NORMAL LAKE LEVEL OF LAKE LEELANAU AND OF THE LELAND DAM TO THE LELAND DAM AUTHORITY. SUPPORT WATKOSKI.**

Brief comments by Commissioner Evans, indicating that he had voted against this, not because he was against the formation of the Dam Authority, but questioned whether a four-person authority was really a proper thing and felt strongly that it would be appropriate to have someone that could represent the riparian rights and had in mind, without any firm conviction, that the Lake Association is a strong group that may be an appropriate lobby for that. Due to subsequent event of the vote last week, he certainly is in favor of the authority and will go along with what the majority feels should be done.

**AYES – 7    NO – 0**

**MOTION CARRIED.**

**RESOLUTION #2004 – 007  
LEELANAU COUNTY BOARD OF COMMISSIONERS**

**A RESOLUTION ESTABLISHING THE LELAND DAM AUTHORITY, AND DELEGATING THE POWERS AND DUTIES FOR THE MAINTENANCE OF THE NORMAL LAKE LEVEL OF LAKE LEELANAU AND OF THE LELAND DAM TO THE LELAND DAM AUTHORITY.**

**WHEREAS**, in an Opinion and Order issued in October 1978, the Leelanau County Circuit Court (1) established a normal level for waters of Lake Leelanau, and required Leelanau County to maintain the normal lake level, and (2) established the boundaries of a special assessment district for costs associated with establishing and maintaining the lake level; and

**WHEREAS**, the special assessment district, as defined in the Court's Order, consists of "all riparian parcels of land on Lake Leelanau, the Cedar River, to the Village of Cedar, the Lake Leelanau Narrows and the Leland River to the site of the dam"; and

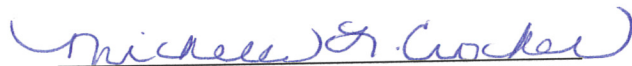
**WHEREAS**, the normal lake level for Lake Leelanau is controlled by the Leland Dam, which has been acquired by Leelanau County; and

**WHEREAS**, pursuant to Part 307 of the National Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, being MCL 324.30702(2), the Board of Commissioners hereby establishes the four-member Leland Dam Authority, consisting of the three (3) members of the County Board of Public Works and the elected County Drain Commissioners, as the delegated authority of the County for the maintenance of the normal lake level of Lake Leelanau, and the maintenance of the Leland Dam, with all the powers and duties necessary to comply with the requirements of Part 307 of the NREPA, 1994 PA 451, as amended, including but not limited to the computation of the costs for the normal lake level project, the holding of special assessment hearings, and the preparation and approval of a special assessment roll; and

**BE IT FURTHER RESOLVED** that the compensation for the members of the Leland Dam Authority shall be fixed by the Board of Commissioners.

State of Michigan  
County of Leelanau

I, Michelle L. Crocker, Clerk of said County and Clerk of Circuit Court for said County, the same being a Court of record having a seal, do hereby certify that the above is a true copy of the Record now remaining in my office and of the whole thereof. In Testimony whereof, I have hereto set my hand and affixed the seal of the Circuit Court the 6th day of February 2015.

  
Michelle L. Crocker, Leelanau County Clerk

