



Elk Township - Lake County, Michigan

Mailing Address: P.O. Box 298 - Irons, MI 49644

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Public Act 188 of 1954 Proceedings

Excerpts from minutes of a meeting of the township board of Elk held at the township hall within the township on July 27, 2019 commencing at 1 o'clock PM

RE: Harper Lake S.A.D. No. 1

Members Present: Lou Fitz, Supervisor; Brandy Myers, Treasurer; Karen Fickies, Clerk; Jack Hankiewicz, Trustee; Dave Bass, Trustee

Members Absent: None

The supervisor stated that the next order of business was the consideration of the Harper Lake S.A.D. plans for the lake monitoring services and control of invasive weeds in Harper Lake, the estimate of costs for the project, the special assessment district proposed to be created for the recovery of such costs and the petitions for the same.

The clerk reported that proper notice of the hearing on these matters had been published in the Lake County Star on July 18, 2019 and had been mailed by first-class mail to each property owner within the proposed assessment district as shown on the current tax rolls of the township on July 16, 2019. Affidavits of the publications and mailing of these notices were then presented and filed as a part of the records of the meeting.

The supervisor next called for any objections or comments to the petitions for the project, the proposed improvements, the plans therefore, the estimate of costs of \$5,835.00 and the proposed special assessment district within which costs were to be assessed as described in the notice of the hearing.

Questions were asked concerning the project, but no written objections were submitted with respect to any of the foregoing except as follows: None

After some further discussion, the following preamble and resolution were, upon motion, submitted by Lou Fitz_ and supported by Jack Hankiewicz for adoption:

RESOLUTION ON HARPER LAKE S.A.D. NO.1

WHEREAS, the township board of the Township of Elk received petitions signed by more than 50 percent of the total (area) of the proposed special assessment district described hereinafter, and accordingly, determined to proceed under the provisions of PA 188 of 1954, as amended, to secure plans and estimates of cost together with a proposed special assessment district for assessing the costs of the proposed lake monitoring services and control of invasive weeds in Harper Lake to schedule a public hearing upon the same for this date, and

WHEREAS, the plans, estimates of cost and proposed special assessment district were filed with the township clerk for public examination and notice of the within hearing upon the same was published and mailed in

accordance with the law and statute provided as shown by affidavits pertaining thereto on file with the township clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled this 27th day of July, 2019 commencing at 1 o'clock PM and all persons given the opportunity to be heard in the matter and

WHEREAS, as a result of the foregoing, the township board believes the project to be in the best interest of the township and of the district proposed to be established therefore;

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. That the township board does hereby determine that the petitions for the Harper Lake S.A.D. No. 1 were property signed by the record owners of land whose (area) constitutes more than 50 percent of the total (area) upon the proposed improvement.
2. That this township board does hereby approve the plans for the lake monitoring services and control of invasive weeds in Harper Lake as prepared and presented by the township's registered engineer and his/her estimate of costs for the completion thereof of \$5,835.00.
3. That this township board does hereby create, determine and define as a special assessment district to be known as Harper Lake Special Assessment District No. 1 within which the costs of such improvements shall be assessed according to benefits, the following described area within said township: All lake front properties on Harper Lake, Elk Township, Lake County, Michigan
4. That on the basis of the foregoing, this township board does hereby direct the supervisor and assessing officer to make a special assessment roll in which shall be entered and described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a 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 the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels of land in the special assessment district. When the same has been completed, the supervisor or assessing officer shall affix thereto his/her certificate stating that it was made pursuant to this resolution and that in making such assessment roll, he/she has, according to his/her best judgement, conformed in all respects to the directions contained in this resolution and the applicable state statutes.
5. That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution be and the same are hereby rescinded.

Upon roll call vote, the following voted "Aye"; Dave Bass, yes; Jack Hankiewicz, yes; Karen Fickies, yes; Brandy Myers, yes; Lou Fitz, Supervisor

The following voted "Nay"; None

The supervisor declared the motion carried and the resolution was duly adopted.

The supervisor then reported that he/she, in anticipation of the foregoing resolution, had completed the assessment roll in accordance therewith and had attached thereto his/her certificate as required by said resolution. The assessment roll was then received and filed with the office of the township clerk

The following preamble and resolution were then submitted upon motion of Lou Fitz and supported by Jack Hankiewicz for adoption.

RESOLUTION SCHEDULING HEARING ON ASSESSMENT ROLL FOR

HARPER LAKE SPECIAL ASSESSMENT DISTRICT NO. 1

WHEREAS, the supervisor and assessing officer of the township has, in accordance with resolution of the township board and the laws and statutes pertinent thereto prepared a special assessment roll in the total amount of \$5,835.00 covering all the parcels of land in the Harper Lake Special ASSESSMENT DISTRICT NO. 1, according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such special assessment district and has affixed thereto his/her certificate as required by said resolution.

NOW THEREFORE, BE IT HEREBY RESOLVED as follows:

1. That said special assessment roll shall be filed with the township clerk and shall be available for public examination during regular working hours of regular working days from the present date until the public hearing upon the same and shall further be examined at such public hearing
2. That the township board shall meet at 7 o'clock PM on August 13, 2019, at the Elk Township hall located at 8966 N. Bass Lake Rd., Irons, Michigan, within the township, to review such special assessment roll and hear any objections thereto.
3. That the township clerk shall cause notice of such hearing and the filing of such assessment roll to be published twice in the Lake County Star, a newspaper of general circulation in the township prior to the date of the hearing with the first publication being not less than 10 days prior to the hearing and shall further cause notice of such hearing to be mailed by first-class mail to all owners of or persons interested in property within the Harper Lake Special Assessment District No. 1 as shown on the current assessment roll of the township also at least ten (10) days prior to said hearing, all in accordance with law and statute provided.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution be and the same are hereby rescinded.

Motion to adopt this resolution by Lou Fitz, seconded by Dave Bass

Upon roll call vote, the following voted "Aye"; Lou Fitz, yes; Brandy Myers, yes; Karen Fickies, yes; Dave Bass, yes; Jack Hankiewicz, yes

The following voted "Nay"; None

The supervisor declared the motion carried and the resolution was duly adopted.

Township clerk signature: _____

CERTIFICATE

The undersigned clerk of the Township of Elk hereby certifies that the foregoing constitutes a true and complete copy of an excerpt of the minutes of a meeting of the township board of the Township of Elk, Lake County Michigan, held on July 27, 2019, at which meeting five (5) members of the township board were present and voted as indicated in said minutes; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan; and the foregoing excerpt contains all material pertinent to the Harper Lake Special Assessment District No. 1

Township clerk signature: _____