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STATE OF MICHIGAN

COUNTY OF OTTAWA

IN RE: SPRING LAKE - LAKE BOARD

PUBLIC HEARING

Proceedings commenced at 6:40 p.m., on Monday,
September 11th, 2023, at the Spring Lake Middle School, 345
Hammond Street, Spring Lake, Michigan, held before Marjorie
A. Covey, CSR-2616, Certified Shorthand Reporter, RPR and
Notary Public.

APPEARANCES:

- Mr. Mike Rolf, Chair
- Mr. Joe Bush, Ottawa County Water Resources Commissioner
- Mr. John Nash, Spring Lake Township
- Mr. Roger Bergman, Ottawa County Commissioner
- Ms. Samantha Verplank, Village of Spring Lake
- Mr. Dave Billingham, City of Ferrysburg
- Ms. Brenda Moore, Muskegon County Drain Commissioner
- Ms. Michelle Hazecamp, Muskegon County Commissioner
- Mr. Roger Vanderstelt, Board Member

- Mr. Anthony Groves, Project Consultant, Progressive AE

- Ms. Amy Bessenger, Spring Lake Township Deputy Treasurer
- Ms. Heather Singleton, Assessor for Spring Lake Township and
the City of Ferrysburg
- Ms. Rose Dillon, Fruitport Township Treasurer

(REPORTER'S NOTE: SIGN-IN SHEETS AND ALL LETTERS RECEIVED
BY THE BOARD, AND PROVIDED TO THE REPORTER AT THE SEPTEMBER
11th, 2023, SPRING LAKE - LAKE BOARD HEARING, ARE ATTACHED AT
THE CONCLUSION OF THE TRANSCRIPT.)

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Spring Lake, Michigan

September 11th, 2023 - 6:40 p.m.

BOARD CHAIR MIKE ROLF: Hello, everyone. This is the public hearing of the Spring Lake - Lake Board. My name is Michael Rolf. I'm chairman. I'd like to welcome everybody. Thanks for your attendance.

This is a hearing on a special assessment roll. The assessment roll is prepared to assess the costs related to proposed continuation of a lake improvement project that was approved August 18th, by the Spring Lake - Lake Board, pursuant to notice and hearing, primarily for aquatic plant control, water quality monitoring, and alum treatment, watershed management, information, education, expenses, and so on.

At this hearing, we will review the proposed special assessment roll. We will hear any property owner objections to the assessment roll. And the Lake Board will make a determination of whether or not to confirm the special assessment roll.

I'd like to call the meeting to order, and I'd like for the members of the Spring Lake - Lake Board to introduce themselves and state who they are representing.

BOARD MEMBER DAVE BILLINGHURST: I'm Dave Billinghamurst. I'm from Ferrysburg, I have been in this position for about a month-and-a-half.

1 BOARD MEMBER JOHN NASH: John Nash, Spring Lake
2 Township, we'll just say for eons.

3 PROJECT CONSULTANT ANTHONY GROVES: I'm Tony Groves
4 from Progressive AE. I'm not a board member, I'm the Lake
5 Board's environmental consultant.

6 BOARD MEMBER ROGER VANDERSTELT: Roger Vanderstelt
7 from the Village of Fruitport. I've been on this a couple
8 years now.

9 BOARD MEMBER JOE BUSH: Joe Bush, Ottawa County
10 Water Resources Commissioner, Drain Commissioner. I've been
11 on this board for 11 years now.

12 BOARD CHAIR MICHAEL ROLF: Again, I'm Michael Rolf.
13 I'm a member at large on the Spring Lake - Lake Board.

14 BOARD MEMBER ROGER BERGMAN: Roger Bergman, County
15 Commissioner 10th District. I've been on this board for 11
16 years.

17 BOARD MEMBER SAMANTHA VERPLANK: Samantha Verplank,
18 Village of Spring Lake. I've been on this board for nine
19 years.

20 BOARD MEMBER MICHELLE HAZECAMP: Michelle Hazecamp,
21 Muskegon County Commissioner. I represent Fruitport. And
22 I've been on this board for a month.

23 BOARD MEMBER BRENDA MOORE: Brenda Moore, Muskegon
24 County Water Resources Commissioner. I don't recall when I
25 got on this board, but I took office many years ago.

1 BOARD CHAIR MIKE ROLF: Thank you.

2 On the agenda we have approval of the Spring Lake -
3 Lake Board minutes from the hearing of practicability on
4 August 14th, 2023. Do any of the Lake Board members have any
5 proposed additions, corrections, comments on the minutes?

6 BOARD MEMBER ROGER BERGMAN: I'll make a motion to
7 approve.

8 BOARD CHAIR MIKE ROLF: We have a motion to approve
9 the minutes as written.

10 Is there a second?

11 BOARD MEMBER JOHN NASH: Second.

12 BOARD CHAIR MIKE ROLF: We have a second.

13 Any discussion?

14 All in favor?

15 (Multiple members said, "Aye.")

16 BOARD CHAIR MIKE ROLF: Any opposed?

17 (No response.)

18 BOARD CHAIR MIKE ROLF: All right. The minutes are
19 adopted.

20 We will now open the public hearing to review the
21 proposed special assessment roll. And I am going to ask Tony
22 Groves to, our environmental consultant to make a few
23 statements.

24 PROJECT CONSULTANT TONY GROVES: Thanks, Mike.

25 As Mike indicated, this is a hearing to review the

1 assessment roll and make any revisions or corrections to the
2 roll based on input tonight from you, the residents. And the
3 roll itself, everyone should have received a notice actually
4 twice now. That gave a breakdown of the project costs, and
5 then how these costs were supposed to be spread through the
6 special assessment district.

7 And the special assessment district for Spring Lake
8 includes all properties that are on the lake, all lakefront
9 properties, and any back lots that have deeded or dedicated
10 access to the lake. It's the extent of the district.

11 And depending on what type of property you have,
12 that dictates what the assessment roll is. Most are single
13 family, they're residential developed on the lake, and that's
14 one unit of benefit.

15 If you're on the lake and you're undeveloped, it's
16 a half unit of benefit and so on. The back lots are assessed
17 half of that. And then marinas are assessed based on the
18 size of the marina. The more boat slips, the larger
19 assessment. So that's kind of a snapshot of the assessment
20 criteria.

21 So I am going to turn it back to Mike, but if you
22 want to come up to the podium and then clearly state your
23 name, and if you could spell your name for the file, because
24 we need to have that to document that you testified, or went
25 on record today with your objection to the assessment amount.

1 So if you would come up, anybody that has questions
2 about their specific assessment, please feel free to come up,
3 again state your name and address, and then ask a question or
4 comment, and we'll take them one at a time.

5 BOARD CHAIR MIKE ROLF: We do have representatives,
6 the assessor's office, the various assessor's offices for the
7 jurisdictions around the lake, and you can always ask them
8 questions.

9 But if you would like to object or protest to the
10 assessment, or if you have questions, or comments, now is the
11 time. The public hearing is open.

12 So come on up, state your name, if you would spell
13 your last name, that would be appreciated, and state your
14 address also.

15 Come on up.

16 MR. STU ERBENTRAUT: Stu Erbentraut, 16621
17 Lakeview. I have questions regarding the lake alum
18 treatment.

19 Almost a half a million dollars a year for ten
20 years, and what are we really getting out of that?

21 This past year we were told that we would get two
22 sprayings for weeds or whatever. We got one, and that was in
23 August. We didn't get two. We have been paying anywhere
24 from 25 to \$66 a year in the assessment.

25 Now you want us to pay a 450 percent increase.

1 Tell me that that alum treatment has gone up 450 percent.

2 Every year you're going to charge that.

3 So I want to know how this happens.

4 PROJECT CONSULTANT TONY GROVES: The lake was
5 originally treated with alum back in 2005, and the total cost
6 of that treatment was about 1.1 million dollars. So in that
7 treatment, at that time that we projected would get about 10
8 years of improved water quality conditions, five to ten
9 years. We actually got about 15 out of it.

10 So this proposed alum treatment this go around,
11 you're right, the cost is about three-and-a-half times what
12 the original application was 15 or 17 years ago. So the
13 costs for these types of treatments have gone up dramatically
14 over the years.

15 And this cost here includes the interest because we
16 have to borrow money to finance this. But the alum treatment
17 is what keeps the lake clear.

18 In the absence of it, we get these constant algae
19 blooms in the lake. And the treatments that are done for
20 plant control don't provide a ton of benefit, especially with
21 respect to the algae.

22 So the alum treatment, the first one was
23 successful, lasted longer than we had anticipated. And we
24 feel this one is going to be even longer. The dose this time
25 is going to be about 20 percent greater than the initial

1 application. We've got an improved technology as far as the
2 application, that does the application. So there is improved
3 technology associated with this next treatment.

4 And there is actually less internal phosphorous
5 going on in the lake today compared to when we did the
6 initial treatment back in 2005.

7 But you're correct, it is an expensive proposition.
8 But that's why the cost is spread throughout the district and
9 spread over ten years.

10 MR. STU ERBENTRAUT: How many bids did you get on
11 this?

12 PROJECT CONSULTANT TONY GROVES: It has not bid
13 yet, it will be competitively bid and we'll advertise for
14 bids. And there is not a lot of firms that do this type of
15 work, but it will be competitively bid.

16 MR. STU ERBENTRAUT: Okay. I have questions on the
17 way that you're approximating annual assessments. I see that
18 you can divide marinas according to number of boats, why
19 can't you divide the assessment for lake frontage according
20 to the amount of frontage you have?

21 PROJECT CONSULTANT TONY GROVES: The logic there is
22 the larger the marina facilities are commercial facilities,
23 and they make money, so they're businesses. And the larger
24 the business, the more profitable it is, theoretically.

25 With the residential properties, everyone has the

1 same ability to use the lake. It doesn't matter if you've
2 got 200 foot of frontage, or a hundred foot of frontage, your
3 ability to use the lake is identical.

4 MR. STU ERBENTRAUT: No, it isn't. If you've only
5 got ten foot, your ability is really cut down. If you've got
6 200 foot, you've got great ability to use that lake.

7 PROJECT CONSULTANT TONY GROVES: Well I don't think
8 a ten foot lot in today's -- I don't know if there is any
9 ten-foot lots out there, but lots in general.

10 MR. STU ERBENTRAUT: There are.

11 PROJECT CONSULTANT ANTHONY GROVES: If you can get
12 a lot that accommodates a dock, you can use the lake. And if
13 it's if it's just a dock, they're going to pay half.

14 To answer your question, it's done according to
15 benefit. So you can have a small piece of property and have
16 five kids and a whole slew of boats; you can have a large
17 piece of property and be retired and not use the lake at all.

18 So it's not a function of the size of the lot.
19 That's the logic.

20 MR. STU ERBENTRAUT: It's a function of the size of
21 the marinas.

22 PROJECT CONSULTANT ANTHONY GROVES: Again, because
23 the bigger the marina, the more boat slips allowed, and this
24 is how it was done originally, and that seemed to be fair and
25 equitable. The larger marinas have a greater benefit than

1 the smaller marinas. So that's the rationale.

2 MR. STU ERBENTRAUT: I don't agree with your
3 rationale.

4 BOARD CHAIR MIKE ROLF: You also mentioned lake
5 treatments, and that you had only seen one. I'm sure there
6 has been three general lake treatments, and it's possible
7 there might be another.

8 MR. STU ERBENTRAUT: They have not posted them. If
9 they've done them, they haven't posted them on the trees and
10 everywhere, like they usually do.

11 BOARD CHAIR MIKE ROLF: So that would be because
12 they didn't treat it in your vicinity. And the reason they
13 didn't do that was because on the lake survey, which is
14 coordinated through GPS, the -- we are only allowed to treat
15 invasive weeds. We don't treat natural lake weeds.

16 And so that's a common misconception. Some people
17 feel that all the weeds should be gone. But that's not a
18 natural lake, that's not good for the fishery or the habitat.

19 All we can do is, by law, is treat invasive species
20 and nuisance algae. And that's the reason why you have only
21 seen one posting because you didn't have the invasive weeds
22 in front of your house. Even though you might consider them
23 a nuisance, they're natural habitat.

24 MR. STU ERBENTRAUT: We had nuisance algae, and we
25 had fish kill too.

1 BOARD CHAIR MIKE ROLF: Well the whole purpose of
2 the Lake Board is to try to reduce, minimize those episodes.
3 They do happen. But without the treatment, the alum
4 treatment, it would be a lot worse, I'm afraid.

5 Please go ahead.

6 MS. NANCY ROSIN: We're Ron and Nancy Rosin. And
7 we operate Herman's Marina at 18825 West Spring Lake Road.

8 And we reviewed the roll today and we are in the 51
9 to 100 slip category. And in the last four years we've
10 rented out 42, 38, 41, and then this year 43 slips.

11 The boats have gotten a little wider, so slips that
12 used to be able to accommodate two boats can only accommodate
13 one now. And some of them have fallen under disrepair after
14 all the heavy rains, and at our age we're not going to
15 replace them.

16 So we ask to be re-assigned to the one to 50 slip
17 category.

18 And the one comment about the bigger the marina,
19 the more money you make. Just so you know, my
20 father-in-law's philosophy was he wanted to keep the rents
21 low so the common man could enjoy the water, not just the
22 millionaire. And we've gone along with that.

23 We actually lose money, but we're in a position
24 where we can afford small losses or whatever.

25 We're not making money on it, we don't want to make

1 money on it, we want people to enjoy the water. We want the
2 dogs and the kids to walk the woods, and ride their little go
3 carts and whatever. That's what the marine is for. And
4 that's why we ask to be re-assigned.

5 PROJECT CONSULTANT ANTHONY GROVES: I talked with
6 the assessor about that, and yes, you're under 50, and that
7 being the case, you would drop down to the next lower
8 category.

9 MS. NANCY ROSIN: And if for some reason we do go
10 like 51, 52, or something, do we notify you? Or how do we go
11 about letting you know if we do increase? We don't intend to
12 but --

13 PROJECT CONSULTANT ANTHONY GROVES: You would
14 notify us.

15 MS. NANCY ROSIN: Just tell you?

16 PROJECT CONSULTANT ANTHONY GROVES: Yes.

17 MS. NANCY ROSIN: Okay. We don't plan on it, but
18 just in case. Do we have to give you the written request?

19 PROJECT CONSULTANT ANTHONY GROVES: Sure.

20 MS. NANCY ROSIN: It's old style, it's handwritten.

21 PROJECT CONSULTANT ANTHONY GROVES: That's all
22 right.

23 MS. NANCY ROSIN: Thank you.

24 BOARD CHAIR MIKE ROLF: Thank you very much.

25 MS. NANCY ROSIN: You're welcome.

1 MR. DAVID GERLING: Good evening. My name is Dave
2 Gerling, and I actually have two parcels that are subject to
3 the special assessment district.

4 THE REPORTER: Can you spell your last name,
5 please, and your address?

6 MR. DAVID GERLING: Sure. One address is 14805
7 Woods Walk Court, Spring Lake. The other address is 18124
8 Trillium Drive, Spring Lake.

9 BOARD CHAIR MIKE ROLF: And would you spell your
10 last name too?

11 MR. DAVID GERLING: G-e-r-l-i-n-g.

12 BOARD CHAIR MIKE ROLF: Thank you.

13 MR. DAVID GERLING: I have actually filed with the
14 chairman earlier tonight the official protest of our
15 assessments. You have it already.

16 BOARD CHAIR MIKE ROLF: Yes.

17 MR. DAVID GERLING: I do have a couple extra copies
18 if you want to share.

19 The first general protest that I have is that it
20 seems -- I'm not against water quality, but it seems that the
21 improvement of quality in Spring Lake would benefit everybody
22 countywide, both Muskegon and Ottawa County, and maybe that
23 cost should be spread from a general fund or something from
24 the county budgets rather than burdening the particular lake
25 owners, that's my general protest.

1 Now the specific one. When I bought our property,
2 our condo property in June of this year, it was never
3 promoted as having lake access. Nothing whatsoever, contrary
4 to the one in Trillium where there is deeded lake access, and
5 there is a park.

6 So I did some research when I got the first notice
7 that I was in the special assessment district, and lo and
8 behold I found in our bylaws, it provides Gildner Creek
9 bylaws, co-owners shall not use or have any access to the
10 waterfront park as showing on the subdivision plan. And I've
11 attached that as an example.

12 Then I went further, that's the bylaws, but a
13 public record and master deed that was recorded in 1998 for
14 this condominium development provides, pursuant to this deed,
15 the developer, association owners, co-owners, shall be
16 restricted from any use of any easement of the waters of
17 Spring Lake within the Gildner Park plat. And shall have no
18 right to access the waters of Spring Lake through, over, on,
19 or above the described easement.

20 I think that's pretty clear that I don't have lake
21 access.

22 I know the assessors seemed to think there was a
23 plat in 1915 that has provided it, but I've not been able to
24 find my property within that plat.

25 BOARD CHAIR MIKE ROLF: What jurisdiction are you?

1 MR. DAVID GERLING: Spring Lake Township.

2 BOARD CHAIR MIKE ROLF: Thank you.

3 MR. DAVID GERLING: And there is others situated.

4 There is 29 units, I'm not the only one. We lie on the other

5 side of Fruitport Road. I took a drive today just to see

6 this park, and I couldn't access it directly because there is

7 no road to it. And you will see I have aerial copies of this

8 Gildner Park attached to my protest.

9 There is no access there, it's not developed, any

10 docks that were there are underwater.

11 For tax purposes, it appears to be public, and it's

12 not assessed any value. So if it's open to all the public,

13 then all the public should share that burden.

14 But in closing, I will take this to the tribunal

15 because I think this is completely wrong, I don't have deeded

16 or dedicated access so Spring Lake.

17 PROJECT CONSULTANT ANTHONY GROVES: I just spoke to

18 the assessor on that and she agrees the one parcel that you

19 mentioned does not have access, so that will be removed.

20 MS. DAVID GERLING: Will that be for all the

21 co-owners in the Woods Walk development?

22 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: In

23 reviewing the Woods Walk properties, we thought that was part

24 of the Gildner Park property area that has deeded access. It

25 is in fact not.

