

1 Township, found the petitions in support of the project to be legally sufficient. The Township
2 Attorney indicated that this evening's public hearings were not on these prior issues, but were instead
3 on the proposed special assessment rolls that had been prepared by the Supervisor of each Township in
4 connection with the special assessment projects. The Township Attorney indicated that if any person
5 present wished to comment or voice objection with respect to the proposed special assessment rolls,
6 they should do so at this public hearing.

7
8 Supervisor Stoneburner then briefly explained the methodology that had been used in preparing
9 the proposed Prairieville Township special assessment roll. He noted that the Township administration
10 had verified ownership of the properties. It was indicated that the special assessment roll proposed that
11 waterfront lots with a dwelling would have a total special assessment of \$1,143.52. It was indicated
12 that back lots with dwelling and with deeded access to the lake would be specially assessed at half that
13 amount. It was indicated that it was proposed that the special assessments would be paid in equal
14 annual installments over a seven year period.

15
16 Supervisor Kahler indicated that Barry Township had followed the same methodology in
17 preparing its proposed special assessment roll.

18
19 The public hearing was then opened on both proposed special assessment rolls.

20
21 Mr. Jerry Munson indicated that he owned the property at 7486 N. Crooked Lake Drive and
22 that he had not been aware of the first public hearing. Clerk Owens confirmed that a notice of the first
23 public hearing had been mailed to Mr. Munson. Supervisor Stoneburner noted that notice of the first
24 public hearing had also been published in the Hastings Banner in accordance with statutory
25 requirements.

26
27 In response to a question from Mr. Munson, Treasurer Nottingham reiterated that the total
28 proposed special assessment upon Mr. Munson's property was \$1,143.52. Trustee Ritchie then
29 indicated what this would amount to in annual installment payments for seven years.

30
31 Mr. Munson inquired as to whether the Township Board had given any consideration to
32 possible damage to fishing as a result of the weed control treatment program. Supervisor Stoneburner
33 answered in the affirmative. Supervisor Kahler noted that the MDEQ regulates such aquatic weed
34 control programs and that a permit from the MDEQ is required in order to put any treatments into the
35 lake.

36
37 In response to a further question from Mr. Munson, Supervisor Stoneburner indicated that the
38 proposed aquatic plant control project would be a seven year plan. Supervisor Stoneburner confirmed
39 that if it was desired to have an additional treatment project beyond that time period, there would have
40 to be a new set of public hearings and a new special assessment district created to fund any such
41 additional project.

42
43 Mr. Munson inquired as to whether there were any lakes in the area that were not treated.
44 Supervisor Stoneburner indicated that a proposed aquatic plant control treatment project for Pine Lake
45 had been defeated by the filing of a blocking petition.

1 Mr. Munson thanked the Township Board for addressing his questions.

2
3 There being no further public comment, Supervisor Kahler closed the public hearing as it
4 pertained to Barry Township.

5
6 Supervisor Stoneburner noted that two letters *from Green and Rhodes* objecting to the project
7 had been received by the Township and that those letters would be kept on file as part of the record of
8 this evening's proceeding. Supervisor Stoneburner then closed the public hearing with respect to
9 Prairieville Township.

10
11 The Township Attorney indicated that a draft resolution had been prepared for each Township
12 Board for consideration for adoption after conclusion of the public hearing. The Township Attorney
13 then reviewed the contents of the resolution.

14
15 Treasurer Nottingham noted that any ~~delinquent~~ special assessment payment should be placed
16 on the winter tax roll, *not anytime after the summer tax roll, or will take away \$2.50 per parcel from*
17 *State.*

18
19 It was noted that the proposed resolution, like the comparable resolution pertaining to the prior
20 Upper Crooked Lake Aquatic Plant Control Special Assessment Project, provided that any payments
21 made on a timely basis shall not bear any interest. Members of the Barry Township Board then
22 engaged in a discussion as to whether there should be an interest requirement with respect to this
23 project.

24
25 Supervisor Stoneburner indicated that he would be opposed to imposing interest. He indicated
26 that he believed Prairieville Township could manage in these tough economic times without imposing
27 interest. The other members of the Prairieville Township Board expressed concurrence in this regard.

