

**TOWNSHIP OF PIERSON
COUNTY OF MONTCALM, MICHIGAN**

Minutes of a regular meeting of the Township Board of the Township of Pierson, Montcalm County, Michigan, held at the Township Hall in said Township on the 14th day of May, 2019, at 7:00 p.m.

PRESENT: Members: Gould, Hyrns, VanTil, Burkholder,
Scheuermann

ABSENT: Members: ∅

The following resolution was offered by Member Burkholder and supported by Member

Hyrns :

RESOLUTION NO. 2019-08

SPECIAL ASSESSMENT RESOLUTION NO. 1

**DECLARATION OF INTENT TO MAKE PUBLIC IMPROVEMENTS;
TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

WHEREAS, Section 3 of Act 188 of the Public Acts of Michigan of 1954, as amended (“Act 188”) provides that the Township Board may proceed and exercise the powers granted by Act 188, unless objecting petitions, signed by record owners of land constituting more than 20% of the total land area in a special assessment district as established by the Township Board are filed; and

WHEREAS, the Township Board previously established the Big Whitefish Lake Weed Control Special Assessment District and determined to make certain public improvements consisting of the application of herbicide treatments for the eradication and control of aquatic weeds and plants in Big Whitefish Lake (the “Improvements”); and

WHEREAS, Act 188 provides the means to finance the Improvements; and

WHEREAS, the nature of the Improvements is such that a periodic redetermination of costs may be necessary without a change in the special assessment district boundaries and, if at any time during the term of the special assessment district an actual incremental cost increase exceeds the estimate for the project by 10% or more, notice shall be given and a hearing afforded to the property owners and interested parties of record in the special assessment district; and

WHEREAS, there exists a need for the Improvements in the Township.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Township Board intends to proceed on its determination to make the Improvements under Act 188.
2. The Township Board has authorized the preparation of preliminary plans showing the Improvements and their location and an estimate of the cost thereof.
3. Said plans and estimate have been filed with the Township Clerk.
4. The estimate includes a range for the yearly cost of the treatments specifying a low and high estimate.
5. The Township Board anticipates assessing the cost of the Improvements on a yearly basis as described in Exhibit A. Each year thereafter on or before September 30, the Township Board shall, to the extent possible, ascertain the project costs for the coming year. The Township Board shall establish the amount to be assessed based on unexpended funds, cash on hand, and the estimated project cost for that year and assess that amount. The costs for administration and legal expenses listed on Exhibit A shall be assessed in 2019.
6. The Township Board hereby tentatively designates a special assessment district known as the "Big Whitefish Lake Weed Control Special Assessment District" (the "District") consisting of certain parcels of land, the descriptions of which are set forth in the Notice of Hearing

attached as Exhibit B hereto, which descriptions are incorporated herein by reference for the District, and against which parcels all or a portion of the cost of said Improvements shall be assessed.

7. The Township Board shall hold a public hearing on June 11, 2019, at 7:00 p.m. (or shortly thereafter), at the Township Hall, in said Township, to hear and consider objections to the petitions, the proposed Improvements, the special assessment district tentatively designated herein, and to all other matters relating to the Improvements.

8. The Township Clerk shall cause to be published a notice of hearing in the *River Valley Shopper*, being a newspaper of general circulation within the Township, a total of at least two times prior to the hearing. The first publication shall be at least ten days prior to the time for hearing and a proof of publication of such notice shall be filed with the Township Board.

9. The Township Clerk, at least ten days prior to the date of the hearing, shall send a notice of the hearing by first class mail addressed to each record owner of or party in interest in each parcel of land to be assessed, at the address shown for such record owner or party in interest upon the last Township tax assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed thereon (except in the case of railroad companies, which shall be mailed a notice of the hearing by registered mail within five days after the first publication of the notice in Paragraph 6, above); provided, that if a record owner's name does not appear on the Township tax assessment records, then the notice required by this paragraph shall be given to the record owner at the address shown by the records of the County Register of Deeds.

10. The form of the notice of the hearing to be mailed and published as set forth herein shall be substantially as set forth in Exhibit B hereto.

EXHIBIT A

**TOWNSHIP OF PIERSON
COUNTY OF MONTCALM, MICHIGAN**

BIG WHITEFISH LAKE WEED CONTROL SPECIAL ASSESSMENT DISTRICT

DESCRIPTION OF IMPROVEMENTS

The Improvements consist of the eradication and control of aquatic weeds and plants (and related and necessary water quality monitoring and other related costs) in Big Whitefish Lake (as more particularly described in the January 14, 2019 proposal from PLM Lake & Land Management Corp. ("PLM")).

