

**COLDSPRINGS TOWNSHIP**  
**SPECIAL BOARD MEETING MINUTES**

**CETA HALL - 6615 COUNTY ROAD 612**

**JULY 24, 2005**  
**A.M.**

**9:00**

Supervisor Neubecker called the Special Meeting with Coldsprings Township and Excelsior Township to order at 9:00 a.m. Coldsprings Township board members present at roll call were Supervisor Neubecker, Clerk Hodges, Treasurer Casto, Trustee Bondy and Trustee Paladino. Neubecker said that sense SINCE Excelsior Township did not have a quorum, they would not be called to order.

Neubecker said that the purpose of this special meeting is to discuss background information and to get a resident input from the residents regarding the establishment of a Lake Improvement Board for Manistee Lake, to work with doing some cleanup and addressing some problems on the lake. Neubecker said that the township boards have been talking with the Manistee Lake Association since February of this year and members of the Houghton Lake Improvement Board regarding what they did on Houghton Lake. We have also talked with Tony Groves, from Grand Rapids, who works with the engineering firm of Progressive A&E, who has worked on the Houghton Lake project and many other lake projects. Janet Goulet, President of the Manistee Lake Association, gave a brief background of why she feels that having a Lake Improvement Board established, by resolution, by the two local governing bodies that encompass Manistee Lake, rather than asking for a special assessment by petition to address the problems. She said that it would take two-thirds of the property owner's signatures that would be included in the special assessment district, for a petition, and she said that that would be a lot of work. Neubecker then spoke of the makeup of a Lake Improvement Board and their duties as a board. Tony Groves then took over and passed out a chronological summary of Lake Board procedures. Copy attached. He then spoke about the effectiveness of a Lake Board. He said that it is not an entity that you establish, and then they can do what they want. He said that there are very tight framework and procedures under which they have to work. Groves said that there is a feasibility study and a lake improvement study, which he said that he refers to as a management plan, because that really defines the scope of the project. Ultimately the board makes the decision with input from the residents, but it starts with the

management plan. He said that what they have to do first is see the type and distribution of plants in the lake, past management practices and then develop a strategy to control the problem. The other half of the management plan is that they will collect samples, look at present water qualities to understand how this lake functions and see what will work and what won't work. Another part of the study deals with the project itself, in terms of what you are going to do, what is it going to cost and how is that cost going to be spread throughout the special assessment district that is going to be established. Groves said that what they generally do is have the waterfront properties pay more than back lots. Back lot properties are ones that have deeded or dedicated access to the lake. Groves spoke more on the makeup of the Lake Board and then asked for questions. 1<sup>st</sup> question from a resident was if lakes don't go in cycles with weeds? He said that he has talked to people who have been here for 40 -50 years and they say that they've seen the weeds up and then they go down. He said that he couldn't understand why they have to put all this money into a project when a couple of years from now the weeds will be down. Groves said that there aren't cycles per say, but it does vary from year to year. For example, he said that if you get a dry period the water level will go down and you will get more vegetation and if you get into a wet period and the water level goes up you'll have less vegetation. He said it's true that it will vary year to year, but it is not a defined site where you can anticipate that because we have a lot of growth now that three years from now it is going to be sparse. He said that this lake is naturally shallow, naturally productive and naturally will support a lot of plant growth. He said that there's a lot more people using the lake today than there was 10 or 20 years ago and a lot bigger boats, so there are a lot more demands put on the lake today and that is a consideration of managing it, but not the only consideration. One thing that is important to note is that when they set up one of these projects, Progressive A&E does not do the work. He said that they are here as a consultant, if this project goes ahead, and that the engineer does not do the contract work. He said that they would bid it out and hire contractors to do the work. He went on to explain the whole process. Bob Pleasant said that he is for the Lake Board but he would like to see a limit as to how much the board can assess the property owners. Groves said that the Lake Board will have a budget to go by and they cannot raise the assessment without going back and having more public hearings. He said that whatever assessment dollar amount you hear at the public hearing, that is the amount that you will be assessed and it couldn't go higher. Wayne Jonker asked, that if it cost Houghton Lake lakefront property owners \$200.00 a year and that is a 20,000 acre lake, then it should only cost Manistee Lake lakefront property owners around \$50.00 a year because it is only a 860 acre lake. Groves said that he is not sure what the assessment will be because when you look at working in the lake and start looking at harvesting and treating or whatever the option is that you go with, that can go anywhere from \$200.00 to \$400.00 per acre depending on what you are doing. It also depends on how many acres you are going to have to manage. Sue Kramer asked if their two pieces of property that they have, that are totally wetlands, would be taxed at the same rate as their cottage is, that is on the lake. Groves said that if the property truly cannot be developed, generally it is not assessed. Kramer also asked about people that have septic systems that are polluting the lake, would those people have to do something about their situation. Groves said that, that, is beyond the authority of the Lake Board and is a separate issue. The Lake Board can try to educate people as to how to take care of their system and