1 After reviewing it closer this evening, and the
2 comments, it's part of the Gildner Village. So we will
3 remove all the properties at Woods Walk from the roll.

4 MR. DAVID GERLING: I am going to continue my
5 protest until I get confirmation of removal from the special
6 assessment. Or you guys can hold your approval in abeyance,
7 or make a modification, but I got 30 days to appeal to the
8 tribunal if it doesn't go --

9 BOARD CHAIR MIKE ROLF: Right.

10 MR. DAVID GERLING: Thank you.

11 BOARD CHAIR MIKE ROLF: Thank you.

12 MR. JIM MORRISON: My name is Jim Morrison. I live
13 on Gildner --

14 BOARD CHAIR MIKE ROLF: Go ahead and spell your
15 last name, please.

16 MR. JIM MORRISON: M-o-r-r-i-s-o-n.

17 THE REPORTER: Thank you.

18 MR. JIM MORRISON: And what she just said really
19 confused me. We have three complexes and she said she's
20 going to eliminate one of them? Is that true? I mean we're
21 an association --

22 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: So
23 specifically I was asked about the Woods Walk address
24 tonight. And I'm the deputy treasurer for the township, I'm
25 not the assessor.

1 But in talking with the assessor we looked at that
2 plat further, and we found that it's part of the Gildner
3 Village, not the Gildner Park plat. So that's what we found
4 with this plat.

5 So Gildner Park plat is really large, and it's
6 deeded access when it was originally created --

7 MR. JIM MORRISON: We just found out about this a
8 week ago.

9 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: So in
10 looking at the documents that were provided, that Mr. Gerling
11 had, and looking further into that this evening, the Woods
12 Walk properties are going to be removed from the roll because
13 they're not part of the --

14 MR. JIM MORRISON: The whole association should be
15 removed. Our bylaws say we have no access.

16 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: I
17 don't have a copy of the bylaws.

18 BOARD CHAIR MIKE ROLF: He gave us plenty of
19 copies, so we'll make that available to you.

20 MR. JIM MORRISON: Anyway, it's just wrong. We
21 have no access to it, we have no way to get to it. I don't
22 even know where -- I drove down there today and you have to
23 walk through people's private property to get wherever this
24 place is. It's just -- it's wrong.

25 I know of a couple other people that are here that

1 have these thoughts too (indicating).

2 BOARD CHAIR MIKE ROLF: Thank you.

3 PROJECT CONSULTANT ANTHONY GROVES: Sir?

4 Mr. Morrison? Can we talk to you over here with the
5 assessor?

6 BOARD CHAIR MIKE ROLF: Okay, sir. Why don't you
7 go ahead.

8 MR. DALE MASBRUCH: My name is Dale Masbruch, 18945
9 North Fruitport Road, M-a-s-b-r-u-c-h. And I'm on the
10 lakefront. So if I understand this sheet correctly, I'm a
11 one unit, \$600 guy.

12 I would have kind of a different reason why I want
13 my assessment to be zero. I really disagree with what you're
14 doing. The first -- or the second, whatever, chemical that
15 you listed on this thing, which is the -- I'll get the
16 spelling here.

17 The diquat dibromide is no longer approved in the
18 EU. I'm aware we're in the United States, but they do a very
19 thorough assessment there, and they've removed that for
20 approval.

21 I don't believe that we should be using that in our
22 lake. And in the report that they had, where they removed
23 that, they listed a large number of nasty side effects. I
24 can give you this report if you'd like, but some of them are
25 things irritating to eyes, skin, etcetera, kidney and liver

1 injury, cough, chest pain, breathing issues, pulmonary edema,
2 tremor, convulsions and delayed healing of wounds.

3 I can hand you this if you'd like.

4 BOARD CHAIR MIKE ROLF: Did you say it's banned in
5 the European Union?

6 MR. DALE MASBRUCH: Yes.

7 So I think that -- I know we live in the states,
8 not in the EU, but I think their evaluation is something we
9 should take into consideration. And there are some serious
10 side effects associated with that chemical.

11 And I've spoken with Tony, I know he thinks they're
12 fine. I disagree. Because I think there is really strong
13 scientific evidence to say no.

14 The other thing that I'm not really prepared with
15 in papers, but I caught tonight the fact that the lake alum
16 treatment, that's really aluminum is the basic chemical or
17 element in that treatment.

18 BOARD CHAIR MIKE ROLF: Correct.

19 MR. DALE MASBRUCH: As we go along in time, we
20 learn about more things. And perhaps ten years ago, or 15
21 years ago or whenever that was first done, I don't think
22 there was much evidence of this. But right now, there is a
23 considerable scientific evidence on the fact that aluminum is
24 potentially a key element in leading to Alzheimer's.

25 So fundamentally, I think if you look at today's

1 research, we should be thinking about not putting aluminum in
2 our lake. Alzheimer's is a very increasing thing in our
3 population. It's obviously a bad thing. And why we would
4 want to promote it. I'm just saying I'm opposed.

5 So based on that, I think my assessment should be
6 zero, and I think you should mostly cease and desist, which
7 would completely lower everybody's assessment.

8 I can write that up for you if you want. Although
9 I suspect that on that basis, you won't change my assessment.

10 BOARD CHAIR MIKE ROLF: Well I appreciate your
11 comments. I didn't know any of that objections to diquat or
12 alum.

13 Of course it's the DEQ, well now it's EGLE, the
14 State of Michigan agency that approves those. Those are
15 approved chemicals, and they're effective to eliminate
16 invasive weeds and reduce nuisance algae.

17 But I would think that someone has alerted the
18 state agency about this. Do you know at all?

19 MR. DALE MASBRUCH: I have not. I just started
20 researching this when I got your letter. And so, no, I've
21 not done that. I don't know if anybody else has or not.

22 BOARD CHAIR MIKE ROLF: Yeah, they have made some
23 additional restrictions, I believe, just this year that went
24 into effect just this year on treating algae in the bayous.
25 So we appreciate your comments on that.

1 MR. DALE MASBRUCH: I go along with the guy that
2 spoke last, I could save the whole half a million dollars.
3 He doesn't like it, and I don't like it either. Just don't
4 do it.

5 I mean putting bad chemicals in our lake,
6 fundamentally has to be considered a bad idea. Sorry.

7 BOARD CHAIR MIKE ROLF: We used to treat -- we used
8 to treat the lake with copper sulfide for algae. And that's
9 still legal, but we know it's undesirable. Because the
10 copper never goes away. You know, it's there in the bottom
11 sediments forever and it creates an unnatural situation.

12 Any of these things are detrimental and unnatural
13 over time.

14 MR. DALE MASBRUCH: Right. And as we learn more,
15 usually our view of those gets worse.

16 And if you look at the other chemical, which I will
17 probably have a hard time -- not the diquat, but the second
18 chemical, the one that was developed for the rice patties,
19 one of the nice things that the environmentalists say about
20 that -- well the public health improvement people which with
21 their recent history don't have a good track record, they
22 said, well the nice thing about that is it's not going to get
23 into the ground water because it's absorbed by the soil
24 particles. Well that doesn't give me much good feeling. But
25 they're saying it's always going to be stuck there in the

1 bottom.

2 So if you have a rice patty and you can continue
3 doing rice, it's okay. If you kind of do cycling with other
4 crops, it can be a problem for them because it stays in the
5 soil.

6 And I'm not sure why we want to put a chemical in
7 that stays in the bottom of our lake soil, essentially
8 forever.

9 I think what you're doing is really bad, and I
10 think you approved something that you shouldn't have. And I
11 would hope that you would give that thoughtful
12 reconsideration.

13 BOARD CHAIR MIKE ROLF: All right, thank you.

14 MR. DALE MASBRUCH: And are you going to change my
15 assessment to zero? Unlikely, right?

16 BOARD CHAIR MIKE ROLF: Unlikely.

17 MR. DALE MASBRUCH: Thank you.

18 MR. MATT BRAKORA: Matt Brakora, B-r-a-k-o-r-a.

19 I'm from 16107 Coventry Lane off of West Spring Lake Road.

20 I'm a third generation living on Spring Lake. My
21 grandfather came here like in the mid 1920s, and we've had
22 lakefront property ever since then.

23 And I've watched two things over the course of my
24 near 70 years on the lake is degradation of the lake water,
25 and myself, you know.

1 UNKNOWN SPEAKER: That's because they've been
2 putting that aluminum stuff in.

3 MR. MATT BRAKORA: And I'd like to say I really
4 support the idea of the board and anything you can do to
5 improve the water quality. Because when I was a little kid,
6 I could go fish off the end of my dock and I could watch
7 seven feet down, watch the little blue gill go after my worm.

8 And I can't do that anymore. I'm lucky on a good
9 day to see two feet.

10 BOARD CHAIR MIKE ROLF: After July, yeah.

11 MR. MATT BRAKORA: And on a good day, and it's
12 getting really bad. And it correlates directly with the
13 amount of development that's going on in the lake.

14 So I really have a question for the board and this
15 is sort of fact finding for me, are you a reactive
16 organization, or board? Or are you a proactive board? Which
17 is your vision to manage the lake?

18 BOARD CHAIR MIKE ROLF: It's -- we have an
19 education mission. It's a water quality mission.

20 MR. MATT BRAKORA: But if your mission is the water
21 quality, and if you're strictly reactive, we're doomed to
22 always be paying higher assessments, throwing more chemicals
23 in the lake. The ideal is nothing to be put in the lake,
24 right?

25 BOARD CHAIR MIKE ROLF: Ideally.

1 MR. MATT BRAKORA: But as we allow things to go
2 forward, the water quality has been degraded greatly over the
3 course of my life. And this is with no foreseeable
4 improvement in ever getting ahead of it.

5 And as a consequence, we're always going to have
6 this meeting, we're always going to be talking about throwing
7 more chemicals in the lake to fix the problems that are
8 there.

9 Now if this board was a proactive board, I would
10 think you guys would have comments on the amount of
11 development that's going in on the watershed.

12 I just noticed off West Spring Lake Road they're
13 basically building a 300-house development, they just
14 improved the culvert underneath VanWagoner, so all of the
15 drainage from that new development is going to go right into
16 the Spring Lake, and it's going to go right into Smith's
17 Bayou.

18 You know, all of that fertilizer that people are
19 going to be putting on their yards is going right in the
20 lake. They're not going to pay any assessments. They're not
21 going to do anything to improve the water quality. If
22 anything, that kind of level of development is killing the
23 lake.

24 And yet, if this Lake Board truly has a proactive
25 mission, you should be going to the township's Lake Board,

1 and the various subdivisions of the Fruitport and
2 Ferrysburg and saying, control your development. Because
3 it's not happening.

4 We are doomed to failure. We are always going to
5 be paying more money to fix the lake because there is nothing
6 being done to prevent it from getting worse.

7 And right now I can tell you, after this
8 development on VanWagoner goes in, it's going to be worse.
9 And we'll be coming back to have this meeting to talk about
10 what chemicals we're going to put in, how much is our
11 assessment, and the people who are really polluting the lake
12 aren't paying anything.

13 BOARD MEMBER BRENDA MOORE: May I make a comment
14 when you're done?

15 MR. MATT BRAKORA: Go ahead, please.

16 BOARD MEMBER BRENDA MOORE: You're kind of speaking
17 to my heart. I'm a land use planner by training.

18 A couple points. I think we're going to start
19 looking at that, but the key here is our authority. Land use
20 and zoning is in the hands of each municipality.

21 I won't go into a dissertation about the problems
22 of that, but there is not a lot of thought about the care and
23 capacity of land and the impact of what happens. We should
24 touch on that.

25 But we don't have the authority, so you can't do

1 that. So part of it is a matter of authority. We don't have
2 authority.

3 We can do some education and engage in some
4 partnerships, which I hope we do. We've talked about that.

5 The other thing that I think is unfortunate is in
6 my opinion, from my 40 years in land use, it's about property
7 rights, and it's about tax base, and it's about economy. We
8 haven't thought enough about what we're doing to the land and
9 what the future is going to bring.

10 That's a huge philosophical question. But again, I
11 think we've talked about that and we're going to look at
12 those things.

13 But the bottom line is we do not have authority to
14 do a lot of things.

15 MR. MATT BRAKORA: I would think you may not have
16 formal authority, but you have great informal authority in a
17 sense of your opinion as a board being in charge of lake
18 quality. If you come out and say to the townships of the
19 various developments saying, you got to think about this, and
20 you really can't do this, because you're killing the lake.

21 And what is the economic hub of Spring Lake? It's
22 the quality of the lake water. And as we kill the lake
23 water, and it gets more and more algae, and you get all the
24 duck weed that keeps showing along the shorelines, I mean,
25 it's sort of disgusting to go swimming in it.

1 So all I can say is you got -- as a board, you got
2 to make a decision about where to go with this because we're
3 deemed to failure. And we're going to be talking about this
4 nonstop for forever, and the water is just going to get worse
5 and we're just going to be throwing more chemicals.

6 So I really beg that you use your informal
7 authority to go to these various municipalities that control
8 the land use, and just say, you're killing this thing.
9 You're killing the lake.

10 And I think you would be listened to more than us
11 residents who go to the meeting and say you're killing the
12 lake.

13 BOARD CHAIR MIKE ROLF: Well I think there is a lot
14 of agreement with everything you've said. I personally agree
15 with it.

16 I would say one thing. One area that we did get
17 something accomplished was a series of ordinances, all the
18 jurisdictions around the lake, to ban phosphorous in
19 fertilizers.

20 Now that's been superseded by a state law. Now
21 getting all the retailers and big boxes to comply with that
22 is another matter, but we are going to send letters out,
23 again, or make other contacts, face-to-face contacts with the
24 buyers of some of these big box stores.

25 MR. MATT BRAKORA: In the state of Michigan if

1 there is a state law against it, you have somebody get
2 arrested in the big box store.

3 All right. Very good. Well I appreciate it, and I
4 support the board with the idea of whatever we can do to
5 improve the quality of the lake. But we're doomed to failure
6 if we don't do the other things.

7 BOARD CHAIR MIKE ROLF: We're fighting a battle.
8 Thank you.

9 MR. MIKE WEAVERS: Hi there, Mike Weavers, 637 Lake
10 Avenue, Grand Haven, but I own a 15-foot boat slip on Spring
11 Lake over by Spring Lake Beach.

12 Unfortunately, you do not have a category for a
13 single-owner, single slip boat slip. I get put into the
14 undeveloped lakefront, and get hit with a \$300 charge. I've
15 already been paying a substantial amount of money for a
16 15-foot boat slip. There is no land there.

17 So I'm not sure why we don't have a classification.
18 Because you brought up actually Strawberry Point was
19 originally ten-foot boat slips, okay. That whole area was
20 ten foot. A lot of people bought them up, also by Smith's
21 bridge, there are between 10 and 20-foot boat docks that
22 people further back owned. That's how they plated it in the
23 old days.

24 So I'm a little surprised that you guys didn't know
25 that because there are lots like that still out there, so I

1 think we're being overassessed.

2 When I look at multimillion dollar properties
3 paying \$600, my .0000 one acre I'm being charged 50 percent
4 of that, it's not equitable at all.

5 From what I can tell, your definition has done
6 nothing, for benefit has nothing to do with real estate
7 values, and you're completely ignoring what the treatments do
8 for the property owners and the value of the real estate.

9 I just looked up the Spring Lake Country Club.
10 They're paying \$1200 for 150 acres. Now we talk about the
11 legacy of contamination that's at the lake bottom, I'm going
12 to guarantee my boat lot's .0000 up to whatever, because it's
13 probably never been addressed, it's never had land, so I
14 contribute nothing to the problem.

15 So I'm at one-fourth of the Spring Lake Country
16 Club, one-fourth of 150 acre parcel with thousands -- at
17 least a thousand foot. And there is other large properties,
18 and they're getting off -- I'll say it that this way. You're
19 cheating the wealthy landowners of paying their fair share
20 because they don't have to. The way you set this up does not
21 take value in whatsoever.

22 The other thing you're ignoring, when you talk
23 about marinas, they're paying nothing for their in-out
24 service from what I can see. Is that correct?

25 They're paying for physical boat slips, but not

1 anything for the in-and-out service, rack system? There is
2 no benefit, they're getting no benefit.

3 PROJECT CONSULTANT ANTHONY GROVES: The benefit is
4 in the marina itself. You're right, the in-out, the launch
5 site doesn't --

6 MR. MIKE WEAVERS: Doesn't that seem a little odd
7 that you're not getting -- when you talk about benefits, so
8 far you're talking about boating and swimming, and these
9 boats are coming and going. And quite frankly I don't keep
10 my boat in my boat lot, I keep it in in-out service, so I'll
11 get hit again but I think you should be looking at that.

12 But the crux of the problem is I'm paying \$300 a
13 year based on your thing for a boat slip. A marina boat slip
14 is usually 15 to 20-foot wide. Based on your numbers they
15 are paying 20 to \$30 per slip at the most. I am paying ten
16 times that.

17 Is there something we can do to make this more
18 equitable for me and others in my situation? There probably
19 aren't a lot of us, but let's be realistic. My value of my
20 lot might be 20, 30,000, whatever, has no water, has no
21 power. I can't get those there because it doesn't have an
22 address. Okay? So my value is a dock, at best, if I go to
23 the effort of putting it in.

24 BOARD CHAIR MIKE ROLF: And in what jurisdiction
25 are you in?

1 MR. MIKE WEAVERS: Spring Lake Township.

2 So my question, and I'd like to hear some answer
3 tonight, what options do I have, or can you foresee a
4 solution for people that have a 10, 15, even a 20-foot boat
5 lot that there is no real land to? Because let's be honest,
6 there are some landowners that are getting off a heck of a
7 deal.

8 I mean there are million dollar houses that are
9 worth 700, if that lake stays green, people aren't going to
10 buy them. So their benefit is way bigger than anybody on
11 this chart the way it's set up.

12 I'm not here to reconfigure the whole thing. The
13 fact that you ignore real estate values is crazy. It's
14 crazy, it makes no sense whatsoever. How do you ignore 150
15 acre parcel --

16 BOARD CHAIR MIKE ROLF: It's by law. We don't have
17 any authority to assess people based on the value of their
18 property. We only have authority to assess based on benefit.