28
29 Barry Township Board members then engaged in a further discussion regarding this issue.
30 Supervisor Kahler reviewed the proposed contract with Professional Lake Management and noted that
31 it provides for Township Board supervision of the treatment program. After further general discussion
32 on this issue, the members of the Barry Township Board indicated that they were prepared to proceed
33 with consideration of the proposed resolution. *Flexibility in plan, PLM advises what needs to be done,*
34 *Board determines what is to be done in Fall or early-summer.*

35
36 It was moved by Clerk Owens, seconded by Trustee Miller, that the Prairieville Township
37 Board adopt the following resolution:

38
39 **TOWNSHIP OF PRAIRIEVILLE**
40 **BARRY COUNTY, MICHIGAN**

41
42 **PREAMBLE AND RESOLUTION CONCERNING PRAIRIEVILLE TOWNSHIP UPPER**
43 **CROOKED LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT**
44 **DISTRICT NO. 09-1**

1 WHEREAS, the Township Board of the Township of Prairieville, Barry County, Michigan,
2 after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by
3 the Supervisor and Assessing Officer of the Township for the purpose of defraying a portion of the
4 costs of an aquatic plant control program proposed to be undertaken within the PRAIRIEVILLE
5 TOWNSHIP UPPER CROOKED LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL
6 ASSESSMENT DISTRICT NO. 09-1 as shown on the plans and specifications for such project and;

7 WHEREAS, such public hearing was preceded by proper notice in the Hastings Banner, a
8 newspaper of general circulation in the Township, and by First Class Mail notice to each property
9 owner of record within said District and upon said assessment roll; and

10 WHEREAS, comments were received from those present at such public hearing concerning
11 said assessment roll and opportunity given to all present to be heard in the matter; and

12 WHEREAS, the Township Board has duly inspected the proposed assessment roll and
13 considered all comments and proposed amendments thereto and has found the proposed assessment
14 roll to be correct, just and reasonable.

15 NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

16 1. The assessment roll submitted by the Supervisor and Assessing Officer of the Township
17 shall hereafter be designated as the PRAIRIEVILLE TOWNSHIP UPPER CROOKED LAKE
18 AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 09-1 ROLL
19 and shall hereby be confirmed as the assessment roll for PRAIRIEVILLE TOWNSHIP UPPER
20 CROOKED LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT
21 NO. 09-1 in the amount of \$197,257.60.

22 2. The assessments in said PRAIRIEVILLE TOWNSHIP UPPER CROOKED LAKE
23 AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 09-1 ROLL

1 shall be divided into seven (7) annual installments of principal as described in the Roll with the first
2 installment to be paid on or before February 14, 2010, and the following installments to be due on or
3 before the 14th day of the same month of each and every year thereafter. Any payments made on a
4 timely basis shall not bear any interest.

5 3. Future due installments of an assessment against any parcel of land may be paid to the
6 Township Treasurer at any time in full. If any installment of a special assessment is not paid when
7 due, then the installment shall be considered to be delinquent and there shall be collected, a penalty at
8 the rate of one (1%) percent for each month, or fraction of a month, that the installment remains unpaid
9 before being reported to the Township Board for reassessment upon the Township tax roll, and interest
10 shall accrue thereafter in accordance with said Act 188 and the Michigan General Property Tax Act.

11 4. The assessments made in the special assessment roll are hereby ordered and directed to
12 be collected by the Township Treasurer, and the Township Clerk shall deliver the assessment roll to
13 the Treasurer with her Warrant attached, commanding the Treasurer to collect such assessments in
14 accordance with the direction of the Township Board and said Public Act 188.

15 5. All resolutions and parts of resolutions insofar as they conflict with the provisions of
16 this Resolution be and the same are hereby rescinded.