The estimate of cost for the Improvements for treatment in 2020-2024 is as follows:

	\$ 89,255 Low Estimate	\$ 176,060 High Estimate
Aquatic weed and plant control	\$ 79,950	\$ 164,950
Related costs (including permitting, monitoring and other related costs (e.g., lake maintenance expenses for CLMP and federal depredation permitting))	\$690	\$910
Administration		
Publication	\$ 1,500	\$ 2,000
mailing of notices (\$3.00 per parcel)	\$ 615	700
Township administrative		
Clerk	\$ 1,500	\$ 1,500
Treasurer	\$ 1,500	\$ 1,500
Legal	\$ 3,500	\$ 4,500
Total Estimated Costs	\$ 89,255	\$ 176,060

The estimate of cost for the Improvements for 2020 treatment only (to be assessed 12/1/2019) is as follows:

	\$ 24,315 Low Estimate	\$ 42,900 High Estimate
Aquatic weed and plant control	\$ 15,990	\$ 32,990
Related costs (including permitting, monitoring and other related costs (e.g., lake maintenance expenses for CLMP and federal depredation permitting))	910	910
Administration		
Publication	\$ 1,500	\$ 2,000

mailing of notices (\$3.00 per parcel)	\$ 615	700
Township administrative		
Clerk	\$ 1,500	\$ 1,500
Treasurer	\$ 300	\$ 300
Legal	\$ 3,500	\$ 4,500
Total Estimated Costs	\$ 24,315	\$ 42,900

All or part of the cost of the Improvements shall be spread by special assessment against benefitted properties located in the Big Whitefish Lake Weed Control Special Assessment District.

A periodic redetermination of the cost of the Improvements may be necessary, without a change in the Special Assessment District boundaries, subject to the requirements of Act 188 of 1954, as amended. The yearly costs are estimated to increase not more than 10% above the maximum annual high cost based on the Project Cost Estimate proposed by PLM.

EXHIBIT B

**TOWNSHIP OF PIERSON
COUNTY OF MONTCALM, MICHIGAN**

NOTICE OF PUBLIC HEARING

BIG WHITEFISH LAKE WEED CONTROL SPECIAL ASSESSMENT DISTRICT

NOTICE IS HEREBY GIVEN that the Township Board of the Township of Pierson, Montcalm County, Michigan, having determined to make certain public improvements consisting of the eradication and control of aquatic weeds and plants in Big Whitefish Lake (the "Improvements"), has resolved its intention to proceed on its own motion and pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended, to make the Improvements in the Township. The Township Board has tentatively determined that the cost of the Improvements shall be specially assessed against each of the following described lots and parcels of land which are benefitted by the Improvements and which together comprise the proposed special assessment district:

BIG WHITEFISH LAKE WEED CONTROL SPECIAL ASSESSMENT DISTRICT

Lots and Parcels Numbered:

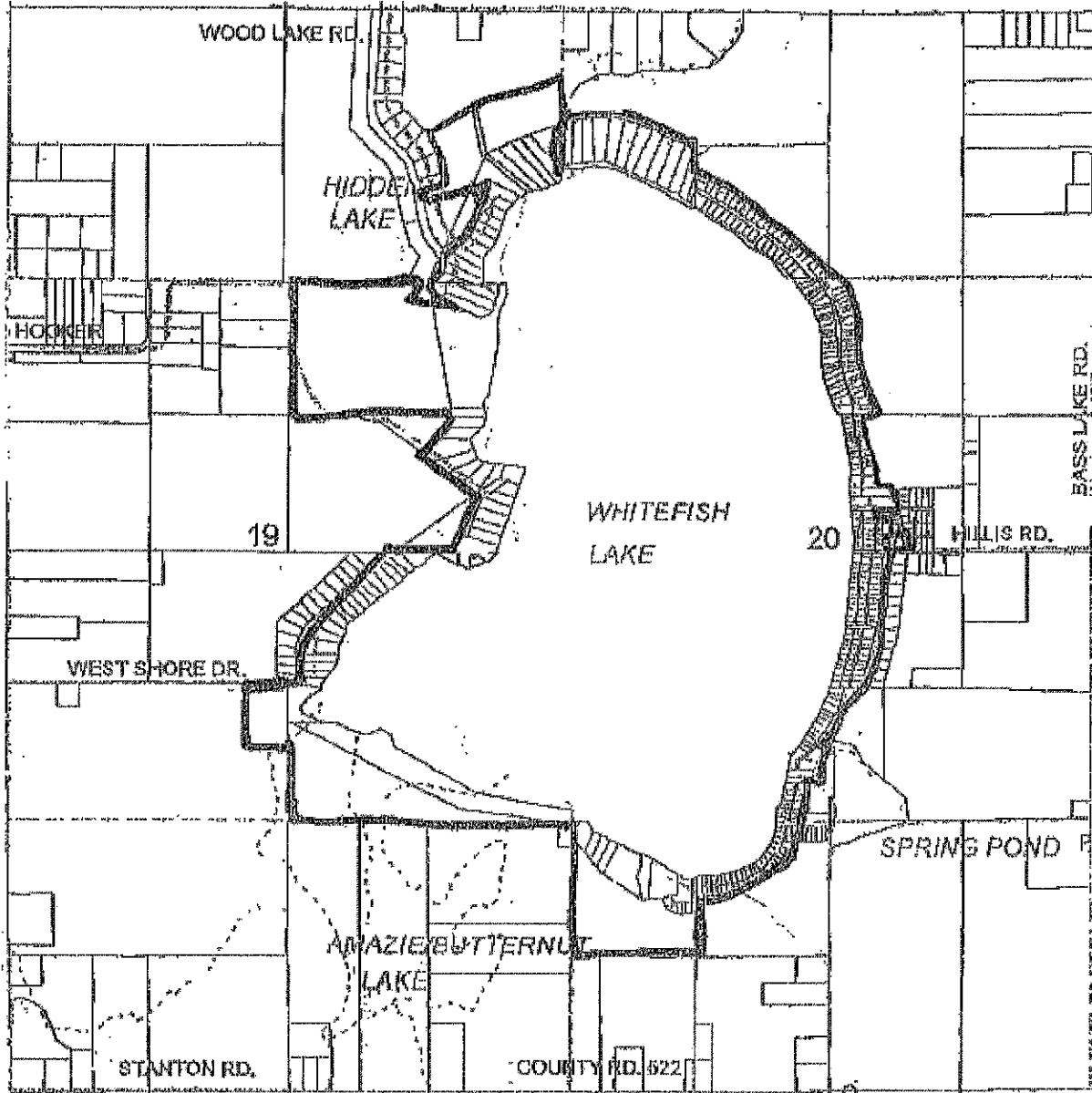
59-015-018-013-10	59-015-214-005-00	59-015-361-008-00	59-015-511-010-00	59-015-692-006-00
59-015-018-014-00	59-015-214-006-00	59-015-361-009-00	59-015-511-011-00	59-015-692-007-00
59-015-018-015-00	59-015-214-007-00	59-015-370-008-00	59-015-511-012-00	59-015-692-008-00
59-015-018-016-00	59-015-214-008-00	59-015-370-009-01	59-015-511-013-00	59-015-692-009-00
59-015-018-017-00	59-015-214-010-00	59-015-370-011-00	59-015-540-001-00	59-015-692-010-00
59-015-019-001-10	59-015-214-011-00	59-015-370-012-00	59-015-540-001-50	59-015-692-011-00
59-015-019-001-20	59-015-214-012-00	59-015-370-013-00	59-015-540-003-00	59-015-693-003-01
59-015-019-001-30	59-015-241-001-00	59-015-370-015-00	59-015-540-004-00	59-015-694-001-00
59-015-019-002-00	59-015-241-001-50	59-015-370-016-00	59-015-540-005-00	59-015-694-002-00
59-015-019-011-52	59-015-280-001-00	59-015-370-017-00	59-015-540-006-00	59-015-694-003-00
59-015-019-013-00	59-015-280-002-00	59-015-370-018-00	59-015-540-007-00	59-015-694-014-02
59-015-019-014-00	59-015-280-003-00	59-015-370-019-00	59-015-540-008-00	59-015-740-012-00
59-015-019-015-00	59-015-280-005-00	59-015-370-020-00	59-015-540-009-00	59-015-750-001-00