19 MR. MIKE WEAVERS: But benefit, you can work with
20 the definition of benefit, I'm assuming. Right?

21 BOARD CHAIR MIKE ROLF: But that's the answer to
22 that question . By law we only can assess based on benefit.

23 MR. MIKE WEAVERS: So what solution do you have for
24 me?

25 BOARD CHAIR MIKE ROLF: The assessor is here.

1 Can you sell your lot?

2 MR. MIKE WEAVERS: Why would I want to sell my lot?

3 I've had it since 1988.

4 BOARD CHAIR MIKE ROLF: Is it sale-able?

5 MR. MIKE WEAVERS: Everything is for sale.

6 BOARD CHAIR MIKE ROLF: Can you park on it?

7 MR. MIKE WEAVERS: I could sell that piece of

8 paper.

9 BOARD CHAIR MIKE ROLF: Can you park on it, other

10 than a boat? Can you park anything other than a boat?

11 MR. MIKE WEAVERS: Oh god, no. The water goes

12 right up to the road. I have to jack my shore station up on

13 blocks to get it out of the water.

14 BOARD MEMBER MICHELLE HAZECAMP: How much would it

15 be if you were going to sell your dock though? Like your

16 family can still use your dock in that space, it's a

17 private -- you own --

18 MR. MIKE WEAVERS: Fifteen feet. How much do you

19 own? How much do you own? What's the value of your house?

20 BOARD MEMBER MICHELLE HAZECAMP: It's really none

21 of your business.

22 MR. MIKE WEAVERS: Sure, I can look it up. It's a

23 million dollar house, two million, three.

24 Anyways, I'm just asking for equity. I am asking

25 for equity here. I'm looking for a solution.

1 BOARD MEMBER ROGER BERGMAN: But you're still
2 getting a benefit.

3 MR. MIKE WEAVERS: But I'm not getting that type of
4 benefit. I'm not getting anywhere near. Why am I paying --
5 if a marina is paying \$20 to \$30, and I have a 15-foot slip,
6 why am I paying ten times that much?

7 BOARD MEMBER ROGER BERGMAN: But you can go out on
8 that boat any time you want.

9 MR. MIKE WEAVERS: The one that's at the marina?

10 BOARD MEMBER ROGER BERGMAN: On your dock. You
11 still have a benefit.

12 BOARD MEMBER MICHELLE HAZECAMP: You still have a
13 benefit, you still have property.

14 MR. MIKE WEAVERS: All right. Just so we're clear
15 on this, you're not -- you figure I'm getting a \$300 benefit?

16 BOARD MEMBER ROGER BERGMAN: You're getting a
17 benefit.

18 MR. MIKE WEAVERS: No, I'm getting a 50 percent
19 benefit of what the people with homes are getting.

20 BOARD MEMBER ROGER BERGMAN: Right.

21 BOARD MEMBER MICHELLE HAZECAMP: I think John
22 should respond to that because he's from the township.

23 BOARD MEMBER ROGER BERGMAN: John, do you want to
24 respond to that?

25 BOARD MEMBER JOHN NASH: I'm aware there is like

1 the --

2 UNIDENTIFIED SPEAKER: We can't hear you.

3 BOARD MEMBER JOHN NASH: I'm aware there are lots
4 on many different places on Spring Lake --

5 UNIDENTIFIED SPEAKER: We can't hear you.

6 BOARD MEMBER BRENDA MOORE: This is a wireless that
7 works better.

8 BOARD MEMBER JOHN NASH: I am aware that in Spring
9 Lake --

10 BOARD MEMBER BRENDA MOORE: Use the wireless, John.

11 BOARD MEMBER JOHN NASH: I am aware in Spring Lake
12 Township and Ferrysburg and Spring Lake Village -- I guess
13 not Spring Lake Village, but in the township and in
14 Ferrysburg there are ten-foot lots. Of course, I'm also
15 aware that a lot of those lots in Spring Lake Township have
16 been combined, and so one property might own five or eight of
17 them. And I know that's true in Ferrysburg too. And I
18 understand your concern.

19 I guess I would say one thing for the audience
20 benefit. Spring Lake Country Club, which is very large, is
21 by far the best steward of water quality.

22 We think that -- you know, when I started on this
23 Lake Board we researched it and we think they use a lot of
24 fertilizer. On the contrary, they monitor their discharge,
25 and they have for the last 20 years.

1 MR. MIKE WEAVERS: That may be so, but my lot is
2 guaranteed to put zero in. So I guess we still seem to be at
3 an impasse.

4 I'm still trying to figure out why, again, a marina
5 is paying, at best, \$30 per slip. Can't I be assessed \$30
6 for my slip? They're the equivalency.

7 BOARD CHAIR MIKE ROLF: Do you have a comment,
8 Brenda?

9 BOARD MEMBER BRENDA MOORE: I do, I don't know if
10 my voice carries well enough.

11 I think we've heard your comments and we're sort of
12 spinning here. It's not -- to me, the notion of the benefit
13 is there is a certain right of access to the lake. And when
14 this was hashed out 15 years ago, I think that the board at
15 the time was trying to be as fair as possible with one unit
16 being sort of this commodity, if you will. And you have the
17 right of access.

18 And I'm kind of stuck on the marina paying X amount
19 of slips too, but you just don't have a slip. You have
20 property with that.

21 So as much as it sounds unfair, I don't agree with
22 the logic that one marina slip equals what you have.

23 MR. MIKE WEAVERS: What do you think I have?

24 BOARD MEMBER BRENDA MOORE: I don't want to argue
25 with you.

1 MR. MIKE WEAVERS: I'm just asking what you think I
2 have. Do you think I have a beach? No.

3 BOARD MEMBER BRENDA MOORE: You have a private
4 access --

5 MR. MIKE WEAVERS: I have a roadway where I have to
6 park a distance a way to park.

7 BOARD MEMBER BRENDA MOORE: My point is --

8 MR. MIKE WEAVERS: And I have riprap that I can not
9 walk over to get to the water.

10 BOARD MEMBER BRENDA MOORE: We've heard your
11 comments, and I understand what you're saying.

12 It's just there is a unit of benefit that's
13 associated with private access, and I wouldn't know where to
14 put you. But I think the logic of marina slip versus what
15 you have isn't -- you have private ownership and private --

16 MR. MIKE WEAVERS: When you lease your slip, you
17 have full use of the slip. They also have a pool, and
18 electricity, and water, and cable. They have all those
19 benefits. I have none of those benefits.

20 I have a riprap -- I have stone that you can't walk
21 over unless you put a dock in, you can't get to the water.
22 And even if you get to the water, it's stone.

23 BOARD CHAIR MIKE ROLF: Well you've got lake
24 access. I don't think there is any question. If you wanted,
25 you could have a very nice dock there with a boat on each

1 side of it.

2 MR. MIKE WEAVERS: No, how do you get -- let's do
3 the math on that, do the math for me. It's a 15-foot --

4 BOARD CHAIR MIKE ROLF: The only math is --

5 MR. MIKE WEAVERS: Wait a second, let's do the
6 math.

7 BOARD MEMBER BRENDA MOORE: We're taking comments,
8 not debating. We can take it under advisement.

9 MR. MIKE WEAVERS: But it's important to look at
10 this point. Okay.

11 BOARD CHAIR MIKE ROLF: We have heard your
12 comments.

13 MR. MIKE WEAVERS: A 15-foot slip --

14 BOARD MEMBER ROGER BERGMAN: We've heard your
15 comments.

16 MR. MIKE WEAVERS: -- let's do the math. I have 12
17 foot left for a boat. That's it, take off an extra foot on
18 each side I have room for a ten-foot wide boat.

19 That's why my boat is in in-out service because I
20 can't make it work. Okay?

21 I guess I'm disappointed because you could create a
22 place for my situation, and it sounds like you're not willing
23 to do it.

24 BOARD MEMBER MICHELLE HAZECAMP: We can take it
25 under -- we are going to talk about it. We'll take it under

1 special assessment.

2 BOARD MEMBER BRENDA MOORE: I don't feel -- may I?

3 BOARD CHAIR MIKE ROLF: Please.

4 BOARD MEMBER BRENDA MOORE: I hear your points, and
5 I've heard them many times. I'm saying we should take it
6 under advertisement and look into this. And I don't know if
7 there is three other people out there in your situation. We
8 have to be careful about how we apply this because we do want
9 to be fair.

10 So I think we should take it under advisement and
11 look into it. I don't think we need to debate. I think we
12 should give it a sincere look and move on.

13 BOARD CHAIR MIKE ROLF: We have heard from people
14 that say, well, I don't even look at the lake. Yes, I've got
15 a hundred feet, but it's no benefit to me. I don't swim in
16 it, I don't boat, I don't even look at it. So I shouldn't be
17 assessed.

18 MR. MIKE WEAVERS: I didn't say I shouldn't be
19 assessed.

20 BOARD CHAIR MIKE ROLF: And that's a little bit of
21 the vibe I'm getting from you.

22 MR. MIKE WEAVERS: I didn't say no, I said assess
23 me like any other slip. I'm willing to pay.

24 BOARD CHAIR MIKE ROLF: We should move on please.

25 MR. MIKE WEAVERS: Can somebody determine if this

1 is an acceptable form of an objection?

2 BOARD CHAIR MIKE ROLF: Your objection is noted.

3 You're fine.

4 MR. MIKE WEAVERS: In your instructions it says,

5 even if you show up, it must be in writing.

6 BOARD CHAIR MIKE ROLF: You're legal.

7 MR. MIKE WEAVERS: I'm just making sure because --

8 BOARD MEMBER BRENDA MOORE: You put it in the

9 record so --

10 MR. MIKE WEAVERS: I'm just following your rules.

11 BOARD CHAIR MIKE ROLF: Who is next?

12 MR. SCOTT RENTON: I'm Scott Renton, R-e-n-t-o-n.

13 I live at 17529 North Fruitport Road.

14 I am currently the president of our condominium

15 association, and we have in our bylaws what is defined as a

16 marina to place our dock, dock our boats. It's in the

17 bylaws. I don't know if it's in the bylaws and they created

18 that as a sense or -- excuse me, or as to whether a state law

19 defined that as a marina.

20 So it gets down to a marina might be commercial,

21 where we charge people to place boats there, or it may just

22 be a service that the condominium has to offer for people

23 that live there.

24 But what my question really comes down to is how

25 will we be assessed for this unit of benefit and who will be

1 assessed? Will I be as an individual assessed a developed
2 lakefront for one unit of benefit, so everybody is defined as
3 having that access, and one unit, so each individual co-owner
4 pays that amount? Or will the condominium itself, as an
5 organization who owns this marina, be charged two units of
6 benefit?

7 BOARD CHAIR MIKE ROLF: How many separate
8 condominium units are there?

9 MR. SCOTT RENTON: We have 11. I know I posed this
10 question to you earlier.

11 BOARD CHAIR MIKE ROLF: And you have docks there?

12 MR. SCOTT RENTON: We have 11 slips.

13 BOARD CHAIR MIKE ROLF: And is that the township,
14 Spring Lake Township?

15 MR. SCOTT RENTON: Spring Lake Township.

16 BOARD CHAIR MIKE ROLF: Perhaps our assessor can
17 help us out with that.

18 I believe the question is is there one assessment
19 for the condominium, or are there 11 separate assessments
20 because there are 11 separate units, each having dedicated
21 access?

22 MR. SCOTT RENTON: I'm sure I'm not unique in this
23 regards.

24 UNKNOWN SPEAKER: Do you all have boats?

25 MR. SCOTT RENTON: No, but we look at the water.

1 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: So if
2 I'm looking at the roll, I show 17529 receiving a developed
3 lakefront assessment of \$600 a year.

4 I don't know the other addresses. I'm not familiar
5 with the condo association.

6 MR. SCOTT RENTON: It's Ivy Wood. There are five
7 units that don't have direct access to the water. So they
8 would be developed back lots, so they would be assessed \$300?
9 It seems out of proportion to what is a marina by definition,
10 or bylaws.

11 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: Do we
12 go by bylaws or by deed? Is there a difference to the Lake
13 Board?

14 BOARD CHAIR MIKE ROLF: It has to be in the deed,
15 or an easement, a separate easement recorded.

16 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: I
17 don't know offhand without looking through GIS and some other
18 information to look at the condo association. I can do that,
19 but it will take me a few minutes to look it up.

20 BOARD CHAIR MIKE ROLF: Okay.

21 MR. SCOTT RENTON: So in answer to Dr. Brakora's
22 question about cleaning the lake up, I think we need to rip
23 up all the seawalls and put in native plants to absorb the
24 nutrient runoff.

25 BOARD CHAIR MIKE ROLF: That would help.

1 MR. SCOTT RENTON: Thank you for your
2 consideration.

3 BOARD CHAIR MIKE ROLF: Thank you.

4 MR. GREG PASTOTNIK: Good afternoon, Greg
5 Pastotnik, part of the Forest Cove Association at the north
6 end of Petty's Bayou. We've been in that area --
7 P-a-s-t-o-t-n-i-k, 18132 Trudy Drive is my address.

8 We've been in the area for about 35 years. And
9 I've seen nothing but degradation of the water quality. And
10 unfortunately, part of what I believe is happening, being the
11 north end of Petty's Bayou, we get the filament from
12 everybody's, whatever is killed throughout the lake, is
13 building up.

14 I used to be able to go out and walk in the water.
15 We had a dock at one time. Kids used to be able to swim in
16 the water. Today you go out there and you walk and you're
17 into knee-deep muck. Basically because I believe, what I
18 believe, this is all blowing in with the trade wind that's
19 coming in.

20 BOARD CHAIR MIKE ROLF: You get the steady wind
21 there.

22 MR. GREG PASTOTNIK: Are you willing to come in and
23 dredge our end of the bayou to help clean up this mess that's
24 been created?

25 BOARD CHAIR MIKE ROLF: No, we're not. We've

1 determined that dredging, generally, is not effective for the
2 lake as a whole. So I think probably all the bayous have
3 this problem.

4 MR. GREG PASTOTNIK: I'm sure, anybody that's at
5 the end of the predominant wind does. I know ours is
6 pathetic.

7 You can go out and what used to be six foot of
8 water, and today you have a foot of water and five foot of
9 muck.

10 BOARD CHAIR MIKE ROLF: Yeah. Theoretically that
11 would happen to the entire lake if it weren't for the lake
12 being kind of V shaped.

13 Ideally, steps would have been taken decades ago
14 when the lake was still clear and before it had all this
15 plant growth. But now we're dealing with just a different
16 reality. And I think all the Lake Board can do is try to
17 suppress invasive weeds and algae.

18 MR. GREG PASTOTNIK: But it all ends up in my
19 backyard.

20 BOARD CHAIR MIKE ROLF: I hear you.

21 MR. GREG PASTOTNIK: I guess I have the opinion,
22 like many others that have expressed here, everybody in
23 Ottawa County and Muskegon County benefits from the use of
24 Spring Lake. You go there any Saturday afternoon and look at
25 the boats and look at the boat traffic.

1 It's not people living on the lake that's enjoying
2 it, it's Ottawa County residents, Muskegon County residents.
3 Why is this not spread out throughout the county as a tax,
4 spread out that burden?

5 BOARD CHAIR MIKE ROLF: Well it certainly can be
6 used by anybody, it's navigable water. So anybody can come
7 in and use the lake from anywhere.

8 We don't have any means or any authority to tax
9 them or limit the use by other people, and our only authority
10 is to deal within a special assessment district.

11 MR. GREG PASTOTNIK: There is no way it can be
12 brought to a county proposal?

13 BOARD CHAIR MIKE ROLF: There is no way we can do
14 that.

15 MR. GREG PASTOTNIK: But you could hold pretty high
16 recommendation.

17 BOARD CHAIR MIKE ROLF: Perhaps sometime in the
18 future, there will be state laws that make every boater pay a
19 fee when they use the lake. But there just isn't that
20 framework now.

21 MR. GREG PASTOTNIK: As part of the Forest Cove
22 Association, everyone that's in that association now is going
23 to be assessed the \$300? Is that how I take this?

24 BOARD CHAIR MIKE ROLF: I believe so, yes. Check
25 the assessment roll for sure.

1 MR. GREG PASTOTNIK: And what we've seen is water
2 quality that's done nothing but go down over the past ten
3 years.

4 BOARD CHAIR MIKE ROLF: It's a battle every year.
5 Every year there is more nutrients in the lake, more invasive
6 plants.

7 BOARD MEMBER MICHELLE HAZECAMP: More wakeboards,
8 more waves.

9 MR. GREG PASTOTNIK: I wouldn't have a problem
10 paying my fair share if I thought it was doing any good, but
11 from what I've seen, it's a losing battle.

12 BOARD CHAIR MIKE ROLF: I wish there was more we
13 could do. You've probably seen here and there other bodies
14 of water that are even worse with regular fish kills and mats
15 of algae and blue-green, hazardous algae. At least it hasn't
16 come to that on Spring Lake. And these improvement projects
17 are part of what's preventing that. But it's --

18 MR. GREG PASTOTNIK: Not on our end of the bayou,
19 sir.

20 BOARD CHAIR MIKE ROLF: Thank you.

21 MR. DANIEL SPITTERS: Good evening. I'm Daniel
22 Spitters, S-p-i-t-t-e-r-s. And I'm at 18038 Hammond Bay
23 Drive, Petty's Bayou. We're not on Petty's Bayou, but there
24 is a marina association that is.

25 And I could not hear the answer that was given on

1 how that's dealt with. We have a marina of about 24 units
2 approximately, and I didn't hear the answer on whether the
3 homeowners who are not on property but have a marina slip,
4 are they billed -- will the association be billed for the
5 marina, or will the homeowners be billed individually?

6 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: What
7 is the address?

8 MR. DANIEL SPITTERS: 18038 Hammond Bay Drove.

9 Sorry to put you through this again.

10 BOARD CHAIR MIKE ROLF: I think generally if you've
11 got dedicated lake access, you're on the assessments roll.
12 By the question is are you -- do you have that access.

