

**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: Ø

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.

11. All actions heretofore taken by Township officials, employees, and agents with respect to the Improvements and proceedings under Act 188 are hereby ratified and confirmed.

12. All resolutions or parts of resolutions in conflict herewith are hereby rescinded.

YEAS: Members: Gould, Hyrna, Vantil, Burkholder,
Schvermann

NAYS: Members: 0

ABSENT: Members: 0

RESOLUTION DECLARED ADOPTED.

Sara B
Sara Burkholder, Clerk
Township of Pierson

STATE OF MICHIGAN)
) ss.
COUNTY OF MONTCALM)

I, Sara Burkholder, the duly qualified and acting Clerk of the Township of Pierson, Montcalm County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Township at a regular meeting thereof held on May 14, 2019, the original of which is on file in my 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, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed my official signature this 14 day of May, 2019.

Sara B
Sara Burkholder, Clerk
Township of Pierson

Special Assessment Escrow

Big Whitefish Lake 2020 Special Assessment

Prior to commencing proceedings to establish a special assessment district, the Applicant shall deposit with the Township the amounts listed above to be held in escrow by the Township. The Township may draw on the funds as needed to pay the administrative, mailing, publication and legal costs associated with the proceedings to establish the special assessment district. Where the amounts deposited with the Township are insufficient to cover the Township's costs, the Township may either include the additional costs as a project cost and assess those costs to properties within the district or require additional funds to be placed in escrow in order to proceed with special assessment proceedings and/or the project.

Number of Parcels: 218

Mailing Costs \$3.00 per parcel:	\$654.00
Publications (4 notices):	\$1,500.00
Clerk Administrative costs:	\$1,500.00
Treasurer Administrative costs:	\$1,500.00
Legal:	<u>\$4,500.00</u>

\$9,654.00 Check Payable to Pierson Township Treasurer

Big Whitefish Lake Association here by authorizes disbursement for all expenses incurred for the creation and maintenance of this Special Assessment will be paid from the monies held in this escrow account pursuant to the Pierson Township Special Assessment Policy.

Dated: 5-14-19

Dan Buyze
Name:
Title: Pres BWLA

[Signature]
Name:
Title: Pres BWLA

Any remaining funds will be refunded in a minimum of 90 days after the final approval or denial of said Special Assessment, pending any dispute or lawsuit.

Escrow will be held in a separate Escrow Account. As funds are needed BWL will approve invoices to be paid and the monies will be moved over and paid from the BWL Account.

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)