17 Upon roll call vote on the adoption of the Resolution, the following voted "AYE":

18 Jim Stoneburner, Supervisor
19 Jill Owens, Clerk
20 Vickey Nottingham, Treasurer
21 William Miller, Trustee
22

23 The following voted "NAY":

24 None

25 Trustee Ritchie abstained.

26 Supervisor Stoneburner declared the motion carried and the Resolution duly adopted.

1 It was the moved by Treasurer Wooer, seconded by Clerk Dewey-Perry that the Barry
2 Township Board adopt the following resolution:

3 **TOWNSHIP OF BARRY**
4 **BARRY COUNTY, MICHIGAN**

5
6 **PREAMBLE AND RESOLUTION CONCERNING BARRY TOWNSHIP UPPER CROOKED**
7 **LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO.**
8 **09-1**
9

10
11 WHEREAS, the Township Board of the Township of Barry, Barry County, Michigan, after due
12 and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the
13 Supervisor and Assessing Officer of the Township for the purpose of defraying a portion of the costs
14 of an aquatic plant control program proposed to be undertaken within the BARRY TOWNSHIP
15 UPPER CROOKED LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT
16 DISTRICT NO. 09-1 as shown on the plans and specifications for such project and;

17 WHEREAS, such public hearing was preceded by proper notice in the Hastings Banner, a
18 newspaper of general circulation in the Township, and by First Class Mail notice to each property
19 owner of record within said District and upon said assessment roll; and

20 WHEREAS, comments were received from those present at such public hearing concerning
21 said assessment roll and opportunity given to all present to be heard in the matter; and

22 WHEREAS, the Township Board has duly inspected the proposed assessment roll and
23 considered all comments and proposed amendments thereto and has found the proposed assessment
24 roll to be correct, just and reasonable.

25 NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

26 1. The assessment roll submitted by the Supervisor and Assessing Officer of the Township
27 shall hereafter be designated as the BARRY TOWNSHIP UPPER CROOKED LAKE AQUATIC

1 PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 09-1 ROLL and shall
2 hereby be confirmed as the assessment roll for BARRY TOWNSHIP UPPER CROOKED LAKE
3 AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 09-1 in the
4 amount of \$135,507.40.

5 2. The assessments in said BARRY TOWNSHIP UPPER CROOKED LAKE AQUATIC
6 PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 09-1 ROLL shall be
7 divided into seven (7) annual installments of principal as described in the Roll with the first installment
8 to be paid on or before February 14, 2010, and the following installments to be due on or before the
9 14th day of the same month of each and every year thereafter. Any payments made on a timely basis
10 shall not bear any interest.

11 3. Future due installments of an assessment against any parcel of land may be paid to the
12 Township Treasurer at any time in full. If any installment of a special assessment is not paid when
13 due, then the installment shall be considered to be delinquent and there shall be collected, a penalty at
14 the rate of one (1%) percent for each month, or fraction of a month, that the installment remains unpaid
15 before being reported to the Township Board for reassessment upon the Township tax roll, and interest
16 shall accrue thereafter in accordance with said Act 188 and the Michigan General Property Tax Act.

17 4. The assessments made in the special assessment roll are hereby ordered and directed to
18 be collected by the Township Treasurer, and the Township Clerk shall deliver the assessment roll to
19 the Treasurer with her Warrant attached, commanding the Treasurer to collect such assessments in
20 accordance with the direction of the Township Board and said Public Act 188.

21 5. All resolutions and parts of resolutions insofar as they conflict with the provisions of
22 this Resolution be and the same are hereby rescinded.

23 Upon roll call vote on the adoption of the Resolution, the following voted "AYE":

1 Wesley Kahler, Supervisor
2 Debra Dewey-Perry, Clerk
3 Judith Wooer, Treasurer
4 Carol Price, Trustee
5 The following voted "NAY":

6 None

7 Supervisor Kahler declared the motion carried and the Resolution duly adopted.

8 **CITIZEN COMMENT**

9
10 The meeting was then opened for general citizen comment.

11
12 Mr. Chuck Nievas indicated that he would like to congratulate the Township Boards for their
13 action on this matter. He expressed the hope that Professional Lake Management would communicate
14 better with the two Township Boards than did the company involved in the prior Upper Crooked Lake
15 Aquatic Plant Control Project.

16
17 Mr. Dave Behr expressed appreciation for the work of both Township Boards with respect to
18 this matter, especially the work of each Township Supervisor.

19
20 There being no further matters to come before the Township Boards, Supervisor Kahler
21 declared the Barry Township Board meeting adjourned.

22
23 Supervisor Stoneburner thanked the Barry Township Board and the Prairieville Township
24 Board members for their hard work and then declared the Prairieville Township Board meeting
25 adjourned.

26
27
28
29 Jill Owens
30 Clerk