13 MR. DANIEL SPITTERS: Through the condo marina,
14 yes, we do.

15 BOARD CHAIR MIKE ROLF: But it's generally the
16 individual units that are assessed.

17 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: So I
18 have several parcels listed of property addresses at just the
19 Hammond Bay Drive. So that tells me those must be the docks.
20 And each property owner that holds one of those is assessed
21 \$300.

22 MR. DANIEL SPITTERS: So everybody at that marina?

23 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: Yes.

24 MR. DANIEL SPITTERS: Thank you.

25 BOARD CHAIR MIKE ROLF: Thank you.

1 MR. JOE MARKOVICZ: Hello everybody. Joe
2 Markovicz, 16087 Bair Drive, Spring Lake, Michigan,
3 M-a-r-k-o-v-i-c-z.

4 What I'm hearing from the board tonight is
5 obviously this is not a taxable, assessable method of going
6 after costs for the benefits as you call them because you can
7 not assess it because of a state law, right?

8 So it's really a benefit and it's been brought up
9 by a number of people of fishing, boating, swimming,
10 etcetera.

11 So when I hear that and say, you know, and I
12 brought this up when we first started the Lake Board 20 years
13 ago, or whatever it's been. And actually looking at the
14 percentage increase, now -- again my numbers may not be
15 exactly correct, but I have the original ten-year contract
16 was \$215,000 a year, back in 2005, if my numbers are right,
17 we're going to 670,000 a year. That's a 320 percent
18 increase.

19 I think everybody in the room would like their pay
20 to go up 320 percent in that amount of time, but I don't
21 think it's going to happen.

22 And then we talk about the developed lots, and we
23 talk about the, again, if you look at the same increased
24 percentage here, we're going from that early -- the last
25 ten-year assessment or program we had, the people --

1 everybody on the lake is going up 216 percent.

2 I don't know if anybody has looked at those
3 numbers. I don't see the 216 percent increase. You talk
4 about increased costs, I don't see it. Where do you get
5 these numbers at? You're not bidding it out.

6 I've done a lot of municipal work over the years,
7 and I don't see it, as in municipal multiple bid work for
8 cities like Grand Rapids, and even larger like Detroit.

9 And again I don't want to pick on my friends at
10 Herm's because I've used Herm's for a long time, just an
11 in-out service. But the marinas, their cost increase has
12 only gone up 58 percent.

13 Now how does that equate to a property owner or
14 back lot owner like myself? Please explain. What's the
15 logic? That's not a similar increase.

16 And we talk about marinas, and marinas again, we're
17 talking about usage as a benefit, right? That's what I keep
18 hearing, you can't do a tax assessment based on property
19 values. So it's a benefit analysis. The benefit are the
20 people with boats who use the lake all the time.

21 And if you look at the marinas, the size of the
22 marinas, then we talk about in-out service. How many boats
23 are in in-out service at the marinas on the lake? Hundreds?
24 And they're not paying anything. Right?

25 So I don't see the analogy here of the usage.

1 Because on one hand you're making this, I can't do anything
2 because of tax assessments, and I can't do anything because
3 we don't have the jurisdiction to do that. But on the other
4 hand you're saying it's a benefit.

5 Well then throw out the benefit and make it fair to
6 everybody. Because I look at this and go, you know, right
7 now -- and again I'm not trying to pick on all the marina
8 people but they're paying \$24 a boat, and they're on the
9 water full time.

10 BOARD CHAIR MIKE ROLF: Well they're on the water a
11 max of about six months. And that's it. If they don't pay
12 for the next year, they have nothing. They have no vested
13 rights to Spring Lake, other than what the general public
14 has, which is everyone can use Spring Lake.

15 MR. JOE MARKOVICZ: But you're asking --

16 BOARD CHAIR MIKE ROLF: But they don't have a
17 property right where they can use Spring Lake, they can swim
18 in it, they can -- they have a limited five or six-month use
19 that also costs them money.

20 But we don't -- well, go ahead.

21 MR. JOE MARKOVICZ: Your analogy is kind of going
22 off the rails there, but I get it. I understand there is
23 only six months of usage or whatever, seven months. You can
24 say it's eight months or ten months, I don't care.

25 But for their increase to only go up 58 percent is

1 kind of a joke.

2 And the other thing is too we talk about, this was
3 brought up at the other meeting, you mentioned 50 percent of
4 the alum, or 50 percent of the phosphate is in the lake
5 already in the bottom, and 50 percent of it comes from
6 Muskegon County or the farm runoff. So where is Muskegon
7 County's part in this?

8 You mentioned you're a land use director, or you
9 have land use knowledge.

10 BOARD MEMBER BRENDA MOORE: That was my training.

11 MR. JOE MARKOVICZ: We talked about this early on
12 originally about the Spring Lake Board when it formed way
13 back when, and I was involved in representing Baird Point
14 Farms and also my parents, they've been on the lake since
15 '76. So what is Muskegon County's share of the total cost of
16 this?

17 BOARD CHAIR MIKE ROLF: Well surprisingly, there is
18 not a lot of nutrient coming in through Norris Creek, which
19 is Muskegon County. That's been studied --

20 MR. JOE MARKOVICZ: That contradicts what he said
21 last time.

22 BOARD CHAIR MIKE ROLF: Tony, would you like to
23 speak to that?

24 PROJECT CONSULTANT ANTHONY GROVES: Mike is right.
25 Norris Creek is not a major source. Most of the urbanized

1 portion of the ownership is in Ottawa County. Spring Lake
2 Township, it's all urbanized. Almost all of it. And the
3 amount of urbanization in the last 30 years has more than
4 doubled.

5 So it's not fair to say that -- and what we said
6 was about half comes from the watershed, and about half comes
7 internally. Well a portion of the watershed, the upper
8 watershed is in Muskegon County, but most of that is
9 undeveloped, or forest. And there is a little bit of farm
10 land way up at the headland.

11 And we did point to that farm land as a
12 contributor. But as far as Muskegon County, it's small
13 compared to the urbanized runoff we get from the immediate
14 vicinity of the lake, all which of is in Ottawa County.

15 MR. JOE MARKOVICZ: All right. I'll take that
16 under advisement.

17 But again, I just want to understand if we're
18 talking about equal and fair and representation here, I think
19 every boater should pay more.

20 John, you mentioned last month, you can't do
21 anything about the DNR launch, but we sure can do about the
22 village. The village can increase the launch fee. Fruitport
23 Park can increase their daily launch fee, or their seasonal
24 pass. So there is a method to catch some of the people that
25 are coming into the area from out of the area for a little

1 bit of that chunk of money. Correct?

2 BOARD CHAIR MIKE ROLF: People can come into Spring
3 Lake from the Grand River, from Lake Michigan, from wherever.

4 MR. JOE MARKOVICZ: Chicago.

5 BOARD CHAIR MIKE ROLF: And we could -- the various
6 jurisdictions could decide to charge a very high rate for
7 put-in and take-out fees. That to me would be --

8 MR. JOE MARKOVICZ: You miss my point. I didn't
9 say a real high fee. I said an additional fee. If I'm
10 paying \$10 for a seasonal pass, I'll pay 15, because I'll
11 still put my boat in in-and-out. Right?

12 Same with an in-out service. If I have an in-out
13 service rack that costs me, I don't know, 3,000 a season or
14 5,000 a season, whether I pay \$3200 I'm still going to have
15 my boat there.

16 I think you're missing the point and you're not
17 assessing the benefit use. You say you can't do a tax, well
18 what about the benefit use? I don't get it. It's a benefit
19 use.

20 They don't have a yard or runoff and all that.
21 They have gasoline leaks, they have oil leaks, they have pop
22 bottles go over, water bottles. And guess where they end up,
23 in our lake, right in Baird Point.

24 BOARD MEMBER ROGER BERGMAN: Joe, do you know, or
25 Tony, do you know, are -- would we be able to assess fees?

1 PROJECT CONSULTANT ANTHONY GROVES: No, the board
2 cannot impose fees on public accesses.

3 BOARD MEMBER ROGER BERGMAN: That's what I was
4 thinking.

5 PROJECT CONSULTANT ANTHONY GROVES: And even if we
6 were, someone would have to administer that. And the revenue
7 you would generate would probably be offset by the manpower
8 to collect it. So at the end of the day, I think you gain
9 very little.

10 I understand your point, it would be great if we
11 could assess at large the whole county. But that's not the
12 way it works.

13 The board can only assess those it directly
14 benefits. And that's been interpreted through the courts as
15 meaning those that own lake property, or have deeded or
16 dedicated access to the lake. We can't impose fees on launch
17 facilities.

18 MR. JOE MARKOVICZ: All right. I hear what you're
19 saying. I disagree. Because Spring Lake Village could jack
20 up their fee tomorrow --

21 PROJECT CONSULTANT ANTHONY GROVES: They can, yes.

22 MR. JOE MARKOVICZ: And they say, hey, \$5 to go to
23 the Lake Board. Well then you need to take a look, as a
24 board, when you're coming up with the mechanics of the costs
25 here to think about the marinas, especially with the large

1 in-out services. Because, again, a person is going to buy an
2 85 to a hundred thousand dollar boat, which is probably like
3 a 25-foot pontoon boat right now, is still going to put their
4 boat in in-out service somewhere, and they're going to pay
5 whether it's another \$100 a season, or \$200 a season, they're
6 still going to pay for that. Right? They're not going to
7 say oh, no, I'm not going to boat no more because it's an
8 additional charge.

9 I think you need to take the step as a board,
10 reevaluate what you're doing, and what your charges are and
11 come back with a better plan for the people and the citizens
12 of Spring Lake Township and Muskegon Township -- and Muskegon
13 County. Okay.

14 BOARD CHAIR MIKE ROLF: Thank you.

15 MR. JOHN SCHAAAL: Hello. John Schaal, 16067 Baird
16 Drive. S-c-h-a-a-l.

17 So thank you all for your time. We moved out here
18 in 2017, and we did in-out service before that. But I guess
19 I would ask that since this whole Lake Board was, came into
20 conception and organized, maybe things have changed, and
21 maybe there could be a different look for things, because for
22 me never really having paid attention until just now, our fee
23 went from \$300 annually to \$600 annually being on the water,
24 and hearing the arguments about this it seems to be all
25 generated around use of the water.

1 So if that's not the case, then the messages aren't
2 coming across right. So I think there just needs to be an
3 overall look again at how this is done.

4 I agree with Joe's points in the fact that you have
5 all these marinas that, I don't know what the increase is
6 compared to what my increase was, but it doesn't seem like
7 it's equitable. And then they all talked about the in-out
8 service as well, those people aren't paying.

9 So if we're talking about access to water, it needs
10 to be looked at more holistically. Increasing the fees to
11 the marinas, increasing to the in-out service, working with
12 the townships, whether Spring Lake for the launch access and
13 then in Muskegon County by that launch.

14 But I just feel like there needs to be a reset
15 before we go forward and do this and say, hey, does it seem
16 equitable.

17 And I don't know if I've missed something, but is
18 there a way to find out what the percentage increase was for
19 these parcel types from the last set of fees, so that we can
20 look at it as a homeowner, business or whatever, and say,
21 okay, mine went up 214 percent, whatever it is, but yet the
22 slips only went up 50 percent? And try and understand, like
23 have a conversation around that, why is that?

24 BOARD CHAIR MIKE ROLF: Well the big component is
25 the alum treatment, and we're expecting that to be about

1 triple what it was before. And then we have attorney fees
2 along with that.

3 MR. JOHN SCHAAL: I get that. I guess what I'm
4 wondering is there any published document that shows, if I
5 was paying 300 a year and now I'm paying 600, and the marinas
6 are now paying 1200 and they were paying 900, that doesn't
7 seem equitable.

8 If they break it out for what you have as slip
9 categories, the number of slips, then it doesn't really seem
10 equitable at all then. So is there anything published from
11 the board that shows what the increase in percentage was per
12 category listed?

13 PROJECT CONSULTANT ANTHONY GROVES: I believe the
14 old budget is on the website. But just to look at it simply,
15 the old alum unit assessment was 200, today it's 600, three
16 fold increase. And that was 18 years ago.

17 So that's if you just do the math on that you can
18 see the difference.

19 MR. JOHN SCHAAL: So the data is there on the
20 website for what people paid, like what I paid previously,
21 and for all these categories, what people paid or what a
22 marina paid, so we can then make the calculations?

23 PROJECT CONSULTANT ANTHONY GROVES: Yes.

24 MR. JOHN SCHAAL: And have you guys looked at it?
25 And when you did that did you say, those developed

1 lakefronts, they have a \$300 percent increase, but yet the
2 slip owners, they're only going to have a much smaller
3 increase? How did that work? What was processed there? And
4 I guess I would ask did it seem equitable, seem fair to just
5 overall evaluate it again?

6 And I will say too, we have a lot of algae that
7 comes into our bayou, and particularly around where our dock
8 is, and I know I saw one treatment and I did call Progressive
9 and talked to someone over there. They're very kind. But I
10 haven't seen much improvement, well, since 2017 since we've
11 been there.

12 Someone had brought up earlier too, was this a
13 progressive or reactive board too. I guess I would look at,
14 or ask you guys to look at that as a more fundamental
15 question. Is there anything more progressive that we can be
16 doing looking forward to what other, maybe what others are
17 doing, or maybe we can plant different species of plants just
18 to kind of safeguard 10, 20 years down the road, rather than
19 adding more chemicals because chemicals aren't good. There
20 is a lot of ways you can show they cause cancer and stuff.

21 If we're trying to be a little more proactive as a
22 board in general, that could help future generations.

23 And with that I'll rest. Thank you.

24 BOARD CHAIR MIKE ROLF: Thank you.

25 MS. REBECCA HOPP: Hi, I'm Rebecca Hopp, H-o-p-p,

1 16868 Cecelia Lane in Ferrysburg. I don't know if you've
2 take into consideration that there are six parcels on our
3 street that are lakefront, so we pay the 600 and the back lot
4 is actually a garage. We have to walk across the street to
5 get to our garage.

6 If it was a real world like other homes, our house
7 would have an attached garage to it. But now you're going to
8 be assessing our six homes because our garage is across the
9 street. And that's how things were constructed back in the
10 '50s. I'd just like you to take that into consideration
11 because that street is very unique.

12 So when you're looking at this, it's not actually a
13 back lot, it's just a street is dividing our property. They
14 are deeded together. So you can't sell one without the
15 other.

16 But also along Lakeview, as mentioned before with
17 water front, the boat docks, those would be classified as a
18 boat dock, but yet if they're deeded to a home, which there
19 are many multimillion dollar homes which are beautiful and
20 lovely, but if that boat dock or multiple boat docks are
21 deeded to those homes, are those homes going to be assessed
22 at the \$600 value? Because it's where the people reside.

23 So I just want you to take that into consideration
24 because Ferrysburg does have some very unique water frontage.
25 Thank you.

1 BOARD CHAIR MIKE ROLF: Thank you.

2 MS. BRENDA MERRIFIELD: Brenda Merrifield, 18168
3 Trudy Drive. I'm also part of Forest Cove.
4 M-e-r-r-i-f-i-e-l-d.

5 So when I moved into my neighborhood, we had a
6 little beach, boat launch, kids went down there and swam and
7 we have deeded access to this little cove. It's now one foot
8 of water, five foot of muck. No one swims, no one fishes.
9 You can't launch a boat. It's been like this for 18 years.

10 So I am all about water quality. But I want to
11 know, us and all our neighbors are going to pay \$300 now,
12 what improvements will we see?

13 BOARD CHAIR MIKE ROLF: Well the alum treatment
14 should result in considerably less chlorophyl in the lake,
15 which should increase water clarity. And should also reduce
16 the amount of free floating algae in the lake.

17 How much of an improvement we're going to see, I
18 wish I knew. It's an expensive treatment.

19 MS. BRENDA MERRIFIELD: It is.

20 BOARD CHAIR MIKE ROLF: And after the last
21 treatment, I was disappointed that the very next summer that
22 it wasn't more clear. But the year after that, the year
23 after that, the year after that, it was better. It was
24 definitely better.

25 So I can't tell you really what to expect. But

1 it's our best tool to improve water quality.

2 MS. BRENDA MERRIFIELD: I hope so. Thank you.

3 BOARD CHAIR MIKE ROLF: Thank you.

4 THE REPORTER: I can't hear you.

5 BOARD MEMBER BRENDA MOORE: You need to come to the
6 podium, please.

7 UNIDENTIFIED SPEAKER: He's identified that the
8 quality of water has been improved, but I guess where is this
9 monitoring taking place? Because it certainly isn't in our
10 bayou.

11 BOARD CHAIR MIKE ROLF: If you'll check the
12 website, you'll see years and years worth of water quality
13 monitoring. It goes back a long time. And generally
14 speaking, we check the water at three different depths and
15 eight different locations in the lake. And there are various
16 tests performed on the water.

17 So that's how we measure water quality. Our
18 environmental consultant does that. It's also been done by
19 Grand Valley, and the Steinman Water Institute. I might have
20 that name wrong.

21 Tony, could you --

22 PROJECT CONSULTANT ANTHONY GROVES: I think that's
23 the Annis Water Resources Institute that Al Steinman runs.

24 BOARD CHAIR MIKE ROLF: Thank you.

25 So, yes, there is quite a history. And of course

1 we're continuing that. That's part of the mission for sure.

2 UNIDENTIFIED SPEAKER: So this is all listed on the
3 website, sir?

4 BOARD CHAIR MIKE ROLF: Come ahead, sir.

5 MR. MICHAEL DEWITT: Michael DeWitt, D-e-W-i-t-t,
6 16920 VanWagoner. I've lived on the end of Smith's Bayou
7 since 1954.

8 I always see these nice pretty green notices on the
9 tree, they put like 20 of them on there. I've never, ever,
10 ever seen a sprayer up there. And I'm home almost all the
11 time. If they came in there, I'd know it.

12 My three neighbors around me, they all say the same
13 thing, they have never even seen a sprayer there.

14 I've been paying forever, don't get no benefit. So
15 would you explain to me why I should support this?

16 BOARD CHAIR MIKE ROLF: Well one thing I meant to
17 say, if someone has a question about spraying, or wonders
18 when the next treatment is going to be, you can contact the
19 Lake Board, either via email, or you can call Progressive.
20 The number is on the website.

