



Minutes of **SPECIAL MEETING**
Held **June 9, 2011**

Township of Springfield

Laura Moreau, Clerk

Call to Order: Supervisor Trout called the June 9, 2011 Special Meeting of the Springfield Township Board to order at 7:00 pm at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Laura Moreau	Township Clerk
Jamie Dubre	Township Treasurer
Judy Hensler	Township Trustee
David Hopper	Township Trustee
Roger Lamont	Township Trustee
Mike Trout	Township Supervisor
Dennis Vallad	Township Trustee

Board Members Not Present

None

Others Present

Greg Need	Township Attorney
Mike Forst	Property Manager
Charles Oaks	Fire Chief

Public Hearing:

Eliza Lake SAD Hearing on Practicability

Supervisor Trout informed those in attendance the Special meeting is being held for the purpose of hearing resident comments related to the Eliza Lake Special Assessment District (SAD) and the practicability of the project. He further noted this request had begun through a petition drive and that the Township has received more information on the subject in the last several weeks. He asked for a homeowner representative to give a brief summary and cost estimates of what is being asked for tonight.

Paul Rabaut, 11540 Ely Road, explained that residents have been treating the weeds in the lake for the past 19 years. It has been strictly a volunteer program that has been fully supported by lakefront owners. It has now been decided there needs to be a more reliable and organized means of collecting funds to pay for these treatments. Resident Jeff Plonski presented the request to the Board at its Regular meeting in April and it was decided to move forward with this public hearing. Mr. Rabaut noted homeowners felt it would be in their best interest to establish an SAD as a means for collecting funds rather than establishing a Lake Board because it would limit the scope of work to weed control only. He commented a Lake Committee was formed to represent lakefront owners in establishing this SAD. He believes an SAD will make treating the weeds easier and would



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ensure lake wide funding participation. The lake committee is requesting the Township Board approve a multi-year SAD of 4 years. He commented that establishing an SAD for one year and then establishing a Lake Board, as was suggested by the Township Board, may not be successful because of concerns about government involvement in the lake, that other decisions about the lake could be made other than weed control, and there would be others on the Board that do not live on the lake.

Supervisor Trout commented he has questions regarding the costs that were provided, that there will need to be an agreement between the lakefront owners and the Township, and there will be administrative costs included in an assessment.

Jeff Plonski, 9220 Osprey Circle, noted he is in favor of a Lake Board for some of the reasons that people don't want a Lake Board. He sees the advantage of having representatives from the County involved. He believes some of the lakefront owners may not have been clear on the difference between a Lake Board and an SAD. Regarding costs, he has an estimate from Aquatic Management Services for annual weed control of approximately \$10,000 and an estimate for a lake survey of \$3,000 (the other fee included with the study was for a "lake scan"). The total estimated cost for the first year would be \$13,000.

Roger Beach, 8820 Rachael Drive, said he does not have problem paying what he has paid in the past for weed control and that weed control has been pretty good the past couple of years; he was against paying for a "lake scan" and he would be against anything that would change things from the way they are.

Supervisor Trout noted the cost would be divided between 36 owners (the public beach area would be excluded). He estimates each lakefront owner would be assessed a little over \$400 a year which would include weed control treatment, a lake study, and administrative costs. He commented the next step in this process is for the Board to direct him to prepare a tax roll which would determine what the actual assessment will be; those on the roll would then have an opportunity to come back and comment on their assessment.

Debra Beach, 8820 Rachael Drive, said she understood the \$3,000 was a one time fee for the survey of the lake and the \$10,000 was the an annual fee for weed control.

William Gottschalk, 8700 Rachael Drive, was concerned it may be getting too late to perform this year's weed control; in the past DEQ approval had already been obtained by now and the lake would have received one treatment. By the time this process goes through, the season will be gone and the lake will not have been treated which is already bad. He wants to do whatever can be done to expedite the process.



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Treasurer Dubre responded it has been known that establishing an SAD now would not cover this year. In order to have a levy for next year, everything has to be done by the end of September.

Tim Avey, 9070 Tindall, is strongly in favor of a Lake Board so that homeowners will have representation.

Jeff Plonski commented the company they selected to do the treatment had done it years ago. Included in his quote was an additional treatment if conditions call for it which is why a lake study is necessary. He clarified the treatments are safe and approved by the State.

New Business:

1. Reschedule Eliza Lake SAD - Discussion

Trustee Hensler commented she is hearing about half the residents are in favor of a Lake Board and half prefer the SAD and believes there seems to be some misunderstanding of what a Lake Board actually does.

