

Minutes of
HEARING OF PRACTICABILITY
August 8, 2019

SPRINGFIELD
CHARTER TOWNSHIP



Laura Moreau, Clerk

Call to Order: Supervisor Walls called the August 8, 2019 Public Hearing of the Springfield Township Board to order at 6:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin Walls	Township Supervisor
Laura Moreau	Township Clerk
Jamie Dubre	Township Treasurer
Marc Cooper	Township Trustee
Judy Hensler	Township Trustee
David Hopper	Township Trustee
Dennis Vallad	Township Trustee

Board Members Not Present

None

Softwater Lake SAD – Public Hearing of Practicability:

Supervisor Walls welcomed all present and sincerely thanked them for coming. He further explained the Special Assessment appeal process. He emphasized that in order to appeal, one must object in public record either by letter at or prior to the hearing or comment at the hearing.

Supervisor Walls then explained the purpose of the Hearing of Practicality is to hear any objections to the proposed improvement, assessment district and cost estimate. The assessment district is the same as it was since its conception in 2003. The original lake representative group has only one active member, Mel Walters. Supervisor Walls urged the audience to take an active role in decisions made about their lake. The Township Board has made a decision to “get out of the lake management business” and a 4-year program has been set up to allow residents to take over and run the lake with a Lake Board. Supervisor Walls explained the process of establishing a Lake Board.

Supervisor Walls explained that the improvement plan, outlined in the notice, is a management plan for lake weeds with the additions of goose control, invasive species control and a saving plan for future required engineering report. The proposal is for a 4-year plan with a budget of \$61,600 and an assessment roll of \$58,500. The difference is due to funds accumulated in the Softwater Lake Fund.

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Clerk Moreau commented that the objections should be on the plan not on the roll or assessment.

Supervisor Walls then showed the budget worksheet for the project and summarized each line item.

Public Comment:

Linda Warren, 8767 Cedar Court commented about a State DEQ class offered to citizens for goose control. She suggested this as an option for cost savings. Ms. Warren also commented on the budget, shopping around for good prices and about the spraying of chemicals on the lake every 2 weeks. She feels that there should be bids gathered for weed control.

Supervisor Walls commented that 2011 was the last time bids were solicited.

Bill Hagan, 7121 Blue Water Drive, asked if lily pads were an invasive weed as he has lots of them.

Supervisor Walls commented that, un-scientifically, he believes the lily pads could be considered invasive. He had contacted Mr. Hanson to ask for options to rid the lake of lily pads. Supervisor Walls was informed that there is a twice per year chemical application that could be used, but the State of Michigan restricts any treatment of lily pads around islands. With two islands present on Softwater Lake, approximately one acre of the lake could be treated, but not likely the area by Mr. Hagan's property.

Supervisor Walls explained that the first treatment could be within a week with support from those present.

Ms. Warren objected to the treatment stating that it's too late in the year for two treatments. She felt it a waste of money.

Ken Rogers, 8803 Cedar Lane, expressed concern that the weeds and the lily pads are taking over the lake and an aggressive approach must be taken. The weeds are now coming up the shoreline. Short term problem is the island. The long term is a concern about lily pads all over the lake. He is concerned that all residents will not be paying assessment.

Supervisor Walls commented that all of the dwellings along the shoreline are in the assessment district. Condominium common areas are not in the assessment district.

Mr. Rogers stated that with the developer owns the lakefront property and should be contributing to the assessment, as they have lakefront and privileges.

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Supervisor Walls replied that the condominium issue was evaluated in 2006 and can certainly be re-evaluated but a fair distribution of the assessment would take a legal review of all master deeds and bylaws of the condominium because they are not all the same. The Board did not take this action in 2006.

Mr. Rogers expressed that the fair and right thing to do was to assess everyone using the lakefront.

Treasurer Dubre explained that the SAD would pay the legal fees for a review.

Mr. Rogers stated that there should be a study to determine if it is economically feasible to perform the legal review.

Supervisor Walls replied that the Board will take the study into consideration before it takes action.

Mr. Rogers further commented on the parking of cars along Dixie Highway and expressed his displeasure of the Bordines/Car sales parking lot.

Supervisor Walls explained that the complex has a common area that includes lakefront property.

Judy Taylor, 7115 Bluewater Drive, commented that her condominium bylaws state that only the condominium owners with lake frontage have lake privileges. She also stated that the geese are a significant problem.

Mel Walters, 9272 Softwater Woods Drive, explained he serves as a liaison between PLM and the Township. He stated that the primary concern around the lake is the starry stonewort, an invasive species that grows in the lake that chokes out the oxygen causing the lake to die. The minimum cost for harvesting lily pads is \$3,000 with \$225/hour for each additional hour. There is a way to treat a 40x40 area around a dock for \$150. PLM suggest that they don't harvest lily pads as they will grow back.

Supervisor Walls contributed that the treatment used for the starry stonewort also treats algae.

