

PUBLIC ACT 188 OF 1954 PROCEEDINGS
SILVER CREEK TOWNSHP
CASS COUNTY, MICHIGAN

MAGICIAN LAKE WEED CONTROL SPECIAL ASSESSMENT DISTRICT PROCEEDING
EXCERPTS OF MINUTES OF SPECIAL MEETING OF THE TOWNSHIP BOARD
HELD AT THE SILVER CREEK TOWNSHIP HALL ON OCTOBER 14, 2015

Members Present: Supervisor Bill Saunders, Clerk Barbara Runyon, Treasurer Maureen Kuriata, Trustee Joel Moore and Trustee Mike Glynn

Members Absent: None.

The supervisor stated that the next order of business was the consideration of the assessment roll for Magician Lake Weed Control Special Assessment District which had been prepared by the assessing officer of the township in accordance with resolution of the township board adopted September 9, 2015 and had been noticed for public hearing for this date.

The township clerk reported that notices of the hearing on said assessment roll had been given by publication in the Dowagiac Daily News on September 24, 2015 and September 29, 2015 and by first-class mail to each property owner of record as shown on the assessment rolls of the township within the special assessment district on September 22, 2015. Affidavits of such publications and mailings are on file as part of the record.

At the request of the supervisor, the clerk presented a proposed assessment roll which had been previously filed with her assessing a portion of the cost of the project on an annual basis and all persons present were invited to inspect the same and make comment with respect thereto. A summary of the comments were made as follows:

Tom Lehrer objected to having to pay for treatment when Keeler Township residents do not.

After everyone present had been given the opportunity to be heard concerning the assessment roll and the board had fully considered the same and all comments made in connection therewith, the following preamble and resolution were offered at the Regular Board Meeting of October 14, 2015 by Clerk Runyon and supported by Treasurer Kuriata for adoption by the township board.

**RESOLUTION R15-20
SILVER CREEK TOWNSHIP
CASS COUNTY, MICHIGAN**

RE: Magician Lake Weed Control Special Assessment

WHEREAS, the township board of the Township of Silver Creek, Cass County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the assessing officer of the township for the purpose of treatment of aquatic evasion species incidental to the Magician Lake Weed Control Special Assessment District.

AND WHEREAS, such public hearing was preceded by proper notice in the Dowagiac Daily Newspaper of general circulation in the township, and by first-class mail notice to each property owner of record within said district upon said assessment roll;

AND WHEREAS, comments were received from those present at such public hearing concerning said assessment roll and opportunity to all present to be heard in the matter;

AND WHEREAS, no written objections were received to said roll and levy;

AND WHEREAS, the township board has duly inspected the proposed assessment roll and considered all comments thereto and has found the proposed assessment roll to be correct, just and reasonable;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The assessment roll submitted by the assessing officer of the township shall hereafter be designated as Magician Lake Weed Control Special Assessment District.
2. The assessment in said Silver Creek Township, Magician Lake Weed Control Special Assessment District, shall be assessed on the 2015 winter tax bill at the rate of \$155.86 per parcel unit and \$77.93 per vacant parcel. Special assessments in 2016, 2017, 2018 and 2019 will be at the rate of \$40 per parcel unit and \$20 per vacant parcel. The total assessment will generate \$67,253.59 the first year and \$17,260.00 each year thereafter.

3. Each property owner will receive a credit in 2015 of \$54.12 for each parcel unit and \$27.06 for each vacant parcel for 2015 only due to a \$90,606.37 overage of the previous 5-year assessment being refunded for a net return of \$23,352.78.
4. If payment of a special assessment is not paid when due, the payment shall be considered delinquent and there shall be collected a penalty of 1 percent for each month that the payment remains unpaid.
5. The assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk shall deliver said special assessment roll to said treasurer with her warrant attached, commanding the treasurer to collect such assessment in accordance with the direction of the township board and said PA 188.
6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Upon roll call vote on the adoption of said resolution, the following voted yes and no.

Yes (5): Supervisor Saunders, Clerk Runyon, Treasurer Kuriata, Trustee Glynn and Trustee Moore.

No (0): None.

Absent (0): None.

The Supervisor declared the resolution duly adopted.

CERTIFICATE

The undersigned clerk of the Township of Silver Creek hereby certifies that the foregoing constitutes a true and complete copy of an excerpt of the minutes of a Special and Regular Meeting of the Township of Silver Creek, Cass County, Michigan, held on October 14, 2015, at which meeting all members of the township board were present and voted as indicated in said minutes; that said meeting was held in accordance with

the Open Meetings Act of the State of Michigan; and the foregoing excerpt contains all material pertinent to the Magician Lake Weed Control District Special Assessment.