Treasurer Dubre agreed there is some misinformation out there in relation to Lake Boards and suggested residents continue to establish a one year SAD for an amount of \$15,000; that should be enough money for a lake study, to get the lake treated for next year, and to cover administrative fees. At the end of that year, there will be better information as to whether to continue under an SAD; she would not be in favor of assessing more than one year at this time.

Trustee Vallad agreed with Treasurer Dubre and recommended residents at some point need to move to a Lake Board. Per a question from the audience, Trustee Vallad explained that when the Board refers to Act 188, it is referring to the statute related to establishing an SAD.

Clerk Moreau also supports initiating the SAD for one year and then as residents see how it works and how a Lake Board functions, they may change their minds and see the benefits.

It was noted once an SAD has been created, it will be easier for the Township to make another assessment if requested. Residents could request another SAD assessment to carry them for an additional year while establishing a Lake Board. It was also noted that money towards the lake study or treatment can not be expended until it has actually been collected. The assessment would be on the December tax roll.



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Per Attorney Need, residents could pay for the lake study and be reimbursed by the SAD as long as they have proper documentation.

Board members explained more how a Lake Board works, how it is established, who is on it, and that the lake study can be used as a basis for the establishment of the Lake Board. It was suggested that residents get more information on Lake Boards and possibly attend some Lake Board meetings.

It was noted residents have not seen the agreement required between the Township and Association and that execution of it would be a condition of the resolution. Treasurer Dubre commented that paragraph 4 of the agreement needs to include a 4% administration fee in addition to any legal and publication costs; it was agreed \$15,000 would be the amount the SAD would be set up for; and to hold the hearing for the special assessment role at the regular July 14th meeting at 7:00 pm (the date needs to be corrected in paragraph 9).

- * **Treasurer Dubre moved to adopt the resolution as discussed with the changes noted; and conditioned upon the agreement between the Township and the association being entered into. Trustee Hensler supported the motion. Vote on the motion. Yes: Dubre, Hensler, Hopper, Lamont, Moreau, Trout, and Vallad; No: None; Absent: None. The motion carried by a 7 to 0 vote. .**

Adjournment:

Hearing no other business, Supervisor Trout adjourned the meeting at 7:48 pm.

Laura Moreau, Township Clerk

**Charter Township of Springfield
RESOLUTION
2011-06**

Resolution of the Township Board of the Charter Township of Springfield, determining to undertake an improvement project and to establish and maintain a Special Assessment District to pay costs associated therewith and approving the plans and estimates of costs thereof, to be known as the *ELIZA LAKE SPECIAL ASSESSMENT DISTRICT*.

At the regular meeting of the Township Board of the Charter Township of Springfield, County of Oakland, Michigan, held on the 9th day of June, 2011, at 7:00 p.m.

PRESENT: Dubre, Hensler, Hopper, Lamont, Moreau, Trout and Vallad

ABSENT: None

The following preamble and resolution were offered by Dubre and supported by Hensler.

WHEREAS, the Township Board of the Charter Township of Springfield, Oakland County, Michigan, has tentatively declared its intention to finance weed and algae control in Eliza Lake, and has tentatively designated a Special Assessment District against which costs of the improvement are to be assessed and;

WHEREAS, after due and legal notice, the Township Board of the Charter Township of Springfield held a public hearing on the 9th day of June, 2011, at 7:00 p.m. for the purpose of receiving comments regarding the improvements and the Special Assessment District to be established therefore;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board of the Charter Township of Springfield determines that the petitions filed in connection with the proposed Special Assessment District are valid and in compliance with the requirements of Michigan Public Act 188 of 1954, as amended.
2. In accordance with the provisions of Michigan Public Act 359 of 1947, as amended, and Michigan Public Act 188 of 1954, as amended, the Township Board of the Charter Township of Springfield hereby determines that financing weed and algae control in Eliza Lake is reasonable, necessary and in the interest of the public health, safety and welfare of the inhabitants of the Charter Township of Springfield and shall be done.

