

RESOLUTION

NO: [Title]

LIVINGSTON COUNTY

DATE: Click or tap to enter a date.

---

---

## Resolution Approving the Special Assessment Roll, Project Costs, and Issuance of Special Assessment District Notes for Repairs to the Thompson Lake Dam – Drain Commissioner

- WHEREAS,** the Thompson Lake Dam in the City of Howell serves properties within the City of Howell and Oceola Township; and
- WHEREAS,** pursuant to Part 307 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended (NREPA), the Livingston County Circuit Court (the Circuit Court), by orders dated October 10, 1984, March 9, 1989, August 23, 1989, and October 21, 1996, has established the normal lake level for Thompson Lake, and said dam is operated in accordance with the Inland Lakes and Dam Safety provisions (Parts 307 and 315 of NREPA); and
- WHEREAS,** by further order dated July 5, 2005, the Circuit Court confirmed the boundaries of the Thompson Lake Level Special Assessment District (the Special Assessment District) for the construction, operation and maintenance of the Thompson Lake Dam, for the purpose of maintaining the normal lake level of the Thompson Lake Dam, pursuant to Part 307 of NREPA; and
- WHEREAS,** pursuant to Resolution No. 683-160, dated June 6, 1983, the Livingston County Drain Commissioner was delegated the responsibility for operation and maintenance of the Thompson Lake Dam on behalf of Livingston County, pursuant to the provisions of Act 146, Public Acts of Michigan, 1961 (the 1961 Lake Level Act); and
- WHEREAS,** the 1961 Lake Level Act was amended by Act 59, Public Acts of Michigan, 1995, which added Part 307 to NREPA, under which the party to whom delegation was previously authorized by the 1961 Lake Level Act is referred to as the “delegated authority”; and
- WHEREAS,** prior approval of a repair exceeding \$10,000.00 of the Thompson Lake Dam And Log Gate Mechanism was obtained from the Livingston County Board of Commissioners pursuant to Resolution No. 2024-01-010, dated January 29, 2024; and
- WHEREAS,** the Drain Commissioner held a public hearing consistent with the requirements of Part 307 of NREPA on February 10, 2025, to review the computation of costs of the lake level repair project and the corresponding special assessment roll; and
- WHEREAS,** after considering input from the public hearing, the Livingston County Drain Commissioner has presented the computation of costs of the project in the sum of \$350,000 and the recommended special assessment roll spreads the project cost over four years to the Livingston County Board of Commissioners for final approval; and
- WHEREAS,** the Livingston County Drain Commissioner has determined that it will be necessary for the Special Assessment District to issue its Special Assessment District Notes, in the amount not to exceed \$350,000 (the “Notes”); and
- WHEREAS,** Highpoint Community Bank of Hastings, Michigan, has submitted a bid for said notes that requires the pledging of the full faith and credit of the Special Assessment District.

---

---

**THEREFORE, BE IT RESOLVED** by the Livingston County Board of Commissioners:

1. The Special Assessment District, as confirmed by order of the Livingston County Circuit Court, is hereby designated and confirmed as the “Thompson Lake Special Assessment District”.
2. The Livingston County Board of Commissioners hereby approves the computation of costs of the project in the sum of \$350,000 and the special assessment roll spread over four years as presented and recommended by the Livingston County Drain Commissioner.
3. The special assessment roll with the assessments listed shall be final and conclusive unless appealed in a court within 15 days of the adoption of this Resolution. MCL 324.30714(4).
4. The Livingston County Board of Commissioners hereby approves the issuance of the Notes by the Special Assessment District pursuant to Part 307 of NREPA to finance the costs of the hereinabove described project, the Notes to be payable from the special assessments for said project.
5. The Livingston County Board of Commissioners hereby approves the retention of Dickinson Wright, PLLC, as legal counsel for the Notes.
6. The Livingston County Board of Commissioners hereby ratifies and confirms the appointment of the Drain Commissioner as “delegated authority” within the meaning of Part 307, to take such actions as are necessary to maintain the normal lake level of Thompson Lake.
7. The Drain Commissioner, as delegated authority, is authorized to execute an order pledging the full faith and Credit of the Special Assessment District for the repayment of the Notes.
8. The Drain Commissioner, as delegated authority, is authorized and directed to execute and deliver documents and take all other actions necessary or advisable to enable the sale and delivery of the Notes as contemplated herein.
9. The Livingston County Clerk shall forward to the Drain Commissioner a copy of this Resolution so that action can be instituted on the project in an expedient manner.
10. All resolutions and parts of resolutions insofar as the same that may be in conflict herewith are hereby rescinded.

#

#

#

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