



Memorandum

To: Livingston County Board of Commissioners

From: Mitch Dempsey

Date: 11/15/2024

Re: Resolution authorizing an expenditure in excess of \$10,000 for repair and rehabilitation of the Long Lake Dam

Honorable Commissioners:

The attached resolution requests approval to exceed the \$10,000 annual maintenance limit for the Long Lake Dam. The Long Lake Dam is a fixed weir structure located on the southwest corner of Long Lake in Hartland Township. This dam is currently regulated under the provisions of Part 307 and 315 of the Natural Resource and Environmental Protection Act. From our records, this dam regulates the normal lake level of both Long and Maxfield Lakes. Correspondence we have on file indicates that the original dam on Long Lake began having structural issues in the mid 1940's. This ultimately resulted in a petition to the circuit court to determine the normal water level of Long Lake and Maxfield Lakes. On May 26, 1947, the Livingston County Circuit Court signed an order determining the normal lake level. Construction of the current dam was completed between 1951 and 1952.

Due to changes in properties after construction of the current dam and changes in the lake level statute over time, the Livingston County Drain Commissioner, on behalf of Livingston County, petitioned the Circuit Court in 2006 to modify the assessment district. The confirmed assessment district is comprised of properties that have deeded access to both Long and Maxfield Lakes.

As identified in dam inspection report in 2021, there were noted concerns with the dam's culvert under Blaine Road and the upstream headwall. At this time, our professional opinion is that repair is necessary, as continued maintenance will not prevent a future failure. Based on the poor condition of the headwall, the failure mode will likely present itself as road settlement, due to piping (flow through the road base) under Blaine Road. We have been in communication with the Road Commission about the culvert due to the effort to repave Blaine Road. They have

altered paving plans for the road to give us time to do necessary work on the dam prior to paving in the area of the dam.

We have obtained an engineer's estimate of the required repairs, which are in excess of the \$10,000 annual maintenance limit set in Part 307 of Act 451. Due to the required repairs of the dam and limited resident communication over the years, our office held an informational meeting on September 18, 2024, at Hartland Township Hall. Each resident within the district was sent a mailed notice of this meeting. During the meeting, residents were informed of the proposed repair, potential repair costs, and the process for proceeding with the repair. We have also sent a letter to landowners in the special assessment district which describes the most common questions received at the informational meeting with our responses.

Pursuant to Part 307 of the Natural Resources and Environmental Protection Act, the Delegated Authority (in this case, the Livingston County Drain Commissioner) must obtain authorization to exceed the \$10,000 per year maintenance limit for the Long Lake Dam from the Livingston County Board of Commissioners.

The cost of the proposed repairs would be assessed to the Long Lake Level special assessment district which includes approximately 708 properties. There is no assessment to Livingston County associated with this project.

Approval of this resolution by the Livingston County Board of Commissioners would authorize the delegated authority, the Livingston County Drain Commissioner, to make the recommended current repairs to the Long Lake Dam over the annual maintenance limit of Ten Thousand (\$10,000.00) dollars under the provisions of Part 307 of the Natural Resources and Environmental Protection Act. Following the receipt of bids for the repairs, landowners within the special assessment district will be notified of a meeting to review apportionments to properties for the repairs. We anticipate completion of this work in the summer of 2025.

We respectfully request your passage of the attached resolution. If you have any questions regarding this matter, please contact me.

Enclosures:

Long Lake Level Location Map

Long Lake Level Special Assessment District Map

2021 Long Lake Dam Inspection Report

2024 Long Lake Dam Proposal and Cost Estimates