21 As I say, there has been three treatments this
22 year. There are some new restrictions on spraying. I don't
23 want to get it wrong so I will ask Tony to explain that,
24 applied to the bayous.

25 MR. MIKE DeWITT: I got five neighbors, three of

1 them are retired, and I'm in and out all day long.

2 PROJECT CONSULTANT ANTHONY GROVES: You said the
3 signs were on the trees?

4 MR. MIKE DeWITT: They put all kinds of postings
5 and I never see a sprayer.

6 PROJECT CONSULTANT ANTHONY GROVES: But where they
7 post is where they treat.

8 MR. MIKE DeWITT: Well they never have. I'm
9 telling you right now they never come up there ever. They
10 put the signs up on eight trees, ten trees, all around my
11 neighbors, and they never come up there, ever. I've been
12 there a long time. Never even seen them.

13 PROJECT CONSULTANT ANTHONY GROVES: Now you stated
14 your address, but give it to me so I can look up where you're
15 at.

16 MR. MIKE DeWITT: It's 16920 VanWagoner, on the
17 very end of Smith's Bayou.

18 BOARD CHAIR MIKE ROLF: I've gone with them when
19 they map out the lake, and identify where the invasive weeds
20 are. And they do it with GPS. And they go over every inch
21 of shoreline.

22 Have you ever seen -- well you wouldn't necessarily
23 know the boat either.

24 MR. MIKE DeWITT: Yeah, they got an air boat. It
25 comes in Smith's Bayou, nowhere near us, goes around the main

1 parts and back out. They don't come up in the little inlets.

2 BOARD CHAIR MIKE ROLF: Did you say that you've
3 seen signs posted, but no spraying?

4 MR. MIKE DeWITT: They put at least six on my
5 property.

6 BOARD CHAIR MIKE ROLF: I don't know why they would
7 do that, but that's the applicator.

8 MR. MIKE DeWITT: I know what they do and I'm
9 telling you what they don't do.

10 BOARD MEMBER DAVE BILLINGHURST: I'll say that I
11 live on Smith's Bayou too, and there are certain people not
12 getting treated very well on Smith's Bayou.

13 MR. MIKE DeWITT: He never come up to my end at
14 all.

15 BOARD CHAIR MIKE ROLF: If you don't have invasive
16 weeds, they don't treat.

17 MR. MIKE DeWITT: Then they shouldn't be posted.

18 BOARD CHAIR MIKE ROLF: You're a hundred percent
19 correct.

20 MR. MIKE DeWITT: I get at least five postings on
21 my trees. They put these little signs up and I never seen
22 hide nor hair of them, nor the other three neighbors.

23 BOARD CHAIR MIKE ROLF: It's daytime work, and
24 you're there all the time?

25 MR. MIKE DeWITT: Pretty much. Two retired guys by

1 me and one works out of his house, and I'm in and out all day
2 long.

3 BOARD CHAIR MIKE ROLF: I don't have any
4 explanation for that.

5 MR. MIKE DeWITT: I have an explanation, they just
6 don't do it.

7 So another question I got is, okay, we got somebody
8 that's not doing their job now, are they going to be allowed
9 to do -- to bid on the project going forward?

10 I don't mind paying, I think it's ridiculous, but
11 that's beside the point. But I'm not going to pay for
12 something I don't get.

13 BOARD CHAIR MIKE ROLF: Well this is the first
14 complaint I've heard that someone put postings up that it was
15 sprayed and it wasn't.

16 Now those applicators are all regulated. There is
17 not all that many of them.

18 Tony, were you able --

19 PROJECT CONSULTANT ANTHONY GROVES: That will be
20 billed out, and I'll look at your property and check it
21 against the treatment plans.

22 But like Mike said, not every portion of the lake
23 gets treated every time.

24 And to your point, Dave, is where the targeted
25 invasive plants are, that's all they're allowed to treat

1 under the state permit.

2 But now that I know where you're at, I'll look and
3 talk to the applicator directly because that's the first time
4 I've heard from you on this location.

5 So I will take a look at it. I can assure you of
6 that.

7 MR. MIKE DeWITT: I know there is a lot of people
8 in Smith's Bayou that feels were not getting what we paid
9 for, and I lived there since 1954, so you ain't fooling with
10 me.

11 That's all I've got.

12 BOARD CHAIR MIKE ROLF: Okay. That's pretty wild.

13 More comments?

14 MR. RICK SOLDDO: My name is Rick Solddo, S-o-l-d-o.
15 I live at 19428 Rosemary Road. I'm a new resident.

16 First of all, I thank the board who has already
17 been helpful to me to try to resolve it. I just wanted to
18 follow up with the previous gentleman and reiterate the same
19 point.

20 We actually, as a result of an inquiry, had a
21 sprayer come out and do a special spray. And when I was
22 speaking to them they said because they have a hull boat,
23 they weren't able to get into the bayou deep enough. So even
24 though the signs were up, they had not previously sprayed.

25 Now they have, they actually went out on my dock

1 and did the spraying.

2 But I think there is probably some issue with the
3 access that they have, their willingness to take the extra
4 step, etcetera, to get back in there and make sure the ends
5 of the bayous are properly treated.

6 So I just feel I have the same kind of experience
7 that he's having. Nevertheless, I'm very pleased to be able
8 to contact the board, you guys were responsive.

9 They did come out and do the spraying, so I think
10 progress is being made. But you may want to take a deeper
11 look at just how disciplined they are to make sure they're
12 getting to the --

13 BOARD CHAIR MIKE ROLF: Yes, this is the first I've
14 heard of this, this is interesting. I appreciate knowing
15 that.

16 MR. RICK SOLDI: Thank you.

17 BOARD CHAIR MIKE ROLF: And I do, in response to
18 the other gentleman, I do know that for instance back in
19 Smith's Bayou, if you go clear back towards Level Road, you
20 know, it actually comes right up to the road. And then on
21 the west side there is so much like wetlands and shallows
22 there, I don't know how they would treat that actually. They
23 can only spray a certain distance.

24 And I don't know if that's the area where that
25 gentleman was referencing or not. But we'll certainly look

1 into this.

2 MR. MIKE DeWITT: When they came in with the air
3 boat they were able to get a pretty good distribution with
4 the spraying. They just couldn't get in with the hull boat,
5 it was too shallow.

6 BOARD CHAIR MIKE ROLF: Okay. Any other comments?

7 BOARD MEMBER BRENDA MOORE: Do you need a motion to
8 close the public hearing?

9 BOARD CHAIR MIKE ROLF: I would love a motion to
10 close the public hearing.

11 UNIDENTIFIED SPEAKER: If a decision --

12 THE REPORTER: Your name again, sir?

13 MR. JOE MARKOVICZ: Joe Markovicz, 16087 Baird
14 Drive, Spring Lake, M-a-r-k-o-v-i-c-z.

15 So when are you going to make your decision?

16 That's my question.

17 BOARD CHAIR MIKE ROLF: I didn't hear that, sir.

18 MR. JOE MARKOVICZ: When are you going to make your
19 final decision on the assessed values?

20 BOARD CHAIR MIKE ROLF: I would think we're going
21 to make it tonight.

22 MR. JOE MARKOVICZ: So you're not going to take in
23 any new calculations under advisement at all? That's
24 interesting. So it was already done?

25 BOARD CHAIR MIKE ROLF: It's not done. We haven't

1 approved the assessment roll.

2 MR. JOE MARKOVICZ: So do you have data to look at
3 the marinas and some of the other topics that were brought up
4 tonight?

5 BOARD CHAIR MIKE ROLF: I think we will make a
6 decision on the assessment roll tonight.

7 MR. JOE MARKOVICZ: Okay. All right. Thank you.

8 MR. MIKE WEAVERS: Mike Weavers, 637 Lake Avenue,
9 Grand Haven.

10 Just real quick, so this has been going on a long
11 time, I've been paying a long time, so has everybody else.

12 When you did this newest iteration of the Lake
13 Board and what we're doing here, what you're voting on, did
14 you review and modify at all units of benefit in your
15 definitions? Did you do anything, or just say, we'll rubber
16 stamp what we did 20 years ago?

17 BOARD CHAIR MIKE ROLF: There was very extensive
18 discussion about all aspects of the assessment.

19 MR. MIKE WEAVERS: So I'm talking specifically
20 about the units of benefit. Did you modify that at all or is
21 it the same thing?

22 PROJECT CONSULTANT ANTHONY GROVES: It was modified
23 slightly from the earlier version.

24 MR. MIKE WEAVERS: What's the difference?

25 PROJECT CONSULTANT ANTHONY GROVES: They added a

1 commercial waterfront that wasn't on there before, and some
2 adjustments were made in the number of slips, and the maximum
3 assessment that would be levied.

4 MR. MIKE WEAVERS: Okay. Did you take advice from
5 any of the property owners at that time?

6 PROJECT CONSULTANT ANTHONY GROVES: That's what
7 we're doing tonight.

8 MR. MIKE WEAVERS: But you already said you're
9 going -- it's a little late. Okay. Thank you.

10 BOARD MEMBER ROGER BERGMAN: Just to be clear, Mr.
11 Weavers, we spent quite a bit of time on the subject.

12 MR. MIKE WEAVERS: What did you say?

13 BOARD MEMBER ROGER BERGMAN: I'm just responding.
14 I'm just saying to be clear, we spent a lot of time on this.
15 We didn't just rubber stamp this.

16 MR. MIKE WEAVERS: No, I just asked if you got
17 input from the citizens on the benefit plan that were put
18 together, because it's an interesting benefit how you laid
19 this whole benefit thing out. And it seems to me there is a
20 lot of things that were not contemplated, and we've all
21 brought them up to you tonight, and yet you're not going to
22 make any changes.

23 BOARD MEMBER ROGER BERGMAN: Each one of our
24 meetings were -- had public comment and were open to the
25 public.

1 MR. MIKE WEAVERS: Is there a chance you could put
2 your financials on the website, so we all know how we're
3 spending the money, and where it's coming from?

4 And also, I actually had to have one of my staff
5 look for phone numbers and contact information for each one
6 of you. Your names are listed but there is zero contact
7 information. I'm not sure why that is. And my girl is a
8 smart cookie, she spent half a day looking and she was only
9 able to come up with about 7 percent of your contact
10 information. Is there a reason that you're not on the
11 website?

12 BOARD MEMBER SAMANTHA VERPLANK: You can contact
13 the municipality and they can forward any of the information.

14 MR. MIKE WEAVERS: That wasn't my question, if
15 you're the board --

16 BOARD CHAIR MIKE ROLF: It's not required.

17 MR. MIKE WEAVERS: If you're the board, shouldn't
18 we able to access you?

19 BOARD CHAIR MIKE ROLF: You can access us easily.
20 The gentleman that was just up here, he made a phone call, he
21 sent an email, and in his opinion we were responsive.

22 MR. MIKE WEAVERS: Okay. So you're not -- so we're
23 not going to have it on the website how we can contact you?

24 BOARD MEMBER BRENDA MOORE: If I may, we're going
25 all over the place.

1 MR. MIKE WEAVERS: I'm just asking.

2 BOARD MEMBER BRENDA MOORE: In terms of the phone
3 numbers for my public service, most folks on this board are
4 volunteers and we don't give out personal information.

5 MR. MIKE WEAVERS: It can just be an email address.

6 BOARD MEMBER BRENDA MOORE: The offices can be
7 reached, the offices of the different municipalities. And
8 how we do to protect individuals who are volunteers in
9 general, I know we do this --

10 MR. MIKE WEAVERS: Protect them from what?

11 BOARD MEMBER BRENDA MOORE: -- but it's not unusual
12 when a person is a volunteer, and doesn't get paid, and has a
13 private home and private life, that they're accessed through
14 the municipal they're appointed by.

15 So any time we've all gotten emails from the
16 citizens or any contact that has been made through the
17 community, we get copies of that.

18 And I feel like there is some accusatory tones
19 here, and we haven't made a decision tonight. And one person
20 doesn't speak for the rest of us. I imagine there will be
21 some discussion and maybe some modifications to this.

22 I think we need to get on with our business.

23 MR. MIKE WEAVERS: I understand that --

24 BOARD MEMBER BRENDA MOORE: Everybody has made
25 their comment. If they haven't, hopefully they're ready to

1 come up, but I think we're getting counterproductive.

2 MR. MIKE WEAVERS: My apologies. I just --
3 normally when there are boards, I can get a hold of them.
4 Just my experience.

5 BOARD MEMBER ROGER BERGMAN: I second that motion
6 made to close --

7 BOARD MEMBER BRENDA MOORE: I made a motion to
8 close the public hearing. If somebody else had something
9 additional to add, I don't want to close it down. But if
10 we've pretty much heard it.

11 MR. STU ERBENTRAUT: Stu Erbentraut. Exactly what
12 decision are you going to make tonight? Whether to go ahead
13 with this assessment? And if so, how can you do that if you
14 haven't even put it out for bids?

15 BOARD CHAIR MIKE ROLF: Well it will go out for
16 bids.

17 MR. STU ERBENTRAUT: If the bids come out three
18 times as much or half as much, you're going to approve this
19 without those bids.

20 BOARD CHAIR MIKE ROLF: We have a good idea of what
21 the costs will be.

22 And as to your first question, this is a hearing
23 that's been noticed on to consider approval of the special
24 assessment roll. That's what the purpose of tonight's
25 hearing is.

1 MR. STU ERBENTRAUT: But you're not going to make
2 any changes?

3 BOARD CHAIR MIKE ROLF: Well I think there have
4 been a number of changes.

5 MR. STU ERBENTRAUT: Individual changes, yes. But
6 nothing to affect the general homeowner.

7 BOARD CHAIR MIKE ROLF: Well the hearing is for the
8 individuals to either ask questions or object or protest
9 their assessment. And we have made some adjustments here,
10 we've answered some questions.

11 But we're not here to reconsider the whole lake
12 improvement project.

13 MR.

14 STU ERBENTRAUT: Well I protest my assessment based
15 on the fact that I am paying the same amount as those who
16 have much larger and more expensive properties, and they have
17 more usage than I do.

18 BOARD CHAIR MIKE ROLF: Thank you.

19 UNIDENTIFIED SPEAKER: I don't want to go on public
20 record but my name is Andy, I live on Cecelia.

21 And I guess the question I have is how do you
22 define a back lot versus a developed front lot?

23 Cecelia is kind of odd.

24 PROJECT CONSULTANT ANTHONY GROVES: Water front
25 borders directly on the lake, back lots don't.

1 UNIDENTIFIED SPEAKER: Okay. So I thank you for
2 your time.

3 BOARD MEMBER BRENDA MOORE: Can we get your last
4 name?

5 UNIDENTIFIED SPEAKER: I don't want to be on the
6 public record.

7 BOARD MEMBER BRENDA MOORE: I see.

8 BOARD CHAIR MIKE ROLF: Anyone else? All right.
9 We'll consider a motion to close the public
10 hearing.

11 BOARD MEMBER BRENDA MOORE: I will reiterate my
12 motion to close the public hearing.

13 BOARD MEMBER ROGER BERGMAN: I'll second it.

14 BOARD CHAIR MIKE ROLF: Motion has been made and
15 seconded.

16 Any discussion?

17 All in favor, say aye.

18 (Multiple members said, "Aye.")

19 BOARD CHAIR MIKE ROLF: All opposed?

20 (No response.)

21 BOARD CHAIR MIKE ROLF: Public hearing is closed.

22 PROJECT CONSULTANT ANTHONY GROVES: Can I just real
23 quickly, I have two letters here. There are three or four
24 letters that are already involved in the public comment
25 section.

1 But we have two here. One is real short, "This is
2 to inform you that I protest this special assessment of
3 proposed costs related to the continuation of lake
4 improvement project." And that's from Virginia Dunham 17823,
5 168th Avenue, Spring Lake, 49456.

6 And then we had another letter from, I believe the
7 board saw this one, from Bette Werner. And she's essentially
8 saying that her and her husband are elderly, they don't use
9 the lake, and they feel that assessments should be based on
10 lake usage as opposed to the way it's proposed to be done.

11 So I just wanted to read those both into the
12 record.

13 BOARD MEMBER BRENDA MOORE: I have a question about
14 that. We've seen a few emails among us that were passed
15 along by Ottawa County, and I know a few of the board members
16 received emails. I don't know if they've all been shared.

17 It seems appropriate that -- I'm just asking
18 because I didn't receive any personal contact other than what
19 was forwarded to me. Are those all going to go into the
20 public record? We have a verbatim record. We should
21 probably make sure all those filter and get attached to the
22 transcript. Are we doing that?

23 PROJECT CONSULTANT ANTHONY GROVES: Sure, I got
24 them right here, there were four of them that were addressed
25 with the individual discussion with the assessors, and I'll

1 leave those with the court reporter.

2 BOARD MEMBER BRENDA MOORE: Thank you.

3 So are we into deliberations now? The
4 consideration portion?

5 BOARD MEMBER ROGER BERGMAN: We should probably do
6 the consideration and then we can discuss it.

7 BOARD CHAIR MIKE ROLF: All right. Then we have a
8 motion from Mr. Bergman to consider a resolution to approve
9 the special assessment roll of the Spring Lake - Lake Board
10 for the lake improvement project.

11 Is there a second?

12 BOARD MEMBER JOE BUSH: I second.

13 BOARD CHAIR MIKE ROLF: There is a second.

14 All right. Discussion?

15 BOARD MEMBER BRENDA MOORE: I'd just like to
16 clarify again for the record, that we already made some
17 modifications tonight. There were, what, two condominiums
18 that don't have access, they're not allowed to use the
19 beaches. So it sounds like those are going to be modified.