3. The Township Board of the Charter Township of Springfield hereby approves the plans, specifications and estimates of costs in the sum of \$15,000. The aggregate of all such costs will be spread against the Special Assessment District hereby established.
4. The Township Board of the Charter Township of Springfield hereby establishes a Special Assessment District for the purpose set forth in paragraph two (2) hereof and names the Special Assessment District "ELIZA LAKE SPECIAL ASSESSMENT DISTRICT." It includes the property described in Exhibit A attached hereto.
5. The term of the Special Assessment District shall end on December 31, 2012, or at such earlier time as the Township Board may deem prudent.
6. The Township Supervisor is hereby directed, in accordance with Michigan Public Act 188 of 1954, as amended, to make a Special Assessment Roll in which shall be entered and described all of the parcels of land to be assessed, with the names of the respective owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be the relative portion of the whole sum to be levied against all parcels of land in the Special Assessment District as the benefit to the parcel of land bears to the total benefit to all parcels of land in the Special Assessment District.
7. When the Township Supervisor completes the Special Assessment Roll, he shall affix thereto his certificate stating that it was made pursuant to this resolution of the Township Board of the Charter Township of Springfield that in making the Special Assessment Roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and to the statutes of this state.
8. The Township Supervisor shall file the Special Assessment Roll, with his certificate attached thereto, with the Township Clerk, who shall then present the same to the Township Board of the Charter Township of Springfield.
9. The hearing on the Special Assessment Roll shall be held on the 14th day of July, 2011 at 7:00 p.m. at the Township Hall, located at 12000 Davisburg Rd. Davisburg, MI 48350.
10. The Township Clerk is hereby directed to give notice of the hearing as required by law.
11. In order to appeal the amount of any special assessment, affected owners or parties with an interest must protest the proposed assessment. This may be done by appearing in person at the hearing, having an agent appear at the hearing on behalf of an owner or party in interest or by filing a protest by the hearing date, by letter addressed to the Township Clerk at the above address. An owner or party having an interest in the real property affected by the special

ELIZA LAKE
TENTATIVE SPECIAL ASSESSMENT DISTRICT

REVISED EXHIBIT A

MAP #	PARCEL #	PROPERTY ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	LAKE FF	EST. LAND AREA
1	U -07-09-101-026	11829 OSPREY BAY RD	SATA, KUNDAN B		1986 LONG POINTE DR	BLOOMFIELD HILLS MI	48302 173 0.25
2	U -07-09-101-027	11805 OSPREY BAY RD	CERNY, KEN		7289 WILLIAMS LAKE RD	WATERFORD MI	48329 172 0.25
3	U -07-09-101-028	11781 OSPREY BAY RD	BARRY, ADAM H		9300 OSPREY BAY CR	DAVISBURG MI	48350-1719 173 0.25
4	U -07-09-101-029	11757 OSPREY BAY RD	HUGGARD, SARA	HUGGARD, JACOB	11757 OSPREY BAY RD	DAVISBURG MI	48350-1730 163 0.25
5	U -07-09-101-030	11733 OSPREY BAY RD	PETRAUSKAS, LAURA	DIETZE, DAVID A	11733 OSPREY BAY RD	DAVISBURG MI	48350-1730 161 0.25
6	U -07-09-101-031	11709 OSPREY BAY RD	FLORY, THOMAS J		11709 OSPREY BAY RD	DAVISBURG MI	48350-1730 313 0.29
7	U -07-09-176-003	11352 ELY	VANNATTA, KAY	VANNATTA, LANCE C		DAVISBURG MI	48350 875 15.87
8	U -07-09-176-004	11490 ELY	ADOLPH, WILLIAM E			DAVISBURG MI	48350 296 1.97
9	U -07-09-326-004	11520 ELY	HILLMAN, RICHARD H	HILLMAN, CHRISTINE C		DAVISBURG MI	48350-1701 196 3.13
10	U -07-09-326-005	11540 ELY	RABAUT, PAUL T	RABAUT, BETTY A		DAVISBURG MI	48350-1701 200 2.93
11	U -07-09-326-006	11550 ELY	GARNETT, JACK L	GARNETT, PATRICIA A		DAVISBURG MI	48350-1701 259 1.17
12	U -07-09-326-007	11590 ELY	RITINS, LLMARS	RITINS, BARBARA		DAVISBURG MI	48350-1701 94 1.42
13	U -07-09-326-011	8650 MAXI	JOHNSON, LONNIE			DAVISBURG MI	48350-1715 181 1.33
14	U -07-09-326-010	8670 MAXI	TINES, CHARLES	TINES, JANET		DAVISBURG MI	48350-1715 203 1.24
15	U -07-09-326-009	8690 MAXI	WALSH, JASON	WALSH, MEREDITH		DAVISBURG MI	48350-1715 250 1.53
16	U -07-09-326-013	8699 MAXI	HEMAN, ARTHUR	HEMAN, ROSE MARY		DAVISBURG MI	48350-1716 147 1.27
17	U -07-09-151-014	8670 RACHAEL	BRODERICK, MARK	BRODERICK, AMEE		DAVISBURG MI	48350 85 1.48
18	U -07-09-151-013	8700 RACHAEL	GOTTSCHALK, WILLIAM P	GOTTSCHALK, PATRICIA A		DAVISBURG MI	48350 450 2.04
19	U -07-09-151-012	8730 RACHAEL	MILLER, DAVID N	MILLER, VIRGINIA		DAVISBURG MI	48350 221 1.97
20	U -07-09-151-011	8760 RACHAEL	GRAVES, GARY E	GRAVES, CINDY S		DAVISBURG MI	48350 191 1.45
21	U -07-09-151-010	8790 RACHAEL	ARNDT, HELEN R			DAVISBURG MI	48350 179 1.39
22	U -07-09-151-009	8820 RACHAEL	BEACH, PEGGY - IRRV TRUST		34502 SHOREWOOD ST	CHESTERFIELD MI	48047-4409 212 1.46
23	U -07-09-151-008	8850 RACHAEL	UTSLER, JOSEPH W	UTSLER, ANNETTE		DAVISBURG MI	48350 147 1.58