when they should have them cleaned out, but they do not have the authority to try to regulate them and force them to upgrade their system. That is up to the Health Dept. and the DEQ. Dave Raggio asked that if we go forward with this project could they close off public access to the lake. Groves said no. Someone asked about charging a fee to launch a boat, etc. Groves said that you could, but it would not be feasible. Lee Gancer asked about taking care of the sedimentation in the lake. Groves said that if they decide that harvesting the vegetation is the way to go to take care of the problems in the lake, and you harvest very vigilantly you can slow the rate of sedimentation within the lake because you're actually removing the cut off vegetation from the lake that would normally just fall to the bottom of the lake and cause for more sedimentation. Some say that by dredging you can remove all of the sedimentation from the lake, however dredging is very expensive and probably would not be affordable. Doug Hodgkins asked if of the 100 or more Lake Boards, has there ever been any that have been petitioned to be disbanded because they were unsuccessful. Groves said that up until last March, when the law was amended, to have a formal dissolution procedure to dissolve a board, and up to that time, there was not a mechanism to dissolve a board. He said that to his knowledge there has never been a petition to dissolve a board. He said that there have been some boards that have had an issue and when the issue was taken care the boards just went idle. Bob Pleasant asked how many people have to sign a petition to dissolve a Lake Board. Groves said that the local units of government would actually initiate that. He said that both units of government would have to hold a public hearing to get public input on dissolving the Lake Board and pass a resolution basically allowing the board to be resolved DISSOLVED and then it would go back to the township board to formally dissolve the Lake Board. Bob Pleasant said then dissolving of the Lake Board cannot be initiated by the people that are paying the tax. Groves said that if a lot of the people that are paying the tax show up and say that they want the Lake Board dissolved because they are not doing what they thought they were going to do, that would be enough to start the procedure because the people paying the tax do have a say. Rodger Patterson asked if the Lake Board has to do what the people want them to do. Groves said the answer would be, probably not. Norm LaCroix said that there is a serious complex issue within the lake that needs to be dealt with and he feels that the Lake Board is the best way to deal with it. Another resident asked how long would it take to establish a Lake Board and how long would it take for the Lake Board to come up with a plan to go through the hearing. Groves said that the Lake Board could be established very quickly. But it would actually be a full year from the time the Lake Board is established and they have their first public hearing, because they have to have time to do their study and come back with their recommendations and then meet and discuss the recommendations and then they have to come up with a plan. Then you have your hearings. Groves said that it would be 2007 before you see anything being done on the lake. He said that it does not happen overnight, that there is a procedure you have to follow. Another resident asked if the township board has to approve the project before it can progress. Groves said no. He said that once the Lake Board has been formed, the township now has appointed either one of its' own or someone to represent them, and have empowered that individual to make a decision on behalf of the township. Seth Phillips said that he has been on the lake for four years now and he has seen it deteriorate and he thinks that the time has come to stop debating about what to do about the problems and move ahead

and do something. He feels that there is very strong support for this Lake Board. He then asked what is next for the township boards in dealing with this issue as far as acting on establishing this Lake board. Neubecker then spoke and he said that he would like to allude again to the comment that Janet Goulet made earlier about being political because he said that his personal thoughts as an elected official in this township is that he represents every single property owner here whether or not they have the right to vote here. He also said that he personally supports a Lake Board but that he is only one vote of a five member board. He said that he will ask to have the resolution for a Lake Board on the agenda of our August 8<sup>th</sup> meeting. Norm Groner, Supervisor of Excelsior Township then spoke. He said that at the beginning it was something that he did not want to jump into because the outcome would affect a lot of people and he wanted to do what was right for the majority of the people. He said that at first he heard what a Lake Board would be and what it would do and he said that he wasn't really comfortable with the answers to his questions, without any background of where they got their answers. He said that he's probably changed his mind as to how a Lake Board should operate three times since the beginning. He said that at first he thought a Lake Board would be good, then he wondered what was he getting the people into, then he thought it would be easy to just sign the resolution, but then basically you lose control over what the Lake Board does and then the people involved are the ones that will suffer from it and that would be the lakefront property owners. Then he said that at the last Coldsprings Township meeting, Tony Groves was present and had a lot of good information and background experience and it made him feel a little more comfortable and what he was getting into. He said that he learned a lot from listening to the people present today than what he learned from the questions that he came up with earlier. He said that at first he thought it would be best to get someone that lives on the lake to represent his township on the Lake Board and then cut all ties to the township but now after listening to Tony Groves, if it wouldn't be more fair, at least in the beginning, to appoint somebody from the township board to the Lake Board so that maybe the township would have a little more control, basically from the fact that if the Lake Board decided to do something that was completely in a different direction than what the people involved wanted, the township board member could step in. He said that at this point in time, especially after what he has learned at the last few meetings, he personally does not have a problem with a Lake Improvement Board. He did mention the concern of one of the residents as to what the highest possible fee that they would be paying, and he said that he could see where that would be a concern. A channel property owner asked if they would be assessed. Neubecker said that if it has water in the channel, that constitutes water front and yes they would be assessed. Bill Korth said that the septic systems around Manistee Lake have been the number one problem for the last ten years and maybe before that. His question was, why not take care of the septic systems before spending all this money that a Lake Board wants to spend. He said that the studies done by the AuSable Institute prove that the septic systems are a problem. Neubecker said that the AuSable Institute studies show that the septic systems is only one of the problems in dealing with the lake but that it is not the problem. Neubecker also said that septic systems is a separate issue which cannot be addressed by a Lake Board. He said that the Coldsprings Township board is still working on a septic system ordinance that will hopefully take care of some of the problems with the septic systems. Brian Wright asked if there is a check and

balance with the Lake Board. Neubecker said that basically there is and that would be through the public hearing process, to see what the property owners feel, and of course you always have the right to file as an individual or a group in an attempt to stop the process. Neubecker said that if somebody would take an appointment to a Lake Improvement Board, they are going to take that appointment based on their desire to do what is best for the lake and the property owners. There were no more questions just a few comments.

Upon proper motion the meeting adjourned at 10:28 a.m.

Mary Hodges  
Coldsprings Township Clerk