20 BOARD CHAIR MIKE ROLF: Yes, I had a question about
21 that.

22 BOARD MEMBER BRENDA MOORE: Just to get that in the
23 record.

24 BOARD CHAIR MIKE ROLF: Were those issues resolved
25 by the township?

1 SPRING LAKE DEPUTY TREASURER AMY BESSENGER: So in
2 reviewing the questions and looking at the GIS and the legal
3 descriptions of the property, the properties located on
4 Ravine Ridge and --

5 THE REPORTER: I'm sorry, Ravine Ridge and what?

6 SPRING LAKE DEPUTY TREASURER AMY BESSENGER:
7 Gildner Creek Court and Woods Walk, so those are not part of
8 Gildner Park plat. They are part of Gildner Village which
9 does not have access per the master deed, so those will be
10 removed from the roll.

11 BOARD CHAIR MIKE ROLF: We'll correct the roll
12 then.

13 Were there any other open questions? I know there
14 was a little bit more research done, but perhaps that was all
15 resolved.

16 BOARD MEMBER BRENDA MOORE: There was a lot of
17 discussion about marinas versus private, which I feel a
18 little unsettled over.

19 However, I wasn't here when you guys went back and
20 visited stuff and dissected all of it. Can you give me -- I
21 don't want to put anybody on the spot, but there were some
22 good points.

23 I just want to know what our rationale is, the
24 difference between a slip and a condo, because there was one
25 that were 24 slips, and I think everybody was paying 600?

1 PROJECT CONSULTANT ANTHONY GROVES: Well
2 condominiums they get individual -- if they're on the water,
3 they pay a full unit of benefit. And if they're off the
4 water with access they pay a half a unit of benefit. So
5 that's the way the condo properties were handled.

6 BOARD MEMBER BRENDA MOORE: That makes sense. And
7 so that versus a marina. I know if I have a slip and I just
8 go to a dock, I don't have the same rates, the same access as
9 somebody that owns the property. Is that the gist of it?
10 Could you give me the gist of it?

11 PROJECT CONSULTANT ANTHONY GROVES: Marinas are the
12 commercial properties on the lake that are, you know, sell
13 gas, they don't all sell gas, but some do, they offer in-out,
14 they'll work on boats, depends on the marina.

15 BOARD MEMBER BRENDA MOORE: They don't necessarily
16 have a bunch of slips.

17 PROJECT CONSULTANT ANTHONY GROVES: Some don't have
18 a lot of slips, and we tried to take that into account. The
19 mom and pop marinas versus the big commercial marinas, and
20 that's where we came up with the sliding scale where you
21 could go up to ten units of benefit for the real large
22 marinas.

23 BOARD CHAIR MIKE ROLF: With some of the
24 condominiums, they may use the term marina, and it may or may
25 not include an easement to the water or a dedicated access.

1 However, they may also have a beach or yard that is part of
2 the common area.

3 And I think in that case they would be assessed
4 a -- as lakefront. Is that correct?

5 BOARD MEMBER BRENDA MOORE: That makes sense. I
6 just think we should have in the record sort of our -- your,
7 because I wasn't part of that discussion, I'm trusting that
8 you all did this. We should have it in the record, because
9 we could still be sued, some of that rationale.

10 BOARD CHAIR MIKE ROLF: Yeah.

11 BOARD MEMBER BRENDA MOORE: Because I don't want
12 the appearance that we just -- I have the feeling that --

13 (Overspeak.)

14 BOARD MEMBER BRENDA MOORE: -- think there was a
15 lot of thought and the logic there is what I want to feel
16 good about it.

17 So what I'm hearing, if I'm understanding, I just
18 want to have it in there (indicating).

19 BOARD CHAIR MIKE ROLF: Yeah. If I had a
20 condominium on the water, it would -- it might, for instance,
21 say all of unit 11, plus 1/11th of the common area which is
22 bordered by Spring Lake.

23 BOARD MEMBER BRENDA MOORE: There is a lot of
24 nuances.

25 BOARD CHAIR MIKE ROLF: So I think in that case

1 it's pretty straightforward.

2 BOARD MEMBER JOHN NASH: I have two comments.

3 First of all, we've had some specific individual changes
4 because of location and the assessments being here, which I
5 very much appreciate.

6 But we already have gone through what we proposed
7 here, and we've already voted on it. My question is can we
8 change, since we voted at the previous meeting? My
9 understanding would be rightfully there might be some more
10 considerations for some changes, but to just
11 spur-of-the-minute make significant changes to what we
12 already voted on, doesn't seem appropriate to me at all.

13 BOARD CHAIR MIKE ROLF: Yeah. I think we've
14 already voted affirmatively on the hearing of practicability
15 of the project. And this hearing is specifically for
16 individual owners and their questions, objections, protests.
17 And I think that's what's been accomplished here.

18 BOARD MEMBER BRENDA MOORE: I lost my thought, I'm
19 sorry. I had something profound to say.

20 So we have a record, and we feel defensible, and
21 this is something we've talked about, not just recently a
22 lot, but however many years ago when this all started.

23 Okay, it came back, the thought.

24 It's my understanding that this hearing, we need to
25 hear something profound or a change of fact that would change

1 our minds as to what we already decided upon. That's my
2 understanding.

3 So we heard that two condos do not have direct
4 access, that's a fundamental, legal consideration that we
5 need to change.

6 So outside of profound information that we get, our
7 vote on this previously should stand. That's my
8 understanding.

9 BOARD MEMBER ROGER BERGMAN: Correct.

10 BOARD CHAIR MIKE ROLF: I think you're correct.

11 BOARD MEMBER BRENDA MOORE: Okay.

12 BOARD MEMBER DAVE BILLINGHURST: And what did you
13 guys vote for? I wasn't here at that time. You voted to
14 push it?

15 PROJECT CONSULTANT ANTHONY GROVES: This was on the
16 criteria, the criteria for the assessment, Dave.

17 So, no, nothing was approved prior, but we can't
18 change criteria because everyone received notification that
19 this is how it's going to be done, we heard comment on it,
20 made revisions based on the comment.

21 So I think we can't change the rules now. To
22 John's point, we can't arbitrarily, the board can't, or
23 shouldn't, change the criteria now. It would necessitate
24 going back through the whole process again and re-notifying
25 all the affected properties.

1 BOARD MEMBER BRENDA MOORE: And you're speaking of
2 the categories that have been decided on, developed lot,
3 develop back lot --

4 PROJECT CONSULTANT ANTHONY GROVES: Correct.
5 That's been mailed out twice to everybody in the district.

6 BOARD MEMBER BRENDA MOORE: Understood. I just,
7 again, it should be in the record. I fully expect a
8 challenge, and we need to tie all those loose ends together.

9 PROJECT CONSULTANT ANTHONY GROVES: Yep.

10 BOARD MEMBER SAMANTHA VERPLANK: I have one more
11 comment.

12 So let's say we decide as a board to try to enact
13 some of the ideas of permitting at the in and out. Like next
14 summer, if we decide to do some sort of, try to enforce some
15 sort of permit situation, depending on which municipality
16 we're in, then the taxable amount that people are -- can that
17 be changed in the future if we, let's say, some of the
18 municipalities go in on helping fund the lake treatments.
19 The taxes can change?

20 PROJECT CONSULTANT ANTHONY GROVES: The assessments
21 can go down.

22 BOARD MEMBER SAMANTHA VERPLANK: Right. And
23 they've gone down in the past --

24 PROJECT CONSULTANT ANTHONY GROVES: It can't be
25 raised above what we --

1 BOARD MEMBER SAMANTHA VERPLANK: People should note
2 that they have -- it's not always the same thing every year.
3 I just wanted to point that out.

4 PROJECT CONSULTANT ANTHONY GROVES: Yep.

5 BOARD MEMBER SAMANTHA VERPLANK: And just one of
6 the biggest challenges, I don't know if you have this on a
7 lot of the other lake boards that you're on, Tony, but just
8 that there are so many municipalities represented on our
9 lake, that it's just very challenging to get participation
10 community wide because we do have Muskegon County, Ottawa
11 County. We wouldn't be able to ever have that all passed on
12 some sort of tax --

13 PROJECT CONSULTANT ANTHONY GROVES: You're right.
14 This project is unique in that respect. We have five
15 municipalities all working together through this board.

16 I mean really it's a commendable and rather unique
17 thing. And that's the beauty of a lake board though. It
18 allows you the opportunity to do that, to bring everyone
19 together and work in unison, all the municipalities.

20 BOARD MEMBER ROGER BERGMAN: It's one of the
21 challenges that Holland has with Lake Macatawa. That's seven
22 municipalities, and they still don't have a lake board,
23 correct?

24 BOARD MEMBER JOE BUSH: You're correct.

25 So I know I heard a few comments about why isn't

1 Ottawa County maybe paying, and that would be a board of
2 commissioner question.

3 But, Roger, not to put you on the spot, how would
4 that go at our county board level right now in Ottawa County
5 to put either asking for money for the Lake Board, or put a
6 millage together or some kind of water quality measure into
7 the budget right now in Ottawa County?

8 BOARD MEMBER ROGER BERGMAN: I can tell you right
9 now it would go over like a led balloon. We would get zero
10 participation by the county. I can't imagine any
11 commissioner going along with this idea at all.

12 BOARD MEMBER JOE BUSH: Well we used to have a
13 water quality forum that had a budget item in there, and I
14 see they stripped that money out of the quality forum now.

15 What about Muskegon County? We have a commissioner
16 form Muskegon County.

17 How would your board feel if they were asked to
18 participate in putting in a budget line item for the
19 improvement on Spring Lake?

20 Would that go pretty well or not?

21 BOARD MEMBER MICHELLE HAZECAMP: Probably not, in
22 Muskegon County our budget is so tight. We barely have money
23 for the parks to operate and do what they need to do.

24 Plus, too, we're under a lot of construction in
25 Muskegon County redoing the Hall of Justice, and we've moved

1 into the Baker campus now, the county offices. So we're --
2 we're redoing all that, which is where all of our arbor funds
3 are going to and they're done. We have nothing extra.

4 I don't have a problem bringing it up, but it most
5 likely won't go anywhere.

6 BOARD MEMBER JOE BUSH: And the reason I bring it
7 up, not to put you on the spot by any means, but the
8 resources are limited I know in our county, in Ottawa County.
9 And it's on the record.

10 BOARD MEMBER MICHELLE HAZECAMP: Ours too.

11 BOARD MEMBER JOE BUSH: And if I went to Spring
12 Lake Village and Ferrysburg and the rest of them, you're
13 probably going to get the same answer as we are right now, as
14 to resources.

15 It's a tough position to be in but everybody wants
16 clean water. Usually at the end of the day, we're the bad
17 cop either way, and we're all volunteers. But we try our
18 best with the resources we have.

19 BOARD MEMBER ROGER BERGMAN: And I might add that
20 in Ottawa County we have Lloyd's Bayou, and then several
21 other bayous that are on the Grand River, and then as well we
22 have Spring Lake, we have Macatawa Lake, we have Crockery
23 Lake. And I'm sure there is more lakes.

24 BOARD CHAIR MIKE ROLF: Pigeon Lake.

25 BOARD MEMBER ROGER BERGMAN: Yeah, Pigeon Lake. So

1 if we did one, we would have to consider others. And there
2 is no way it would happen.

3 BOARD MEMBER BRENDA MOORE: I have a comment, a
4 couple comments. Should we vote on this before any other
5 comments? Or should we continue?

6 A couple comments, I know it's tough for all units
7 of government to free up any resources, but I think we can
8 keep the idea in front of everybody because we talked about
9 having more of a lake plan that gets into broader detail,
10 which I volunteered to try to put something together, but we
11 can find goals to try to find other resources and we can
12 mention possibilities.

13 It's not that it's going to happen, but it's there
14 and the public can see, or maybe they have ideas that we
15 recognize that we'll try to get resources in other ways. But
16 the truth of it is the law has us kind of hamstrung there.

17 My other comment is there is a lot of heavy hitters
18 in this watershed in Ottawa County, and a lot of the
19 frustrations that I have as Water Resources Commissioner and
20 as a Lake Board member also in Bear Lake is we don't have
21 authority.

22 There isn't a good crossover and linkage between
23 the Drain Code, which is very powerful, and lake boards,
24 which are powerful. We can't spend money upstream. Drain
25 commissioners can't engulf a lake and tie their drain and the

1 lake together.

2 There is a lot of, in my opinion there is a lot of
3 flaws in the state legislation, and this is getting really
4 out there, but for the people that are listening and can move
5 and shake, there is nothing wrong with asking to amend state
6 law.

7 And I don't want to put you on the spot, Joe, but
8 there was some legislation that our association was putting
9 together to try to broaden the notion of water quality,
10 cooperation, getting consistent funding. And that might be
11 one of many options.

12 But it doesn't hurt again to talk about it to get
13 maybe that wish on paper, and talk about it with the citizens
14 who can talk to senators and whomever to get things done.

15 I'll get off my soapbox now.

16 BOARD CHAIR MIKE ROLF: Any further discussion on
17 the resolution?

18 BOARD MEMBER DAVE BILLINGHURST: I live in
19 Ferrysburg and the last two years I've paid \$132 a year, and
20 now it's going up to \$600. If whoever does this treatment
21 doesn't do a good job, people are going to be unhappy.

22 BOARD CHAIR MIKE ROLF: Then what happens?

23 BOARD MEMBER DAVE BILLINGHURST: People are going
24 to be unhappy. Would you be? You're paying 132, now you're
25 paying 600, you'd think you're going to be getting a lot

1 more. So if the water doesn't change much, and the weeds,
2 you have people today saying they got the signs but no
3 spraying.

4 BOARD MEMBER BRENDA MOORE: I think it's incumbent
5 upon to us watch --

6 BOARD MEMBER DAVE BILLINGHURST: I think so, and I
7 will.

8 BOARD MEMBER BRENDA MOORE: -- the whole boat
9 versus the flat boat that was alarming to me, we need to
10 check into that.

11 BOARD MEMBER DAVE BILLINGHURST: Because the young
12 kid walks around and puts the signs up, and he has no idea
13 what they're doing. He's five minutes ahead of the boat.
14 And if the boat can't get in there, the signs are still up,
15 but they never sprayed.

16 BOARD MEMBER SAMANTHA VERPLANK: I thought that was
17 really interesting because nobody has come to any of our
18 board meetings or any of the -- other than listening to what
19 you said, we haven't had formal complaints.

20 BOARD CHAIR MIKE ROLF: Yeah, this is the first
21 we've heard of that.

22 BOARD MEMBER SAMANTHA VERPLANK: And that's very
23 frustrating. It's like, well it's interesting that people
24 just come and complain now when they have to pay their tax
25 bill, but people haven't necessarily been coming forward, you

1 know, to be proactive.

2 It's not just the Lake Board. It's not just us, as
3 a community, we really -- there is -- there is just so many
4 things on the lake between -- there is just so many things
5 with the power boats, and the seawalls, and depending on --
6 so many things that are a factor here.

7 But one thing that we can do to help is the alum
8 treatment, which is what we've gone back to.

9 And then lots of ideas that Brenda has, that
10 hopefully we have some newer people on our board that can be
11 proactive. Or anybody that's in the audience tonight that is
12 passionate about this, feel free to help volunteer. And
13 there is -- feel free to start a subcommittee. We love the
14 enthusiasm. We're all up here because we want the lake to be
15 better.

16 So when I go out there and see power boaters within
17 200 feet on a Labor Day weekend, it was insane. It was
18 absolutely insane out there.

19 But we can't enforce wake zones. We can't
20 enforce -- there is a lot that we can't do. It's frustrating
21 overall.

22 BOARD MEMBER BRENDA MOORE: Maybe that could be a
23 change to state law as well. I'm being very lofty but
24 sometimes you have to be. We keep hitting the walls.

25 BOARD MEMBER SAMANTHA VERPLANK: They do it at

1 other lakes which we talked about before in years past. In
2 Minnesota there is tons of lakes that are no -- that have
3 no-wake zones between like 11 and 4, so that the lake isn't a
4 total mess on the weekends. But good luck with all the
5 municipalities and the DNR.

6 BOARD MEMBER ROGER BERGMAN: We talked about wake
7 zones and times and things like that. That's difficult to
8 enforce. And it's even difficult to get --

9 BOARD MEMBER BRENDA MOORE: One last question, how
10 many properties are in this area, in the whole Lake Board
11 area?

12 PROJECT CONSULTANT ANTHONY GROVES: Over 1200
13 altogether.

14 BOARD MEMBER BRENDA MOORE: 1200, how many people
15 did we have come tonight? How many people showed up and
16 signed up?

17 PROJECT CONSULTANT ANTHONY GROVES: We got the
18 sign-up sheets here, I didn't count them.

19 BOARD MEMBER BRENDA MOORE: The silent majority is
20 also speaking to us. And for those that have talked to us
21 before tonight, I hope they continue to talk to us; and that
22 the silent majority steps up too if there are any problems.

23 I think I would like to call for the question, if
24 that's appropriate.

25 BOARD CHAIR MIKE ROLF: Thank you for the comments,

1 everybody on the board.

2 If there is no further discussion, I believe we
3 have a motion made and seconded. Am I correct about that?

4 PROJECT CONSULTANT ANTHONY GROVES: Yes.

5 BOARD CHAIR MIKE ROLF: All right. We have a
6 motion duly made and seconded to determine whether or not to
7 confirm the special assessment roll. And I guess the motion,
8 to be more accurate, is to confirm the special assessment
9 roll.

10 So all in favor, say aye.

11 BOARD MEMBER BRENDA MOORE: With the changes we
12 talked about tonight, right?

13 BOARD CHAIR MIKE ROLF: I didn't quite --

14 BOARD MEMBER BRENDA MOORE: With the changes we
15 talked about tonight, the two condos that didn't have
16 property access.

17 BOARD CHAIR MIKE ROLF: Oh, yes. This is to
18 confirm the roll as amended.

19 BOARD MEMBER BRENDA MOORE: Okay. There is the
20 word.

21 BOARD CHAIR MIKE ROLF: Thank you. So the
22 motion -- let me restate the motion and make sure this is
23 accurate.

24 The motion is to confirm the Spring Lake - Lake
25 Board special assessment roll with the adjustments made

1 tonight. Is that correct?