ELIZA LAKE
TENTATIVE SPECIAL ASSESSMENT DISTRICT

REVISED EXHIBIT A

MAP #	PARCEL #	PROPERTY ADDRESS	OWNER 1	OWNER 2	MAILING ADDRESS	LAKE FF	EST. LAND AREA	
24	U -07-09-151-007	8880 RACHAEL	WEE, JEFF E	WEE, IRENE Y	8880 RACHAEL	DAVISBURG	MI 48350 79 1.45	
25	U -07-09-151-006	9056 TINDALL	STERNEMANN, MICHAEL J	STERNEMANN, JANE H	9056 TINDALL	DAVISBURG	MI 48350-1638 293 3.76	
26	U -07-09-151-005	9060 TINDALL	VANTUYL, L B		PO BOX 295	DAVISBURG	MI 48350-0265 113 1.37	
27	U -07-09-151-004	9070 TINDALL	AVEY, THEODORE R	AVEY, LYNN L	PO BOX 27	DAVISBURG	MI 48350 565 1.47	
28	U -07-09-101-017	9200 OSPREY BAY CR	HOOIHAN, PATRICK D		9200 OSPREY BAY CR	DAVISBURG	MI 48350-1717 512 0.80	
29	U -07-09-101-018	9220 OSPREY BAY CR	PLONSKI, JEFFREY L		9220 OSPREY BAY CR	DAVISBURG	MI 48350-1717 287 0.69	
30	U -07-09-101-019	9240 OSPREY BAY CR	MCCARTY, DENNIS	MCCARTY, ELAINE A	9240 OSPREY BAY CR	DAVISBURG	MI 48350-1717 289 0.84	
31	U -07-09-101-020	9260 OSPREY BAY CR	VANHECKE, THOMAS	VANHECKE, ELIZABETH	9260 OSPREY BAY CR	DAVISBURG	MI 48350-1717 314 0.65	
32	U -07-09-101-021	9280 OSPREY BAY CR	AQUINO, MILDRED B	AQUINO, CRISOSTOMO	9280 OSPREY BAY CR	DAVISBURG	MI 48350-1717 305 0.25	
33	U -07-09-101-022	9300 OSPREY BAY CR	BARRY, ADAM		9300 OSPREY BAY CR	DAVISBURG	MI 48350-1719 156 0.25	
34	U -07-09-101-023	9320 OSPREY BAY CR	MADARY, ANTHONY	MADARY, CAROL ANN	9320 OSPREY BAY CR	DAVISBURG	MI 48350-1719 97 0.23	
35	U -07-09-101-024	11929 OSPREY BAY RD	SZCZEPKOWSKI, THOMAS	SZCZEPKOWSKI, DENISE	11929 OSPREY BAY RD	DAVISBURG	MI 48350-1733 51 0.28	
36	U -07-09-101-025	11875 OSPREY BAY RD	HARDING, CURT		5129 OLD HAVERHILL RD	GRAND BLANC	MI 48439-8758 195 0.26	
TOTAL PARCELS						36	TOTALS:	8,597 57.07

EXHIBIT B

No persons present at the Public Hearing protested the assessment.