

RESOLUTION 2020- 006

AT A MEETING OF THE BOARD OF COMMISSIONERS OF GLADWIN COUNTY, MICHIGAN, HELD AT 401 W. Cedar Avenue, ON MARCH 11, 2020.
Gladwin MI 48624

WHEREAS the Michigan Department of Environmental Quality, subsequently renamed the Michigan Department of Environment Great Lakes and Energy (EGLE) under executive Order 2019-16, has filed suit against Robert Evans, Gladwin County Drain Commissioner, Ingham County Circuit Court, Case #18-238-CE.

WHEREAS Gladwin County intervened in this case as an interested party because, as an elected official with governmental immunity, the Gladwin County Drain Commissioner is not personally liable for any fines, costs or enforcement expenses with said fines, costs and enforcement expenses passing directly to the drainage district.

WHEREAS the Gladwin County Drain Commissioner Robert Evans, pursuant to a Stipulated Consent Order entered in the matter of *Gladwin County, by and through the Gladwin County Board of Commissioners v Robert Evans, in his official capacity as Gladwin County Drain Commissioner*, filed in the Gladwin County Circuit Court, Case #18-9574-AW, delegated full authority to his Deputy Drain Commissioner to execute the duties of the Gladwin County Drain Office in his absence.

WHEREAS the Gladwin County Deputy Drain Commissioner, along with the Gladwin County Board of Commissioners, by their attorney, have negotiated a settlement and resolution of the litigation. A Consent Order setting forth the settlement and resolution and is attached to this Resolution.

WHEREAS the Gladwin County Commissioners finds the entry of the Consent Order the most appropriate means of resolving the matter without further litigation and

specifically agrees to, consents to and shall be bound by the terms and findings of the attached Consent Order.

NOW THEREFORE, be it RESOLVED by the Board of Commissioners of Gladwin County, Michigan, the attached Order is accepted as a final resolution of the underlying litigation and Gladwin County specifically agrees to, consents to and shall be bound by the terms and findings of the attached Consent Order.

IT IS FURTHER RESOLVED that Sharron Smith, Chair of the Gladwin County Board of Commissioners shall be authorized to sign said Consent Order.

Dated: March 11, 2020

Gladwin County Board of Commissioners,
Gladwin County, Michigan.

AYES: 5
NAYS: 0
ABSENT/ABSTAIN: 0

I, Laura Brandon-Maveal, Clerk of the County of Gladwin, Michigan certify that the above Resolution was adopted by the Gladwin County Board of Commissioners at a meeting held on the 11th day of March, 2020.

Dated: March 11, 2020

Laura Brandon-Maveal
Laura Brandon-Maveal, Clerk