2 BOARD MEMBER BRENDA MOORE: And that's the marina
3 and two condos.

4 BOARD MEMBER ROGER BERGMAN: Yes.

5 BOARD CHAIR MIKE ROLF: All in favor.

6 BOARD MEMBER JOHN NASH: Wait a minute, I have a
7 point of order. Let's not confuse the board, or the
8 audience. We're not voting to change what was presented and
9 has been mailed out. What we are voting is if somebody was a
10 property owner and came forward with a concern, and we dealt
11 with it, and it was resolved. That's all we're doing.

12 We're not changing the procedure that many of the
13 people in the audience have talked about.

14 BOARD CHAIR MIKE ROLF: That's correct.

15 BOARD MEMBER JOHN NASH: We're just changing if
16 somebody had a legitimate concern about whether they should
17 be assessed. Not how much, but whether they should be or
18 not.

19 BOARD MEMBER ROGER BERGMAN: Right.

20 BOARD MEMBER JOHN NASH: I just don't want people
21 to walk away and say they changed the whole thing. Like Tony
22 said, you can't do that.

23 BOARD MEMBER BRENDA MOORE: That's understood here.

24 BOARD MEMBER ROGER BERGMAN: Right.

25 BOARD CHAIR MIKE ROLF: All right. To restate it

1 again then, all in favor of confirmation of the Spring Lake
2 special assessment roll, with the adjustments made here
3 tonight for some individual property, indicate by saying aye.

4 (Multiple members said, "Aye.")

5 BOARD CHAIR MIKE ROLF: All opposed?

6 BOARD MEMBER DAVE BILLINGHURST: No.

7 BOARD CHAIR MIKE ROLF: One no. Is that correct?

8 Any other no's?

9 All right. The motion carries.

10 In accordance with the Public Meetings Act there is
11 now an opportunity for general public comment, if anyone
12 wants any further comments.

13 BOARD MEMBER JOHN NASH: I don't agree with that.
14 I don't think the Open Meetings Act does say that you have to
15 have public comment at the end. I have never seen that in
16 print, and we never did that at Spring Lake Township.

17 BOARD CHAIR MIKE ROLF: Yeah. All right.

18 In any case, there are no comments.

19 I'll entertain a motion to adjourn.

20 MR. MIKE WEAVERS: Are you opening it up to the
21 audience? I would like to speak if you open it to the
22 audience.

23 BOARD MEMBER BRENDA MOORE: It's on the agenda.

24 BOARD MEMBER SAMANTHA VERPLANK: Go ahead.

25 MR. MIKE WEAVERS: Mike Weavers, 637 Lake Avenue

1 Grand Haven, 49417.

2 So the point I brought up, does that -- that's
3 done, right? There is -- you won't be looking at that. This
4 is done?

5 BOARD MEMBER ROGER BERGMAN: It's done.

6 MR. MIKE WEAVERS: All right, thank you.

7 And the protest we put in, is that done as well
8 now?

9 BOARD CHAIR MIKE ROLF: I don't know what you're
10 asking.

11 MR. MIKE WEAVERS: If we protested --

12 BOARD CHAIR MIKE ROLF: The protests are all of
13 record, absolutely.

14 MR. MIKE WEAVERS: So what's the next procedure
15 there? Do we take it to the tax tribunal?

16 PROJECT CONSULTANT ANTHONY GROVES: Yes, the
17 Michigan Tax Tribunal is the next stop.

18 MR. MIKE WEAVERS: Thank you.

19 BOARD CHAIR MIKE ROLF: Any other public comments?

20 I have a motion to adjourn.

21 BOARD MEMBER ROGER BERGMAN: So moved.

22 BOARD CHAIR MIKE ROLF: Is there a second?

23 BOARD MEMBER JOE BUSH: Second.

24 BOARD CHAIR MIKE ROLF: All in favor?

25 (Multiple members said, "Aye.")

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BOARD CHAIR MIKE ROLF: The Lake Board meeting is
adjourned. Thank you everyone.

(Meeting adjourned at 8:55 p.m.)

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CERTIFICATION OF COURT REPORTER AND NOTARY PUBLIC

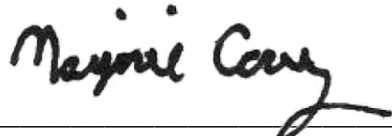
STATE OF MICHIGAN)

) SS

COUNTY OF OTTAWA)

I certify that this transcript, consisting of 96 pages, is a complete, true, and correct record of the SPRING LAKE - LAKE BOARD PUBLIC HEARING, to the best of my ability to hear, held on September 11, 2023.

DATE: September 20, 2023



MARJORIE A. COVEY, RPR
Michigan License CSR-2616
Washington License 20109173
Oregon License 20-0468
Illinois License 084-004911

Notary Public Expires: October 14, 2027, Ottawa County, Michigan/Acting in the State of Michigan

9/6/2023

This is to inform you that I protest the special assessment of proposed costs related to the continuation of lake improvement project.

Virginia Dunham
17823 168th Ave
Spring Lake, MI
49456

RECEIVED

SEP 11 2023

Dunham
17823 168th
Spring Lake, MI
49456

GRAND RAPIDS MI 493

7 SEP 2023

PM 5 L

FERRYSBUR
MI 49329

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MI 49329

Spring Lake - Lake Board
% Office of Ottawa County
Water Resource Commissioner
12220 Filmore St, Room 141
West Olive, MI 49460

Reduce to 2 units 9-11-23

I protest the roll for Herman E. Rosin
Revoc. Trust business at 18825 W. Spring
Lake Rd. The roll presently places us at
51-100 slips. The last 4 years we have
rented out:

2020-42

2021-38

2022-41

2023-43

Request to be reassigned to 1-50 slips
Category.

Ronald R. Rosin

Deleted

9-10-23

TO: OTTAWA CO. BOARD

RE: WATER ACCESS TO SPARK LAKÉ

AS A RESIDENT OF GILDNER CREEK VILLAGE, I AM PROTESTING THE PROPOSED ASSESSMENT TO PROPERTY OWNERS WHO HAVE ACCESS TO SPARK LAKÉ.

GILDNER CREEK VILLAGE HAS NO ACCESS TO SPARK LAKÉ OR TO GILDNER CREEK PARK (PER OUR BYLAWS)

REGRETFULLY:

MICHAEL G. ANDERSON
19096 GILDNER CREEK CT.

Michael G. Anderson

Deleted

September 10, 2023

To: Ottawa County Board

Dear Board,

As an owner of a unit in Gildner Creek Village Condo Association that has no access to Spring Lake as per our By-laws, I am protesting your assessment for Lake Improvement to us! We have never had access to Spring Lake.

Jim Morrison
Vice President
Gildner Creek Village Condo Association
19086 Gildner Creek Ct., Unit #12
Spring Lake, MI 49456
PH: 616-607-9668

433 Buena Vista
Spring Lake, MI 49456
September 1, 2023

Spring Lake – Lake Board
c/o Office of Ottawa County Water Resources Commissioner
12220 Fillmore Street, Room 141
West Olive, MI 49460

Subject: Special Assessment Roll – Appeal of the Amount of Special Assessment

By this letter I hereby object to the assessment roll and protest in writing the special assessment on my property.

Since my property is apparently considered a “developed lakefront” even though it has no dock (which my husband and I have no need for, being in our 80’s), why is my proposed assessment a full 10% of the proposed assessment of commercial property with more than 200 slips? In effect, each client of such a marina would be paying no more than \$30.00 to use the lake whereas I pay \$600.00 without any dock to access the lake.

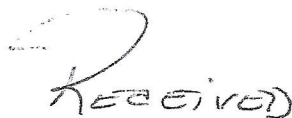
Similarly, why should any homeowner be assessed a full one-quarter of the assessment of a commercial property with 50 to 100 slips? Homeowners are unfairly being assessed significantly large amounts thereby subsidizing commercial for-profit enterprises and their clients.

In fairness, the assessments should be based upon lake usage!

Sincerely,



Bette C. Werner



SEP 05 2023



SEPT. 11, 2023

SPRING LAKE - LAKE BOARD,

BOARD:

Based on the chemicals being used
I respectfully request that my -
assessment be reduced to zero.

DALE H. MASBRUCH
18945 N. FRUITPORT RD
SPRING LAKE, MI 49456



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

**PROPERTY TAX APPEAL PETITION FORM
SPECIAL ASSESSMENT**

Pursuant to Michigan Tax Tribunal Rule (TTR) 277(3), you **MUST** submit a copy of the notice giving rise to the appeal (e.g. a copy of the resolution confirming the special assessment roll) with this Small Claims Petition, if applicable. If you do not submit this document, you may be held in default.

Section 1: Petitioner's Contact Information

First Name <i>Michael</i>	M.I. <i>D</i>	Last Name/Company Name <i>Weavers</i>
Mailing Address (No., Street, P.O. Box or Rural Route) <i>637 Lake Ave</i>		
City or Town <i>Grand Haven</i>	State <i>MI</i>	ZIP Code <i>49417</i>
Telephone Number <i>616-402-2286</i>	Fax Number	
E-mail Address (do not enter unless you want MTT to send all correspondence via e-mail) <i>mike@mikeweavers.com</i>		

Section 2: Petitioner's Attorney/Authorized Representative's Contact Information

First Name	M.I.	Last Name
Firm Name (if any)		
Address (No., Street, P.O. Box or Rural Route)		
City or Town	State	ZIP Code
Telephone Number	Fax Number	
E-mail Address (do not enter unless you want MTT to send all correspondence via e-mail)		



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Section 3: Subject Property Information

How many parcels are you appealing? /	If you are appealing more than one parcel, are they contiguous or adjoining? <input type="checkbox"/> Yes* <input type="checkbox"/> No** <input type="checkbox"/> N/A *If yes, use the attached multiple parcel form for information regarding any contiguous parcels. **If no, you must file separate appeals for each non-contiguous or non-adjointing parcel or you will be defaulted.
Property Address (No., Street, City, ST, ZIP) [If multiple, list first property's address] 0 Beach Dr	
Parcel Identification Number(s): 70-03-14-170-010	
Taxing Authority (City or Township) Spring Lake Township	County Ottawa

Section 4: Explain the Reason for this Appeal

Property is a 15' Boat Slip. Not a lot that can be developed. A 15' marina slip is charged \$30 or less. I am being charged \$300 year

Section 5: Jurisdictional Issues

Did you protest the special assessment at the hearing held to confirm the special assessment roll? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, what was the date of the hearing held to confirm the special assessment roll? 9/11/2023
If No, explain:

Fee Information:

A fee of \$100.00 is required for the filing of a Special Assessment Appeal.

Signature *Required

Petitioner or Attorney/Authorized Representative's Signature:

/s/

Will J. Weavers



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

PAPER FILING INSTRUCTIONS FOR SPECIAL ASSESSMENT APPEAL

Please follow these instructions for filing a small claims petition. For questions that are not answered in these instructions, please refer to the Tribunal's website at www.michigan.gov/taxtrib or contact the Tribunal at 517-335-9760.

Mail the completed form and filing fee to: Michigan Tax Tribunal, P.O. Box 30232, Lansing, MI 48909.

Section 1: Petitioner's Contact Information: "Petitioner" is the person, business, or entity filing the appeal. If there is more than one Petitioner, use an additional sheet of paper to provide the name, address and daytime phone number for each Petitioner.

Section 2: Petitioner's Attorney/Authorized Representative's Contact Information: Petitioner does not have to be represented by an attorney or authorized representative to file an appeal with the Tribunal. If Petitioner is represented, provide all contact information for the attorney or authorized representative. If Petitioner elects to have an attorney or authorized representative, only the attorney or authorized representative will receive notices and documents from the Tribunal.

IMPORTANT: If the contact information for Petitioner or the attorney or authorized representative, if listed, includes an email address, the Tribunal will use that email address to electronically serve all future documents issued by the Tribunal. A request by Petitioner or Petitioner's attorney or authorized representative to opt out of electronic service once an email address is provided must be made in writing.

Section 3: Subject Property Information: Please use the *Multiple Parcel Form* for additional parcels, if necessary.

- **How many parcels are you appealing:** Please list the number of parcels under appeal.
- **Are they contiguous or adjoining:** If multiple parcels are being appealed, please indicate whether the parcels are adjoining. If multiple parcels are being appealed, a separate petition must be filed for each non-adjoining parcel being appealed.
- **Property Address:** Provide the address of all properties being appealed.
- **Parcel Identification Number(s):** The parcel number(s) being appealed must be listed.
- **Property Address:** Provide the address of the property being appealed.
- **Taxing Authority:** Provide the name of the city **OR** township (not both) where the property is located.
- **County:** Provide the name of the county where the property is located.

Section 4: Explain the Reason for this Appeal: Explain the reason(s) you are appealing.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

Section 5: Jurisdictional Issues:

- **Did you protest the assessment at the hearing held to confirm the special assessment roll:** Indicate whether you protested (either in person or in writing) at the hearing to confirm the special assessment roll.
- **If Yes, what was the date of the hearing held to confirm the special assessment roll:** If Petitioner protested the hearing, indicate the date the hearing was held.
- **If No, please explain:** If Petitioner did not protest at the hearing, explain the reason(s) why a protest was not made.

Fee Information: A filing fee of \$100.00 is required. Make the check payable to State of Michigan. If filing multiple petitions, please note that a separate payment (i.e., check, money order, or other draft payment) must be made for each individual petition.

Signature: A signature by Petitioner, if unrepresented, or Petitioner's attorney or authorized representative, if represented, is required.

REMINDERS:

Pursuant to TTR 277, Petitioner shall provide the Tribunal a copy of the resolution confirming attendance either in writing or in person at the hearing held to confirm the special assessment roll.

You must submit the *original, signed completed petition form* to the Tribunal. You should also keep a copy for yourself.

Multiple Parcel Attachment to Petition Form: Please only use this form if you are appealing multiple contiguous (adjoining) parcels in the same appeal. Additional copies of this form can be used, as needed. If you are appealing only one parcel, please disregard this form.

It is ***your responsibility*** to provide Respondent (i.e., unit of government) or Respondent's attorney or authorized representative, with a copy of any attachments submitted with the petition form. The Tribunal will not forward a copy of any attachments to the respondent (i.e., opposing party). **TTR 287 states that failure to provide the copies to the respondent at least 21 days in advance of the hearing may result in the exclusion of the attachments.**

Respondent will have an allotted period of time to respond, after which time the case will be ready for a hearing. The Tribunal will send a notice of hearing to the parties no less than 45 days in advance of the hearing. To check the status of your appeal, visit our website at www.michigan.gov/taxtrib and click on the "Docket Search" option.

In re Spring Lake –Lake Board
Special Assessment Roll
September 11, 2023

PROTEST- GERLING, DAVID C-SHERYL S TRUST

Address- 14805 Woods Walk St., Spring Lake
PPN: 70-03-01-135-04

Formal protest of special assessment in accordance with MCL 211.746

1. The Spring Lake Project, improved lake quality benefits the public in general and not just the property owners who have lake access that are subject to the Lake Board Assessment Roll, the project cost should be allocated to the Ottawa & Muskegon county-wide.
2. Parcel 70-03-01-135-04, 14805 Woods Walk Ct., subject of the proposed special assessment derives no benefit from the project *Blaser v Township of E Bay, 242 MichApp 249, 617 NW2d 742 (2000)*.
 - a. There is no reasonable relationship to the amount of the assessment and any increase in the market value of our parcel *Kadzban v City of Grandville, 442 Mich 495, 502 Nw2d 299 (1993)*.
 - b.
3. *As a developed back lot (DBL) the parcel has "no dedicated or deeded lake access".*
 - a. *Gildner Creek by-laws provides" ... Co-owners **shall not** use or have any access to the waterfront park, as shown on the Subdivision plan" (Ex 1)*
 - b. *Master Deed for Gildner Creek dated March 19, 1998 recorded in Liber 2363 page Liber 2363 Page 04" (Ex 2)*
 - i. *"Pursuant to this deed the Developer, Association, Owners , and Co-Owners **shall be restricted** from use of any easement to the waters of Spring Lake within the Gildner Park Plat..and shall have **no right to access to the waters of Spring Lake** through, over or on the above described easement."*

4. Gildner Park is unimproved/neglected Undergrowth (Ex 3)
5. No public/private road access No direct access (Ex 4 & 5)
6. Park has no tax assessment-designated "Public" (EX 6)
 - a. Open to all? Not just Gildner Village properties.

Conclusion

Protest that burden our parcel bears is disproportionate to the perceived benefit from the special assessment.

No increase market value of land over other situated properties

- ✓ No lake access
- ✓ Gildner Park undeveloped/neglected
- ✓ Tax designation Public open to all not just properties within Gildner Village.

Respectfully Submitted,


David C. Gerling

PROOF OF SERVICE

The undersigned certifies that on September 11, 2023, the above formal protest was hand delivered and presented to the Spring Lake-Lake Board at the public hearing at the Spring Lake Middle School, 345 Hammond Street, Spring Lake, Michigan.


David C. Gerling

EXHIBIT 1

C. Association Remedies. The Association may, after notice and hearing and without liability, remove or cause to be removed any animal from the Condominium that the Board determines to be in violation of the restrictions imposed by this Section or by any applicable Association rules and regulations. The Board may adopt additional rules and regulations with respect to animals.

Section 6. Use of Common Elements.

A. Storage; Handling of Refuse. Co-owners and other users of the Condominium shall not use the Common Elements for storage of supplies, materials, personal property or trash or refuse of any kind, except as provided in the Condominium Documents. Except as the Board otherwise approves in writing or as otherwise set forth in any Association rules and regulations, any firewood stored within a Unit must be in limited and reasonable quantities, and kept in a neat and orderly manner. Trash receptacles must be maintained inside each Unit or its garage and are not permitted to remain elsewhere on Units or Common Elements except for such short periods of time as may be reasonably necessary to permit periodic collection of trash or except as the Board otherwise approves in writing. Trash shall be stored and handled in accordance with all applicable Association rules and regulations and Township of Spring Lake ordinances and Co-owners shall be responsible for the collection and proper disposal of trash (or the Association's costs collecting and disposing of the trash) dispersed about the Common Elements, regardless of the reason.

