A special meeting of the Tamarack Lake, Lake Improvement Board was held in the Lakeview Community Center, 309 S. Lincoln, Lakeview, Michigan on the 9th day of August, 2012 at 4:00 p.m.

The hearing was called to order by Chairman Lincoln.

PRESENT: Sandy Raines, Secretary/Treasurer
Montcalm County Deputy Drain Commissioner

Todd Lincoln, Chairman
Village of Lakeview Representative

Patrick Carr, Member
Montcalm County Board of Commissioners

Dr. John London, Member
Cato Township Representative

Clark Newell, Member
Property Owners Representative

ALSO PRESENT: Norm Zion, Aquatic Nuisance Control, Inc.
Dr. G. Douglas Pullman, Aquest Corporation
Carrie Wills, Drain Commission
Property Owners attached

Chairman Lincoln introduced the board members, Norm & Dr. Pullman.

A motion was made by Newell and seconded by London to approve the May 22, 2012 minutes as presented. Motion carried.

Lincoln explained the procedures of the Lake Board Act and the reason for today’s hearings.

PUBLIC HEARING OF PRACTICABILITY

Chairman Lincoln opened the Public Hearing of Practicability.

The meeting was turned over to Dr. Pullman for presentation of the next five-year weed control program. Tamarack Lake is one of the most impaired lakes he has worked with. The lake has come a long way in the fourteen years that he has been involved, but there is still a long way to go to make it a healthy lake again. Eurasian Watermilfoil has been the
challenge and has now developed into a hybrid milfoil which is harder to control. The board has had to restructure the lake management program to fight the new hybrid. Starry Stonewart has been found in the lake also. If not controlled, stonewart will overtake fish beds and deplete the oxygen level in the water. The budget being presented today is higher because we plan for the worst case scenario. Hopefully the condition of the lake will not worsen and the whole amount budgeted will not be needed. With the hybrid being harder to treat, the budget was increased to allow for a good treatment program. We will also be on the lookout for Hydrilla and Fanwort. The board would also like to get more aggressive in treating the area around the public park.

Chairman Lincoln opened the meeting for public comments:

Vonda Grohoski: How safe is the water? Her grandchildren use the lake and she wants to be sure there is nothing that can make them ill.

Dr Pullman: Blue green algae can create a toxic extract so don’t swim in those areas. The smell in the lake is a breakdown of biomatter but is not hazardous. There is money in the budget to treat the algae.

Vonda: What about E coli?

Pullman: E coli is not always caused by sewage. The kind that comes from the decomposition of plant matter is not harmful.

Dan Marsh: How are you going to clean up the park area? Will they clean up the lily pads along the lake shore?

Todd: We are trying to get a permit to treat the lily pads. The board is working with the village to treat cattails in the public park beach area.

Norm: He is planning a fall treatment in late August or early September.

Vonda: Can we do anything to help?

Norm: Please do not cut the lily pads or cattails. The leaves need to be intact for the treatment to work.

Vonda: The lily pads are worse this year making it hard to get boats through.

Todd: DEQ only allows us to treat some of the lily pads.

Kevin Griffith: The weeds are laying on top of each other. Does this cause more problems and can we do anything to move them around?

Pullman: The weeds do go to the bottom of the lake when they die off. There is no way to eradicate them so we need to treat them every year. Norm treats them as early as he can so there isn’t such a big biomass. They are mostly water so they don’t contribute a lot to the sediment.

Kevin: What about the aeration system we have heard about?

Pullman: The board looks at the best and most cost effective way to treat. Aeration can help maintain fish under ice and can dig holes in muck areas. It doesn’t decompose the sediment, just moves it around and actually makes plants grow better. It is ineffective for weed control.

Kevin: Do you think it would be worth trying? Could you treat part of the lake and use aeration in another part?

Pullman: There is not enough data available to make him want to experiment on a lake as important as Tamarack. It might be good for blue-green algae if that becomes a problem.

Todd: Are you talking about the five foot of sediment that has built up on the lake bottom?

Kevin: He is worried about putting so many chemicals into the lake. He thought maybe the aeration could be tried in a small area like around the public park.

Todd: Dredging is really the only way to remove the sediment buildup but that process is very expensive and could cost millions of dollars.

Kevin: Would having more water flow out of the lake be of any value?

Pullman: The reason the lake has such a low biodiversity is because of the still waters. More water movement would encourage plant growth.
Todd: The DEQ only permits them to treat about one half of the lake. Norm can treat 300 feet out from shore. He treats all the way around the lake to make it navigable for everyone.