59-015-019-016-10	59-015-280-006-00	59-015-370-021-00	59-015-540-010-00	59-015-750-002-00
59-015-019-018-00	59-015-280-007-00	59-015-370-022-00	59-015-540-011-00	59-015-750-003-00
59-015-019-019-00	59-015-280-009-00	59-015-370-023-00	59-015-540-012-00	59-015-750-004-00
59-015-019-019-10	59-015-280-011-00	59-015-370-024-00	59-015-540-013-00	59-015-750-005-00
59-015-019-019-20	59-015-280-012-00	59-015-370-025-00	59-015-620-001-00	59-015-750-006-00
59-015-020-003-00	59-015-280-015-00	59-015-370-027-00	59-015-620-002-00	59-015-750-007-00
59-015-020-014-00	59-015-280-015-50	59-015-400-001-01	59-015-620-003-00	59-015-750-008-00
59-015-020-015-00	59-015-280-020-00	59-015-400-002-00	59-015-620-004-00	59-015-750-009-00
59-015-020-017-00	59-015-280-021-00	59-015-400-003-00	59-015-620-005-00	59-015-750-010-00
59-015-020-018-00	59-015-280-024-00	59-015-400-004-00	59-015-620-006-00	59-015-750-011-00
59-015-029-007-02	59-015-280-025-00	59-015-400-005-00	59-015-620-007-00	59-015-750-012-00
59-015-029-007-10	59-015-280-025-50	59-015-400-006-00	59-015-620-008-00	59-015-750-013-00
59-015-029-007-50	59-015-360-001-00	59-015-400-007-00	59-015-620-009-00	59-015-750-014-00
59-015-029-008-10	59-015-360-010-00	59-015-400-008-00	59-015-620-010-00	59-015-750-015-00
59-015-029-008-20	59-015-360-011-50	59-015-400-009-00	59-015-620-011-00	59-015-750-016-00
59-015-029-008-30	59-015-360-012-00	59-015-400-010-00	59-015-620-012-00	59-015-750-017-00
59-015-029-008-40	59-015-360-013-00	59-015-400-011-00	59-015-620-013-00	59-015-750-018-00
59-015-029-008-50	59-015-360-014-00	59-015-400-012-00	59-015-620-014-00	
59-015-029-008-60	59-015-360-015-00	59-015-400-013-00	59-015-620-015-00	
59-015-029-008-70	59-015-360-017-00	59-015-400-014-00	59-015-690-001-00	
59-015-029-036-00	59-015-360-018-00	59-015-400-015-00	59-015-690-002-00	
59-015-211-001-00	59-015-360-019-00	59-015-400-016-00	59-015-690-003-00	
59-015-211-001-50	59-015-360-020-00	59-015-400-017-00	59-015-690-004-00	
59-015-211-003-00	59-015-360-021-00	59-015-400-018-00	59-015-690-005-00	

59-015-212-003-00	59-015-360-022-01	59-015-481-001-50	59-015-690-006-00
59-015-212-004-00	59-015-360-031-00	59-015-511-001-00	59-015-690-007-00
59-015-212-006-00	59-015-360-031-23	59-015-511-002-00	59-015-690-008-01
59-015-213-001-00	59-015-360-031-40	59-015-511-003-00	59-015-690-009-01
59-015-213-002-00	59-015-360-031-60	59-015-511-004-00	59-015-690-010-01
59-015-214-001-00	59-015-361-003-00	59-015-511-005-00	59-015-692-001-00
59-015-214-001-50	59-015-361-004-00	59-015-511-006-00	59-015-692-002-00
59-015-214-002-00	59-015-361-005-00	59-015-511-007-00	59-015-692-004-00
59-015-214-003-00	59-015-361-006-00	59-015-511-008-00	59-015-692-004-50
59-015-214-004-00	59-015-361-007-00	59-015-511-009-00	59-015-692-005-00

MAP OF SPECIAL ASSESSMENT DISTRICT

(Includes only those parcels of land having frontage on Big Whitefish Lake or deeded or dedicated access thereto)



TAKE NOTICE that the Township Board of the Township of Pierson will hold a public hearing on June 11, 2019, at 7 p.m. (or shortly thereafter) at the Pierson Township Hall, 21156 Cannonsville Road, Pierson, Michigan, to hear and consider any objections to the proposed Improvements, the proposed special assessment district, the expenditure of funds from the current Big Whitefish Lake Weed Control Special Assessment District, and all other matters relating to said Improvements.

TAKE FURTHER NOTICE that preliminary plans and estimates of cost for the Improvements are on file with the Township Clerk for public examination.

The Township Board may proceed to carry out the proposed Improvements unless written objections from the record owners of land constituting more than 20% of the total land area in the proposed Special Assessment District to the Improvement are filed with the Township Board at or before the hearing.

PROPERTY SHALL NOT BE ADDED TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT AND THE ORIGINAL ESTIMATE OF COST SHALL NOT BE INCREASED BY MORE THAN 10% WITHOUT FURTHER NOTICE AND PUBLIC HEARING.

Periodic redeterminations of the cost of the Improvements may be necessary, without a change in the Special Assessment District, and in that event, such redeterminations may be made by the Township Board without further notice to record owners or parties in interest in the lands in the Special Assessment District, in accordance with the provisions of said Act 188.

This Notice was authorized by the Township Board of the Township of Pierson.

Dated: May 14, 2019

Sara Burkholder, Clerk
Township of Pierson