

"Menominee County – Where the Best of Michigan Begins"

MENOMINEE COUNTY BOARD OF COMMISSIONERS

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RESOLUTION – 2021-03

RESOLUTION REAFFIRMING THE MENOMINEE COUNTY ROAD COMMISSION AS THE DELEGATED AUTHORITY FOR MAINTAINING THE ESTABLISHED LAKE LEVEL OF SHAKEY LAKES

WHEREAS, the Menominee County Board of Commissioners adopted a Resolution on August 18, 1960 deeming it necessary to establish a normal height and lake level of Shakey Lakes and to institute proceedings in the Circuit Court for the County of Menominee for such a determination; and

WHEREAS, in an Order dated September 27, 1963 Circuit Court Judge Ernest Brown fixed the normal height and level of Shakey Lakes at 682.75 feet above sea level; and

WHEREAS, in the same Order dated September 27, 1963 Circuit Court Judge Ernest Brown directed the Board of County Road Commissioners to take whatever steps including alteration of the existing dam control devices to maintain the said level at all times as near as may be possible; and

WHEREAS, the Menominee County Road Commission has maintained the Shakey Lakes Dam for the past 57 years as ordered by the Menominee County Circuit Court; and

WHEREAS, the State of Michigan enacted the Natural Resources and Environmental Protection Act, Act 451 of 1994, which included Part 307, Inland Lake Levels; and

WHEREAS, pursuant to Section 30702(2) of the Natural Resources and Environmental Protection Act, Act 451 of 1994, Part 307, Inland Lake Levels: *"Unless required to act by resolution as provided in this part, the county board may delegate powers and duties under this part to that county's commissioner (drain commissioner), road commission, or other delegated authority"*; and

