

**GLADWIN COUNTY BOARD OF COMMISSIONERS**  
PRATT LAKE – LAKE LEVEL  
Resolution 2024-017

At a meeting of the Gladwin County Board of Commissioners, Gladwin County, Michigan, held on February 27, 2024, at 9:00a.m. Eastern Standard Time;

PRESENT: Commissioners Visnaw; O'Donnell; Moore; Taylor

ABSENT: Commissioner Grove

The following resolution was offered by Comm. O'Donnell and supported by Comm. Visnaw.

**WHEREAS**, Pratt Lake, located in Sage Township, Gladwin County, Michigan has an established normal lake level by the Gladwin County Circuit Court under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended ("Part 307"); and

**WHEREAS**, the Gladwin County Board of Commissioners and its delegated authority, the Gladwin County Drain Commissioner, have jurisdiction for the operation and maintenance of the normal level of Pratt Lake. MCL 324.30702; and

**WHEREAS**, a review of the historical court order relating to Pratt Lake's normal level found that revisions are necessary to be consistent with state law to ensure that the court order authorizes lake level variations, among other things; and

**WHEREAS**, for the reasons stated herein, the Gladwin County Board of Commissioners finds it necessary to: (1) approve hiring legal counsel and engineers to assist with the Part 307 lake level process, including filing a petition in the Gladwin County Circuit Court; and (2) amend the lake level order for Pratt Lake to allow for lake level variations and conduct any other needed updates.

**NOW, THEREFORE, BE IT RESOLVED:**

- 1. Legal Counsel:** Gladwin County may retain legal counsel Fahey Schultz Burzych Rhodes PLC to assist with legal matters related to the Part 307 lake level process. Said legal counsel is explicitly authorized to file a petition in the Gladwin County Circuit Court on behalf of Gladwin County to allow for lake level variations and conduct any other updates to the lake level order that are necessary to allow Gladwin County to maintain and operate the normal lake level of Pratt Lake. See MCL 324.30707(5) (circuit court has continuing jurisdiction).
- 2. Engineers:** Gladwin County may retain the engineering firm Spicer Group, Inc. to assist with activities related to maintenance and operation of the normal levels of Pratt Lake, including but not limited to preparation of studies and recommendations related to lake level variations and any other necessary updates to the lake level order; providing expert

testimony related to the lake level order; and assistance with the compilation and approval of a special assessment roll.

3. **Costs of Activities:** All costs associated with the expenditures authorized in this resolution, including retaining all necessary consultants (e.g. legal counsel and engineers), shall be reimbursed by a lake level special assessment district to the extent permitted by Part 307.

**RESOLUTION DEEMED APPROVED**

Dated: February 27, 2024

  
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Karen Moore, Chair  
Gladwin County Board of Commissioners

**Roll call vote:**

APPROVE: Commissioners Visnaw; O'Donnell; Moore; Taylor

DENY: 0

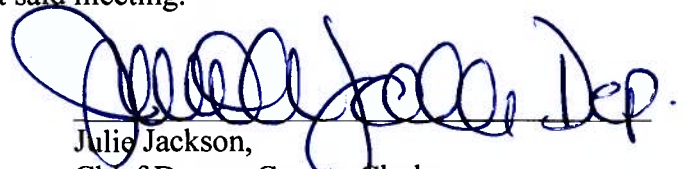
ABSENT/ABSTAIN: Commissioner Grove Absent

**CERTIFICATION**

STATE OF MICHIGAN     )  
  ) ss  
COUNTY OF GLADWIN    )

I, the undersigned, the duly qualified and acting Clerk of Gladwin County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Gladwin County Board of Commissioners at a meeting held on the 27<sup>th</sup> day of February, 2024, and that notice of said meeting was given in accordance with the Open Meetings Act, and further certify that the above resolution was adopted at said meeting.

Dated: 02/27/2024

  
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Julie Jackson,  
Chief Deputy County Clerk,  
Gladwin County