

**BRANCH COUNTY BOARD OF COMMISSIONERS
MAY SESSION (SECOND DAY)
May 28, 2019**

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, in the Commissioners meeting room at the Courthouse, on Tuesday, May 28, 2019.

Chairman Gordon called the meeting to order at 4:00 pm.

Present: Commissioners Ted Gordon, Leonard Kolcz, Don Vrablic, Randall Hazelbaker, and Terri Norris, Chief Deputy Clerk Christine Ransbottom, Administrator Bud Norman.

Commissioner Kolcz led the Board in the Pledge of Allegiance.

2/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, to approve the agenda. MOTION CARRIED.

3/ Motion by Commissioner Vrablic, seconded by Commissioner Norris, to approve the minutes of the May 14, 2019 Board meeting. MOTION CARRIED

4/ Motion by Commissioner Norris seconded by Commissioner Kolcz to approve the hiring of a 911 dispatcher at the POAM-911 new hire rate of \$14.23 per hour, with new hire benefits, effective immediately. MOTION CARRIED

5/ Motion by Commissioner Norris seconded by Commissioner Hazelbaker that is approval is given to move the June 20th work meeting to June 18th at 2:30pm. MOTION CARRIED

6/ Motion by Commissioner Hazelbaker seconded by Commissioner Norris that approval is given for Fahey, Schultz, Burzych & Rhodes to represent the Board of Commissioners in the matters relating to the Lake George lake level. MOTION CARRIED

7/ Motion by Commissioner Hazelbaker seconded by Commissioner Vrablic to approve the resolution regarding the establishment of the Lake George lake level, as presented. MOTION CARRIED

**2019-07
RESOLUTION**

WHEREAS, the County received correspondence dated April 9, 2019 from the Lake George Cottagers Association inquiring requesting the establishment of a legal lake level for Lake George pursuant to Part 307 of the natural Resources and Environmental Protection Act, MCL 324.30701, *et seq* (“Part 307”); and

WHEREAS, Part 307 outlines a process to establish inland lake levels and to perform projects to maintain the established lake level. Under Part 307, a county board of commissioners or their delegated designee must initiate action to determine an inland lake level if it receives a valid lake level petition from 2/3 of property owners abutting an inland lake pursuant to MCL 324.30702; and

WHEREAS, before acting on such a petition, a county board of commissioners may require a cash deposit form Part 307 petitioners to retain a professional engineer to prepare a preliminary study addressing a potential Part 307 lake level pursuant to MCL 324.30703; and

WHEREAS, the Branch County Board of Commissioners wishes to appoint the Branch County Drain Commissioner as its Part 307 delegated authority for Lake George and also to retain the law firm of Fahey Schultz Burzych Rhodes PLC of Okemos, MI to advise and assist the County and Rain Commissioner as it relates to establishing a legal lake level for Lake George.

NOW THEREFORE, BE IT RESOLVED:

1. Pursuant to Section 30703 of Part 307, the County Board of Commissioners requires that petitioners provide the County with a cash deposit in the amount of \$10,000 to assist with the costs of the preparation of the petition and related documents, verification of signers and the validity of signatures, and for the preparation of a preliminary study reviewing a potential Park 307 lake level to Lake George before initiating any proceedings under Part 307.
2. The Board of Commissioners designates the Branch County Drain Commissioner as its delegated authority to perform all authorized duties related to establishing a Part 307 lake level for Lake George.
3. The Board authorizes the County Administrator to execute an engagement letter with the law firm of Fahey Schultz Burzych Rhodes PLC to advise and assist the County with matters related to establishing a Part 307 lake level for Lake George.

Upon roll call vote the results were as follows:

Yes – Norris, Kolcz, Vrablic, Hazelbaker, Gordon – 5

No – 0

MOTION CARRIED

8/ Motion by Commissioner Hazelbaker seconded by Commissioner Norris, to approve the agreement between Branch County and ADC Telecom, LLC for radio system consulting services. **MOTION CARRIED**

9/ Motion by Commissioner Vrablic, seconded by Commissioner Hazelbaker to approve the Bills and Accounts in the amount of \$227,253.24. **MOTION CARRIED**

Committee/Liaison Reports:

Kolcz – will be attending the Pines meeting tonight

Vrablic – Scrap Tire Collection will be held on August 17th at the Human Services Building. Up to 10 passenger tires per vehicle can be accepted.

Gordon- COA continues to have humidity issues that they are working on

10/ Motion by Commissioner Vrablic, seconded by Commissioner Hazelbaker to adjourn at 4:13 pm. **MOTION CARRIED**

Chairman

Clerk