Gary Jensen: Posed a question about the assessment and the approval of the budget. The assessment questions will be addressed in the hearing for apportionments.

Pat Berry: They live on the Northeast end of the lake and get everyone’s weeds. They have trouble getting their boat out and its not just lilypads. What will happen if they rake out the weeds?

Norm: Its ok to rake the leaves and take out the lily pads by pulling the whole bulb.

Pat Berry: Asked if everyone would please remove the plants that they pull up by the roots so they don’t float over to their property.

Tom Berry: The algae is gone but uprooted plants do float to their frontage.

Norm: Plants can also be uprooted by boat action and heavy winds.

Pat Berry: Why are we not using sonar?

Pullman: Sonar doesn’t work on the new hybrid milfoil and doesn’t take care of the other nuisance plants like curleyleaf pondweed and can make them worse.

Pat Berry: She has talked to the Army Corp of Engineers who say the lake is out of balance. They advised her to put more pressure on legislature.

Pullman: There has been progress in bringing the lake into balance. The lake management plan has to be altered at times to meet the changes in the lake conditions.

John London: The lake waters are really warm this year which can cause fish kill and increases plant growth. Fertilizer runoff from lawns also encourages plant growth. Phosporous will always remain in the sediment.

Tom: We are not criticizing the board or Norm and have no problem with the assessment amount. Would there be grants available for a dredge?

Todd: There are no grants out there for inland lakes.

Gordon Stevens: Would like to see the meetings held at a more convenient time of day. People who work are not able to attend. The people who post the yellow signs need to pick them back up so they don’t blow around the yard. Also would like to see garbage receptacles at the DNR site.

Todd: We have nothing to do with the DNR public site. As to time of meeting, we have tried different times and we still don’t get a good turnout. People who cannot attend the meeting can send a letter to the board. We could send a letter to the DNR and request the garbage receptacle.

Gordon: Has anyone tested the dead fish?

Pullman: Not the fish in this lake, but other lakes. There has been pike kill this year because of the warm water temperatures which causes fish disease.

Gordon: Are they safe to eat? He has caught some that are white and that’s just not right.

Pullman: They probably have the fish disease and will not taste good.

Gordon: Would it be more economical to let the lake go back to a swamp? Its almost there now. He has heard boaters say they will never come back again because of all the weeds.

Todd: There are several fishing tournaments and people seem to enjoy them.

Gordon: Why spend anymore money for the program if its not doing any good?

Todd: Fishing teams are saying the fishing is very good.

Larry Imhoff: He has lived on the lake his whole life and is on a limited income now. He is protesting raising his taxes. There has been so much done to try to improve the lake and thousands of dollars have been spent. It seems like a waste of money to him. He doesn’t think a 5-year program is needed. He has no access to the lake and he is paying only $100 less than lake front owners.

Todd: He has access through the public park.

Gayla King: Who pays this tax? Is it just the people within the village limits?
Todd: Explained the three tiers which covers everyone within the village limits and abutting property owners.
Gayla: Why do we pay it on our winter tax bill and not on the summer village bill?
Sandy: The taxes are put on by the Drain Commission on the winter tax bill. The Treasurer pays the assessment to the lake board after settlement with the township.
Gary: Is the highest percentage of the assessment paid by people who live in the village? More people being assessed live in the village than live on the lake.
Todd: Lets finish with this hearing then we will address those questions in the apportionment hearing.

A motion was made by Raines and seconded by London to add letters received prior to the meeting into the minutes. Motion carried.

The Resolution to Proceed with Improvements was offered for approval by the Lake Board. (see attachment)

There being no further questions or comments from the public, the Hearing of Practicability was adjourned by a motion from Raines and seconded by Carr. Motion carried.
RESOLUTION TO PROCEED WITH IMPROVEMENTS TO TAMARACK LAKE

At a special meeting of the Tamarack Lake, Lake Improvement Board held in the Lakeview Community Center, 309 S. Lincoln, Lakeview, Michigan, on the 9th day of August, 2012 at 4:00 p.m.

PRESENT: Lincoln, Raines, Carr, London, Newell

ABSENT:

The following resolution was offered by member London and seconded by member Newell.

WHEREAS, a public hearing was held on the improvement program for Tamarack Lake; and

WHEREAS, it is the desire of the Tamarack Lake, Lake Improvement Board to proceed with implementation of improvements to the lake as described in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Lake Board hereby determines that the proposed improvements are practical, and it confirms its intent to proceed with the improvements.