B. Unightly Conditions. No unsightly condition shall be maintained on or in any deck, patio or porch, and only furniture and equipment consistent with ordinary deck, patio or porch use shall be permitted to remain on these areas. The Common Elements shall not be used for the drying or airing of clothing or other fabrics. In general, no activity shall be carried on nor condition maintained that detracts from or is detrimental to the Condominium's appearance.

C. Gildner Park Plat Restrictions. The Condominium is part of the Gildner Park Plat, however, Co-owners shall not use or have any access to the waterfront park, as shown on the Condominium Subdivision Plan.

D. Waste Removal. The Association currently benefits from an informal arrangement with neighboring property to the North for use of an existing dumpster for disposal of trash for which the Association pays a share of the expenses. Recycling services are currently at the discretion and cost of the individual Co-owners. In the future, the Board of Directors, in its sole discretion, may contract with one commercial refuse collection service to provide refuse collection service, recycling service, or both to all Units and require each Co-owner to utilize the service of that contractor (either at the expense of the Association or to be paid individually by the Co-owners) or, alternatively may require all Co-owners to utilize the services provided by the municipality if available (either at the expense of the Association or to be paid individually by the Co-owners).

E. General. The Common Elements and Units shall only be used for purposes for which they are reasonably and obviously intended. All municipal ordinances pertaining to the use of the Common Elements must be followed.

Section 7. Obstruction of and Storage on Common Elements. Except as otherwise expressly permitted in the Condominium Documents, the Common Elements, including, without limitation, roads

MASTER DEED

EXHIBIT 2

GILDNER CREEK VILLAGE

This Master Deed is made and executed on this 19th day of March, 1998, by STONERIDGE DEVELOPMENT, INC., a Michigan corporation (the "Developer"), of 14498 Cleveland, Spring Lake, Michigan 49456, represented herein by its President, who is fully empowered and qualified to act on behalf of said corporation.

PRELIMINARY STATEMENTS

A. The Developer is engaged in the construction of an expandable, contractable and convertible condominium project to be known as GILDNER CREEK VILLAGE (the "Project"), pursuant to plans approved by in Spring Lake Township, Ottawa County, Michigan on a parcel of land described in Article II; and

B. The Developer desires, by recording this Master Deed together with the Condominium Bylaws attached hereto as Exhibit "A" and the Condominium Subdivision Plan attached as Exhibit "B" (both of which are hereby incorporated by reference and made a part hereof), to establish the real property described in Article II, Section 2.1, together with the improvements located and to be located thereon and the appurtenances thereto, as a condominium project under the provisions of the Michigan Condominium Act.

NOW, THEREFORE, the Developer does, upon the recording hereof, establish GILDNER CREEK VILLAGE as a condominium project under the Act and does declare that the Project will be held, conveyed, hypothecated, encumbered, leased, rented, occupied, improved, or in any other manner utilized, subject to the provisions of the Act, and to the covenants, conditions, restrictions, uses, limitations, and affirmative obligations set forth in this Master Deed, all of which will be deemed to run with the land and will be a burden and a benefit to the Developer, its successors and assigns, and to any persons acquiring or owning an interest in said real property, their grantees, successors, heirs, personal representatives, administrators and assigns. In furtherance of the establishment of the Project, it is provided as follows:

ARTICLE I

NATURE OF PROJECT

1.1 Nature of Project. The Units which comprise the Project, including the number, boundaries, dimensions and area of each Condominium Unit therein, are set forth completely in the Condominium Subdivision Plan, and each Unit is capable of individual utilization by having its own access to the Common Elements of the Project. The Developer reserves the exclusive right during the Development Period to change or modify the size and/or location of any Developer owned Unit and/or Common Element without the consent of any Co-owner so long as

such changes do not unreasonably impair or diminish the appearance of the Project or the view, privacy or other significant attribute of any Unit which adjoins or is proximate to the modified Unit or Common Element.

1.2 Co-owner Rights. Each Co-owner in the Project will have a particular and exclusive property right to his Unit and the Limited Common Elements appurtenant thereto, and will have an undivided and inseparable right to share with other Co-owners the General Common Elements of the Project as designated by this Master Deed.

ARTICLE II

LEGAL DESCRIPTION

2.1 Legal Description. The land on which Phase I of the Project is situated, and which is hereby submitted to condominium ownership pursuant to the provisions of the Act, is described as follows:

Land situated in the Township of Spring Lake, County of Ottawa, State of Michigan and described as follows:

Phase I

Part of Lots 67, 132, 133, 137, and 138, all of lots 61, 62, 63, 64, 65, 130, 131, 139, 140, 141, 142, 143, 144, 145, 146, 147 and 149 and part of vacated Gildner Avenue, part of vacated Ingleside Drive, part of vacated Oakridge Avenue and vacated Ternwood Avenue, all in the Plat of Gildner Park as recorded in Liber 7 of Plats on Page 9, in the Northwest ¼ of Section 1, Town 8 North, Range 16 West, Spring Lake Township, Ottawa County, Michigan Described as beginning at a point on the South line of Lot 67, being 1187.90 feet South 00 Degrees 39 Minutes 51 Seconds East along the North and South ¼ line and 43.00 Feet North 89 Degrees 54 Minutes 51 Seconds West of the North ¼ Corner of Section 1, Thence North 89 Degrees 54 Minutes 51 Seconds West 89.51 Feet to the Southwest Corner of Lot 67, Thence South 00 Degrees 452 Minutes 32 Seconds East 120.00 Feet to the Southeast Corner of Lot 65, Thence North 89 Degrees 55 Minutes 30 Seconds West 249.24 Feet to the Southwest Cornder of Lot 147, Thence North 00 Degrees 34 Minutes 52 Seconds West 80.58 Feet to the Northwest Corner of Lot 147, Thence South 89 Degrees 55 Minutes 30 Seconds East 10.18 Feet, Thence along the Southwesterly line of Oakridge Avenue the following 2 courses: North 37 Degrees 51 Minutes 57 Seconds West 273 Feet, Thence North 49 Degrees 08 Minutes 12 Seconds West 11421 Feet, Thence North 42 Degrees 41 Minutes 45 Seconds East 234.14 Feet along the Southeasterly line of Fruitport Road. Thence South 89 Degrees 55 Minutes 15 Seconds East 213.52 Feet along the centerline of vacated Gildner

3-21-08
Ottawa County Treasurer's Office
The record is hereby certified as correct and unpaid taxes or special assessments for the five years preceding involving lands in this jurisdiction.
Treasurer

Avenue, Thence South 00 Degrees 48 Minutes 10 Seconds East 102.86 Feet along the centerline of vacated Ingleside Drive, Thence South 89 Degrees 53 Minutes 27 Seconds East 114.67 Feet to the Northeast Corner of Lot 61, Thence South 00 Degrees 42 Minutes 32 Seconds East 240 Feet to the Northwest Corner of Lot 67, Thence South 89 Degrees 54 Minutes 32 Seconds East 89.58 Feet, Thence South 00 Degrees 39 Minutes 51 Seconds East 79.99 Feet to the Point of Beginning.

Containing 4.24 Acres of Land

Together with and subject to all easements and restrictions of record and all governmental limitations, and subject to the following restriction and covenant:

Pursuant to this deed the Developer, Association, Owners, and Co-Owners shall be restricted from use of any easement to the waters of Spring Lake within the Gildner Park Plat granted pursuant to the Gildner Park Plat recorded at Liber 7 of Plats, Page 9, on May 17, 1915 and shall have no right to access to the waters of Spring Lake through, over or on the above described easement.

ARTICLE III

DEFINITIONS

3.1 Definitions. Certain terms are utilized not only in this Master Deed but are or may be used in various other instruments such as, by way of example and not limitation, the Articles of Incorporation, Association Bylaws and Rules and Regulations of the Gildner Creek Village Condominium Association, Inc., a Michigan nonprofit corporation, and deeds, mortgages, liens, land contracts, easements and other instruments affecting the establishment of, or transfer of, interests in the Project. As used in such documents, unless the context otherwise requires:

(a) **Act.** "Act" or "Michigan Condominium Act" means the Michigan Condominium Act, being Act 59 of the Public Acts of 1978, as amended.

(b) **Administrator.** "Administrator" means the Michigan Department of Commerce, designated to serve in such capacity by the Act.

(c) **Association.** "Association" means the nonprofit corporation organized under the laws of Michigan, of which all Co-owners will be members, which corporation shall administer, operate, manage and maintain the Project. Any action required of or permitted to the Association will be exercisable by its Board of Directors unless specifically reserved to its members by the Condominium Documents or the laws of the State of Michigan. The Co-owners may, by a two-thirds (2/3) vote after the Development

EXHIBIT 3



AGS 1984 Web Mercator Auxiliary Sphere

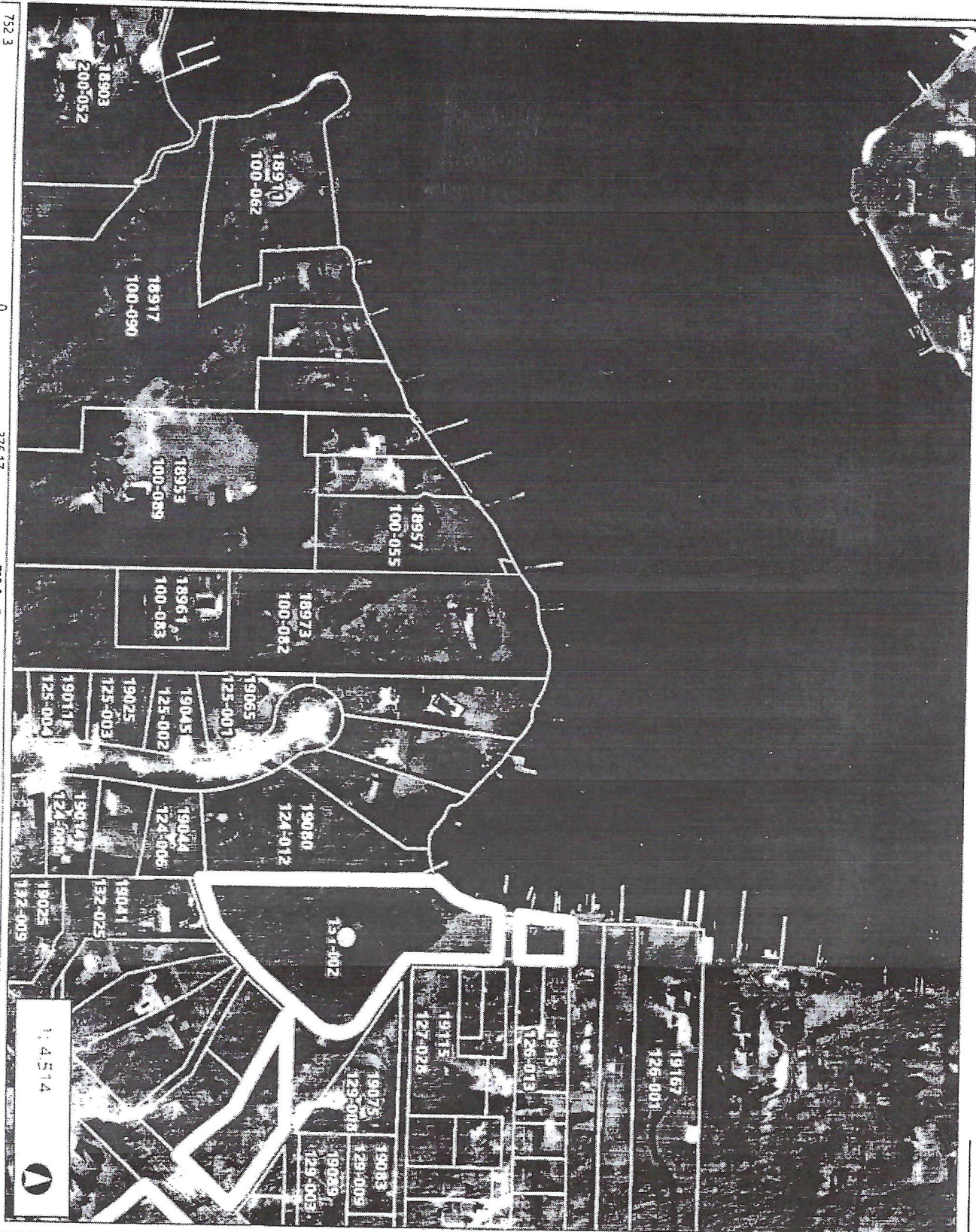
Final map shall be prepared by the State of California Department of Public Resources for the State of California Department of Public Resources. The map shall be prepared by the State of California Department of Public Resources.

1,350



Legend
Parcels

Notes
Gidner Park outline 2



752 3 0 376 17 752 3 Feet

MGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd

This map is a user-generated image derived from an internet mapping service for reference only. It is not a survey and does not represent the current or intended boundaries of any parcel.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

1:4514

Legend

Parcels

Notes

Gildner Park outline

EXHIBIT 5

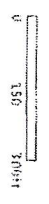
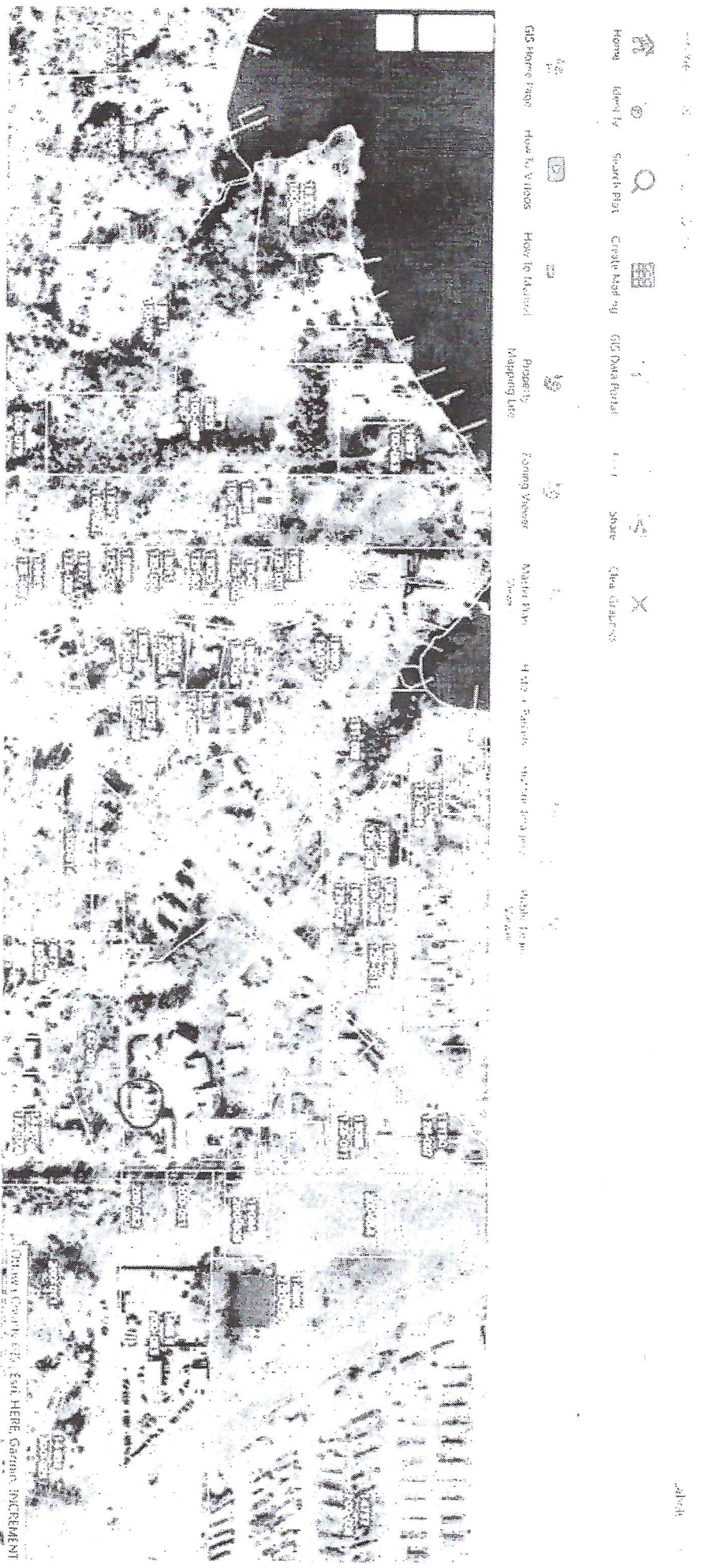


EXHIBIT 6

Real Property Search

« **Back to Search Results**

Property Summary

Property Summary: View property details including assessed values, tax description, sales and split history.

Delinquent Taxes: Pay delinquent taxes.

Tax Search: Purchase a tax search to view a breakdown/history of taxes or request pay-off amounts for future months.

GIS Map: Interact with a GIS parcel map.

Parcel Identification

Parcel Number: 70-03-01-131-002
 Property Address: 0 PUBLIC PARK
 Property Status: ACTIVE
 Government Unit: 24 - SPRING LAKE TOWNSHIP
 Taxing Unit: 24 - SPRING LAKE TOWNSHIP
 Classification: 202 - COMMERCIAL, VACANT
 School District: 70300 - SPRING LAKE
 Approximate Acreage: 4.69
 Active Date: 07/11/1990
 Current Liber/Page: [Sales History](#)

Owner Identification

Owner Name 1: GILDNER PARK
 Owner Name 2:
 Mailing Address: PUBLIC PARK
 SPRING LAKE, MI 49456
 Local Unit Update: 03/21/2007

Tax Payer Identification

Tax Payer Name 1:
 Tax Payer Name 2:
 Mailing Address:
 Local Unit Update: 03/21/2007

Assessed Values

Assessed values, taxable values and Principle Residence/Qualified Ag. Exemption status displayed on miOttawa are compiled from the local city and township assessors and include order changes (MTT, Board of Review etc.) received from the local unit. More recent changes should be verified with appropriate local assessors.

Year	State Equalized Value	Taxable Value	PRE/QA Exemption	View in Property Mapping Lite	View in Full Property Mapping
2023	0	0	0%		
2022	0	0	0%		

2004

0

0

0%

Tax Description

PUBLIC PARK. GILDNER PARK PLAT

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