

**COMMITTEE OF THE WHOLE  
September 29, 2022  
9:00 a.m.**

Vice-Chair Henning called the meeting to order at 9: a.m. in the Commission Chambers on the lower level of the County Complex Building. Commissioner r opened the meeting with prayer. The Pledge of Allegiance was recited.

Present: Commissioners Brendan Miller, Dyle Henning, Lenny Schneider, Rick Warren, Bryan Zender, Linda M. Jarvis

Others: Quentin Bishop, County Controller/Administrator, Jackie Arnold, Chief Financial Officer, Lynette Stanford, Secretary/Deputy County Clerk

Absent: Commissioner Gary Roy

Motion by Warren, supported by Jarvis, to approve the agenda with the addition of a discussion regarding the Sheriff's request for actions related to the purchase of a boat and the Secondary Road Patrol Grant, and the deletion of a closed session. Motion carried.

Motion by Warren, supported by , to approve the minutes from the September 15, 2022 Committee of the Whole Meeting. Motion carried.

**Elected Official/Department Head Updates**

Rachel Horton, Animal Control Division Chief gave an update regarding her department.

**Public Time** – 7 people spoke during public time.

Motion by Schneider, supported by Zender, to recommend to the Full Board, to approve the Health Department Alcohol Information and Counseling Center (AICC) Policy and Procedure Manual, with no changes from 2021. Motion carried.

Motion by Schneider, supported by Miller, to recommend to the Full Board, to accept the Fiscal Year 2023 Crime Victim Rights Grant Award from the Department of Health and Human Services (DHHS), in the amount of \$132,232.00, and to authorize the County Controller/Administrator to electronically accept the Grant with a copy to be given to the County Clerk, to be entered into the Official Record. Motion carried.

Motion by Warren, supported by Zender, pursuant to motion 291-22 of the September 8, 2022 Regular Board Meeting, giving the Committee of the Whole the authority to act, which shall include forwarding the motion to the next regular meeting to be entered into the record, to adopt the following Resolution approving a special assessment roll and computation of costs for Lake Lapeer lake level project:

**STATE OF MICHIGAN**

**LAPEER COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION NO.**

*WHEREAS*, the Lapeer County Drain Commissioner, as the delegated authority designated by the Lapeer County Board of Commissioners (the “Board”) under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended (“Part 307”), has the responsibility to maintain the lake level of **Lake Lapeer**; and

*WHEREAS*, a special assessment district was established by the Lapeer County Circuit Court for **Lake Lapeer**, located in Hadley Township and Elba Township, Lapeer County, Michigan, under Part 307, specifically MCL 324.30704; and

*WHEREAS*, the Lapeer County Drain Commissioner held a public hearing on August 10, 2022 to review the computation of costs of the project and a special assessment roll consistent with the requirements of Part 307; and

*WHEREAS*, the Board has reviewed the computation of costs of the project and the special assessment roll.

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

1. The Board approves the computation of costs of the project and the special assessment roll as provided by the Lapeer County Drain Commissioner (**and attached to this resolution**).
2. 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).
3. The Lapeer County Clerk shall forward to the Lapeer County Drain Commissioner a copy of this Resolution so that action can be instituted by Lapeer County in an expedient manner.
4. All resolutions and parts of resolutions insofar as the same may be in conflict herewith are hereby rescinded.

Roll Call vote: Warren, aye; Miller, nay; Schneider, aye; Zender, aye; Jarvis, aye; Henning, aye; Roy, absent. 5 ayes, 1 nay, 1 absent. Motion carried.

Motion by Warren, supported by Zender, pursuant to motion 291-22 of the September 8, 2022 Regular Board Meeting, giving the Committee of the Whole the authority to act, which shall include forwarding the motion to the next regular meeting to be entered into the record, to adopt the following resolution approving the Drain Commissioner to retain municipal finance counsel to borrow funds to fund the Lake Lapeer Level Control Structure Maintenance Project, and attachments as submitted, which shall be repaid by lake level special assessments:

STATE OF MICHIGAN  
COUNTY OF LAPEER  
LAPEER COUNTY BOARD OF COMMISSIONERS

Resolution  
LAKE LAPEER: MAINTENANCE AND REPAIR OF LAKE LEVEL  
AMENDMENT TO RESOLUTION No. 123-22

WHEREAS, the Lapeer County Board of Commissioners (the "Board") adopted Resolution No. 123-22 on April 21, 2022 (the "Prior Resolution"), authorizing the Lapeer County Drain Commissioner (the "Drain Commissioner"), as delegated authority under Part 307 of Michigan's Natural Resources and Environmental Protection Act, Act 451, Public Acts of Michigan, 1994, as amended ("Part 307"), to expend money for the maintenance and repair of the Lake Lapeer lake level project in excess of \$10,000, to maintain the established lake level for Lake Lapeer; and

WHEREAS, Part 307 authorizes a special assessment district established pursuant to Part 307 to issue bonds or notes, payable by special assessments under Part 307, to finance a lake level project with the approval of the county board; and

WHEREAS, the Drain Commissioner desires authorization for approval for financing to fund work necessary (e.g., obtaining/confirming easements and updating special assessment rolls) to maintain the normal level of Lake Lapeer; and

WHEREAS, the Board has determined that it is necessary and desirable to amend the Prior Resolution as hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED:

1. The Prior Resolution is amended by substituting the following paragraph for Paragraph 2 of the Prior Resolution, and re-numbering Paragraph 2 of the Prior Resolution as Paragraph 3:

"2. The Board of Commissioners authorizes the Drain Commissioner to retain municipal finance counsel to borrow an amount not to exceed \$274,500.00 for activities to maintain the normal level of Lake Lapeer, including without limitation updating a special assessment roll and drafting/obtaining easements for lake level infrastructure. All costs associated with the activities authorized herein shall be reimbursed by a lake level special assessment district to the extent permitted by Part 307."

(Resolution continued)

2. Except as amended herein, the Prior Resolution is hereby ratified and confirmed. All other resolutions and parts of resolutions, insofar as the same may be in conflict herewith, are hereby rescinded.

Roll Call vote: Warren, aye; Schneider, aye; Zender, aye; Jarvis, aye; Miller, nay; Henning, aye; Roy, absent. 5 ayes, 1 nay, 1 absent. Motion carried.

Motion by Zender, supported by Warren, to refer the discussion regarding the Sheriff's request to amend motion 97-22 to the October 6, 2022 Regular Board Meeting. Motion carried.

Motion by Miller, supported by Schneider, to refer the discussion regarding the Sheriff's request for the Secondary Road Grant application to the October 6, 2022 Regular Board Meeting. Motion carried.

**Public Time** – 4 people spoke during public time.

The Commissioners gave brief reports on upcoming meetings and events.

The meeting adjourned. 11:15 a.m.

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Dyle Henning, Vice-Chair  
Committee of the Whole