Mr. Walters gave a recent history of the invasive weeds in Softwater Lake.

Supervisor Walls thanked Mr. Walters for the amount of work that he puts in to maintaining the quality of the water.

Hearing no other comments, Supervisor Walls closed the Public Hearing at 7:02 p.m.

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Laura Moreau, Clerk

Supervisor Walls stated that the Board members have a Resolution before them. He further explained that the lily pads can be chemically treated both this year and next within existing budget. If the Board wishes to add non-lakefront units to the assessment, Supervisor Walls suggests that the decision be left to a future lake board, and that this hearing and the next hearing be changed to a 1-year program so that legal research can be done, as the assessment deadline for next year's rolls is quickly approaching, else there is no weed treatment next year.

Treasurer Dubre commented that since the goal of the Board is to get out of the lake management business, she believes that starting a legal investigation process should initiate with the new Lake Board. She is strongly against spending extra money on a 1-year roll.

Supervisor Walls commented that if budgeted for, the new Lake Board could do the legal investigation without waiting the four years by forming the Lake Board earlier.

Clerk Moreau complemented Mel Walters on the work he has performed on behalf of the lake. She further asked if backlots are typically included in an assessment district.

Supervisor Walls explained that all of the lakes in Springfield Township handle it differently. For Eliza Lake, back lots are not assessed. Waumegah Lake initially assessed every lot but now only does lakefronts only.

Trustee Hensler added that Dixie Lake has three different groups with a variety of access levels that assess back lots at different rates, and there are some that are not assessed.

Clerk Moreau agreed that she did not like the one-year assessment and wanted to clear up any confusion that the Township would be in any way responsible for a legal investigation. She then suggested that a four-year assessment be reduced to a 3 or even 2-year with the understanding of moving to the Lake Board and legal investigation sooner. She is not in favor of the Township changing the Special Assessment District, as it's been the same since 2003.

Trustee Hensler agreed with Clerk Moreau and further commented that if the group worked together, the Lake Board could be formed sooner than four years. She clarified that forming a Lake Board gives the residents complete control of the lake and encouraged the residents to form the Board as quickly as possible.

Supervisor Walls refocused the meeting on the resolution.

Treasurer Dubre commented that four years was selected to allow time for the lake engineering study completion. Reducing the term will cause the assessment to increase.

Clerk Moreau asked what the term of the PLM contract.

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Supervisor Walls replied that the contract has not been signed, but the original bid was for five years and was edited to be four years.

- * **Clerk Moreau moved the Resolution of Practicality. Trustee Cooper supported the motion. Vote on the motion. Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Vallad and Walls; No: none; absent: none. The motion carried by a 7 to 0 vote.**

The Hearing of Practicability was adjourned at 7:15 pm.

Supervisor Walls and Treasurer Dubre distributed information and sign-up lists for Lake Board volunteers.

Collin W. Walls, Township Supervisor

Laura Moreau, Township Clerk

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Call to Order: Supervisor Walls called the August 8, 2019 Public Hearing of the Springfield Township Board to order at 6:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin Walls	Township Supervisor
Laura Moreau	Township Clerk
Jamie Dubre	Township Treasurer
Marc Cooper	Township Trustee
Judy Hensler	Township Trustee
David Hopper	Township Trustee
Dennis Vallad	Township Trustee

Board Members Not Present

None

Softwater Lake SAD – Public Hearing on Assessment:

Supervisor Walls opened the Public Hearing on Assessment at 7:24 p.m.

Supervisor Walls explained the Special Assessment appeal process. He emphasized that in order to appeal to the Michigan Tax Tribunal, one must object in public record either by letter prior to the hearing, at the hearing or comment at the hearing.

Supervisor Walls then explained the purpose of the Hearing on Assessment is to hear objections to the assessment in total or for an individual parcel.

Supervisor Walls explained, using an overhead view of the lake, the value of the property on and around the lake and what contributes to that value as determined by the Supervisor and Assessor. Supervisor Walls explained how benefit units were determined and how they impacted different types of parcels.

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Public Comment:

Adrienne Allard, 8755 Cedar Court, asked for confirmation that if a name was not on the assessment list then that person does not have access to the lake.

Supervisor Walls stated that is untrue. There are some people who have the legal right to use the lake that are not being assessed.

Ms. Allard did not object to paying assessments but does object that there are some who get to use the lake that did not pay assessments.

Hearing no other comments, Supervisor Walls closed the Public Hearing at 7:26 p.m.

- * **Trustee Hopper moved the Resolution confirming the Special Assessment roll for the Special Assessment District designated as Softwater Lake Special Assessment District as presented this evening. Trustee Cooper supported the motion. Vote on the motion. Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Vallad and Walls; No: none; absent: none. The motion carried by a 7 to 0 vote.**

The Hearing of Assessment was adjourned at 7:27 pm.

Collin W. Walls, Township Supervisor

Laura Moreau, Township