2. The Lake Board hereby approves the lake improvement plan and the estimate of costs for the improvements as shown on the attached Exhibit A.

3. This resolution shall be published in a newspaper of general circulation in Montcalm County. The petition shall not, thereafter, be subject to attack except in an action brought in a court of competent jurisdiction within 30 days after publication.

ADOPTED BY ROLL CALL:

Newell Aye
London Aye
Carr Aye
Lincoln Aye
Raines Aye

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN } ss
COUNTY OF MONTCALM }

I, Donald E. Cooper, Secretary/Treasurer of said Tamarack Lake, Lake Improvement Board, do hereby certify that this is a true and correct copy of a resolution adopted by the Lake Board at a meeting held on the 9th day of August 2012. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand, this 9th day of August 2012.

________________________________________
Donald E. Cooper, Secretary/Treasurer
Tamarack Lake, Lake Improvement Board
## IMPROVEMENT

- **Aquatic Herbicide Treatments**
  
  *(Includes $1500 permit fee)*

  $89,780.00

- **Administration, Studying, Monitoring, Planning & Communications**

  $8,475.00

**Total Annual Budget**

$98,255.00

The amount of herbicide use in any given year will depend on the type and distribution of plants in Tamarack Lake and Department of Environmental Quality permit conditions. Plant control activities are proposed to be coordinated under the direction of the lake board’s consultant. The consultant would be responsible for conducting surveys of the lake to determine the scope of work to be performed by the plant control contractor and performing follow-up inspections to ensure work is performed in a satisfactory manner.
REVIEW OF APPORTIONMENTS
Chairman Lincoln opened the Hearing for Review of Apportionments

The budget and benefit factors were presented in a handout.

Chairman Lincoln opened the hearing up for questions and comments from the public.
Gary Jensen: Asked about his increase from last year to this year.
Sandy: That increase is from the increase in the budget. None of the factors have been changed.
Gary: Doesn’t seem fair that lake front owners only pay $100 more than someone four blocks from the lake.
Sandy: Explained the benefits as they pertain to his property. The benefits were established by an engineering company when they established the district. The board has not made any changes to the factors since they were created. There is an appeal process through the tax tribunal.
Gary: Who set the figure for the new budget?
Todd: That was a board decision.
Gary: By whose recommendation?
Sandy: Dr. Pullman
Gary: So he set the figures and you have already approved it?
Todd: Tentatively yes. The budget amount was just approved in the first hearing.
Sandy: This hearing is to make corrections to the assessment roll. There are three tiers: the first tier is the abutting property owners who are assessed higher than the other two tiers. Tier two is the properties in the Village of Lakeview and the third tier is the outlying areas.
Gary: He understands how the factors are determined but how is that fair to the people who have no direct access to the lake.
Pat: He is on other lake boards and none of them use the same factor methodology. No one is ever 100% happy with the method but they try to make it as equitable as possible. You in the audience should be trying to persuade us to change the method of how we assess it.
Larry Imhoff & Gary: That’s what we are trying to do. We know we can’t get it changed this time, but we already have too much tax so would like the board to look at changes.
Pat: How do you recommend that we spread it? Give us your ideas.
Gary: Maybe the map is too big or maybe it’s not big enough. Someone with direct access to the lake gets more benefit than those that have to use a public access to use the lake.
Pat: Can you give us an alternative?
Kevin Griffith: He has some land that is not usable or buildable.
Todd: Some are classified as lowlands. The board will have to review his parcels and make corrections if needed.
Ruth Boyce: Suggested putting a cap of $100 on back lots for Tiers 1 & 2. She pays on a small strip of property that is her access point. Maybe she should merge her properties on one parcel number.
Todd: She will need to see her tax assessor to do that.
Brian Stout: He feels the benefit of the lake goes beyond having lake access. It draws people to the area and is a benefit to local businesses. The board should look at raising the factor for commercial from .8 to at least a 1.
Melinda Marsh: She doesn’t mind spending more for use of the lake. Is this budget to just maintain what we have been doing or does it include other improvements?
Clark: There is only so much we can do because of DEQ regulations. There may be other chemicals that will work but we are restricted. It would be great to not use chemicals but the lake is so shallow that the board is doing what they can.

There being no further questions or comments from the public on the Review of Apportionments, the hearing was closed by a motion by Newell and seconded by Carr. Motion carried.

