

RESOLUTION

NO: 2023-08-154

LIVINGSTON COUNTY

DATE: August 28, 2023

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**Resolution Granting Authorization to Exceed the \$10,000 Annual Maintenance Limit For Repair of the Portage and Baseline Lake Dam – Drain Commissioner**

- WHEREAS,** the Portage and Baseline Lake Dam is located in Washtenaw County; and
- WHEREAS,** there is a legally established lake level for Portage and Baseline Lakes located in both Livingston and Washtenaw Counties and the dam is operated in accordance with the Inland Lakes and Dam Safety provisions (Parts 307 and 315) of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended (NREPA); and
- WHEREAS,** the Washtenaw County Water Resources Commissioner has been delegated the authority under Part 307 of the NREPA (“Part 307”) for operation and maintenance of the Portage and Baseline Lake Dam on behalf of Washtenaw and Livingston Counties; and
- WHEREAS,** the Washtenaw County Water Resources Commissioner secured the services of a registered professional engineer to perform a structural inspection of the Portage Baseline Dam in addition to the required triannual inspection reports as required through part 307 (Inland Lake Levels); and
- WHEREAS,** the inspection report determined that the radial gates are in poor condition, and other various deficiencies exist, and maintenance and repair measures are required at this time; and
- WHEREAS,** the inspection report recommends replacement of the radial gates, installation of a new hoist and winch system, repairing of a retaining wall, and applying waterproofing to concrete surfaces as soon as possible; and
- WHEREAS,** installation of a telemetry enabled control panel and camera network is necessary for remote operations of the dam; and
- WHEREAS,** the safety warning signs and buoys surrounding the dam complex are in need of maintenance and repair at this time; and
- WHEREAS,** the delegated authority has the ability to expend up to Ten Thousand (\$10,000.00) Dollars in any one year for the maintenance and repair of a lake level project under Part 307; and
- WHEREAS,** it is estimated that expenditures of over Ten Thousand (\$10,000.00) are necessary for the current estimated repairs of the Portage and Baseline Lake Dam; and
- WHEREAS,** expenditures related to the Portage and Baseline Lake Dam are funded by an established special assessment district; and
- WHEREAS,** the established special assessment district for expenditures related to the Portage and Baseline Lake Dam includes residents in Washtenaw and Livingston Counties; and
- WHEREAS,** the Livingston County Drain Commissioner has advised the Livingston Board of Commissioners that an inspection has been made of Portage Baseline Dam, and it has been determined that certain repairs are necessary to maintain the legal lake level; and
- WHEREAS,** expenditures of over Ten Thousand (\$10,000.00) may not be expended until approved by Resolution of the Livingston and Washtenaw County Board of Commissioners; and

**THEREFORE, BE IT RESOLVED** by the Board of Commissioners for the County of Livingston, that pursuant to Part 307, the Washtenaw County Water Resources Commissioner is authorized to exceed the annual maintenance limit of \$10,000, funded by an established special assessment district, to construct maintenance and repair work identified and necessary in the dam inspection report dated July, 2023, upgrade the control mechanisms as noted, and repair the safety warning system as necessary.

**BE IT FURTHER RESOLVED** that this authorization extends for a period to encompass the years over which the project will be financed.

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**MOVED:**  
**SECONDED:**  
**CARRIED:**