

Village of Lake Isabella

1010 Clubhouse Drive
Lake Isabella, MI, 48893

RESOLUTION 2011-34
Lake Isabella Dam

WHEREAS, in the late 1960s the Chippewa River was impounded to create a recreation area known as Lake Isabella, and;

WHEREAS, this impoundment is officially known as the Lake Isabella Dam, and;

WHEREAS, the Village of Lake Isabella is charged with fairly representing all interests in the community, and ensuring the public's health and well being is accounted for, and;

WHEREAS, the Lake Isabella Dam is comprised of three parts; being the earthen embankment, the mechanical sluice gate, and the concrete spillway, and;

WHEREAS, the Lake Isabella Property Owners Association (LIPOA) presently is the owner of record of the Lake Isabella Dam, and;

WHEREAS, the LIPOA has applied for a permit from the Michigan Department of Environmental Quality (MDEQ) to conduct a winter draw down of Lake Isabella in the hope of reducing the invasive weeds in Lake Isabella, and;

WHEREAS, this draw down would occur (if permitted by the MDEQ) by using the mechanical sluice gate to increase the flow of water out of Lake Isabella, and;

WHEREAS, the Village of Lake Isabella is recently in receipt of multiple dam inspection reports and other professionally prepared documents pertaining to the Lake Isabella Dam, and;

WHEREAS, these reports when reviewed in an unbiased manner bring into question the recent maintenance history of the earthen embankment, and;

WHEREAS, these reports further call into question the rationale of using the sluice gate to conduct a seasonal draw down which may compromise the functionality of the sluice gate in an emergency situation, and;

NOW THEREFORE BE IT RESOLVED: *the Village of Lake Isabella directs that the Village Manager draft a correspondence to the LIPOA outlining the Concerns*

of the Village Council regarding using the sluice gate to conduct a draw down, and;

NOW THEREFORE BE IT FURTHER RESOLVED: such correspondence shall also outline the concerns of the Village regarding the earthen embankment, specifically the failed toe drains, seepage, and potential for over topping, and;

NOW THEREFORE BE IT FURTHER RESOLVED: in order to be fully transparent with the information provided, the Village Manager is hereby directed to place digital copies on the Village's website site of the following documents:

1. 1979 National Dam Safety Program U.S. Army Corps of Engineers Inspection Report.
2. October 1982 Court order making it permissible for the LIPOA to conduct a draw down beginning on October 15 of each calendar year.
3. June 2007 Inspection Report from Gerace Diving Service.
4. November 2007 Inspection Report from Lapham Associates.
5. November 2010 Inspection Report from the Spicer Group.
6. October 2011 letter from Williams & Works.

NOW THEREFORE BE IT FURTHER RESOLVED: the Village Manager is hereby directed to make additional documents pertaining to the dam available on the Village's website as they become available, and;

NOW THEREFORE BE IT FURTHER RESOLVED: the Village Manager is hereby authorized to take immediate action to forward these concerns to the MDEQ, this includes requesting that a public hearing be held as part of the permit process so that the concerns regarding the Lake Isabella Dam may be fully addressed, and;

NOW THEREFORE BE IT FURTHER RESOLVED: the Village Manager is hereby directed to ensure that any future modifications to the Lake Isabella Dam are done in compliance with Part 315 of the Michigan Natural Resources and Environmental Protection Act, Public Act 451 of 1994 as amended, and;

NOW THEREFORE BE IT FURTHER RESOLVED: the Village Manager is hereby directed to immediately report to the Village Council any damage done to the sluice gate which may compromise the integrity of the sluice gate to properly function in the event of an emergency, and;

NOW THEREFORE BE IT FURTHER RESOLVED: *the Village of Lake Isabella deems it to be of public purpose and in the public's best interest to ensure that the Lake Isabella Dam is maintained in the best condition possible, to further this end the Village Manager is authorized to utilize the Village Engineer to review all proposed modifications to the Lake Isabella Dam at no cost to the LIPOA, and;*

NOW THEREFORE BE IT FURTHER RESOLVED: *the Village of Lake Isabella desires to work with the LIPOA to ensure that the Lake Isabella Dam is fully operational and can properly function in an emergency situation.*

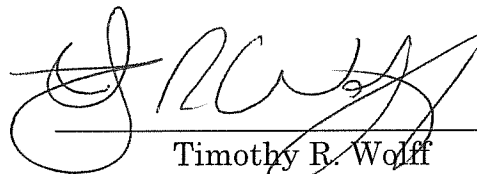
I, Jeffrey P. Grey, the duly qualified and acting Clerk of the Village of Lake Isabella, Isabella County, Michigan (the "Village") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council at a meeting held on October 18, 2011, the original of which is on file in the Village Office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

10-19-11

Date



Jeffrey P. Grey
Lake Isabella Village Clerk



Timothy R. Wolff
Lake Isabella Village Manager