The Resolution Confirming Special Assessment Roll was offered for approval by the Lake Board. (see attachment)

A motion was made by Newell and seconded by Carr to request that Norm submit a contract with the prices as presented on a per acre basis as discussed at the May 22, 2012 meeting. Motion carried.

The board presented the idea of widening and cleaning out the beach area at the lakeside park as a long term project. The board is putting together information and cost estimates. It would be as an additional cost to the program unless there is enough money in contingency in the current budget. Right now they are just looking into the possibility and there were no definite answers for the audience’s questions.

There being no further business to come before the board, a motion was made by Carr and seconded by Clark to adjourn the meeting. Motion carried.

_________________________________
Donald E. Cooper, Secretary/Treasurer
Tamarack Lake, Lake Improvement Board

Dated: August 9, 2012

State of Michigan    } ss.
    } ss.
County of Montcalm     }

I hereby certify that the foregoing is a true and complete copy of the minutes of a meeting of the Tamarack Lake, Lake Improvement Board, Montcalm County, Michigan held on August 9, 2012, and that said minutes are on file in the office of the Montcalm County Drain Commissioner and are available to the public.

I further certify that notice of the meeting was posted at least 18 hours before the meeting at the office of the Montcalm County Drain Commissioner, which is the principal office of the Tamarack Lake, Lake Improvement Board.

_________________________________
Donald E. Cooper
Montcalm County Drain Commissioner
RESOLUTION CONFIRMING SPECIAL ASSESSMENT ROLL
AND DIRECTING THE COLLECTION OF SPECIAL ASSESSMENTS
FOR IMPROVEMENTS TO TAMARACK LAKE

At a special meeting of the Tamarack Lake, Lake Improvement Board held in the Lakeview Community Center, 309 S. Lincoln, Lakeview, Michigan, on the 9th day of August, 2012 at 4:00 p.m.

PRESENT: Lincoln, Raines, Carr, London, Newell

ABSENT:

The following resolution was offered by member Clark and seconded by member London.

WHEREAS, the Lake Board, after due and legal notice, has reviewed the Special Assessment Roll prepared for the purpose of assessing the cost of certain lake improvements to Tamarack Lake against benefitting properties; and

WHEREAS, the Lake Board has adopted the benefit factor formula as described in the attached Exhibit A.

WHEREAS, the Lake Board deems said Special Assessment Roll to be fair and equitable;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Special Assessment Roll shall be designated as Tamarack Lake Special Assessment Roll. (2012-2016)

2. Said Special Assessment Roll in the amount of $491,275.00, is hereby confirmed.

3. The assessments in said Special Assessment Roll shall be payable in 5 annual installments with the first installment of $98,255.00 to be due on December 1, 2012, and payable without penalty through February 14, 2013. Subsequent installments of $98,255.00 shall be due on or before the 1st day of December of each year thereafter and are payable without penalty through the 14th day of February of each year thereafter.

4. The assessments made in said Special Assessment Roll are hereby ordered and directed to be collected, and the Township Clerk of Cato Township shall deliver said Special Assessment Roll to the Township Treasurer, with his/her warrant attached, commanding the treasurer to collect the assessments therein in accordance with the directions of the Lake Board, and the treasurer is directed to collect the amounts assessed as the same become due.

ADOPTED: BY ROLL CALL VOTE:

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<td>Carr</td>
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<td>Raines</td>
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RESOLUTION DECLARED ADOPTED

STATE OF MICHIGAN } ss
COUNTY OF MONTCALM }

I, Donald E. Cooper, Secretary/Treasurer of said Tamarack Lake, Lake Improvement Board, do hereby certify that this is a true and correct copy of a resolution adopted by the lake board at a meeting held on the 9th day of August 2012. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan 1976, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand, this 9th day of August 2012.

__________________________________
Donald E. Cooper, Secretary/Treasurer
Tamarack Lake, Lake Improvement Board

Dated: August 9, 2012
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NOTICE OF CONFIRMATION
OF SPECIAL ASSESSMENT ROLL
FOR IMPROVEMENTS TO TAMARACK LAKE

TAKE NOTICE that the Tamarack Lake, Lake Improvement Board has confirmed the Special Assessment Roll for improvements to Tamarack Lake. The Special Assessment Roll in the amount of $491,275.00 has been prepared for the purpose of assessing the cost of aquatic plant control, studying and testing, and administration over a 5-year period (2012 – 2016). Said Special Assessment Roll and all assessments thereon are final and conclusive unless attacked in a court of competent jurisdiction within 30 days of this notice.

Tamarack Lake, Lake Improvement Board
Montcalm County, Michigan