

**Garfield Township
Public Hearing Meeting Minutes
Gray Lake
March 23rd, 2020 6:15pm**

The meeting opened at 6:15 pm by Supervisor Byl leading the Pledge of Allegiance, Board members present were Byl, Roland, Yarhouse, Irwin and Farwell. Also, in attendance were a few property owners from Gray Lake.

Supervisor Byl opened the meeting by asking the board for comments, there were none. He then asked for comments from the Gray Lake residents.

Public Comments:

MARK HORNBERGER-Friend of Gray Lake, here to answer questions about procedures. J B MATHENY-I spoke to my lawyer again this morning and I have my objections in writing to turn in again. My basic reason is, I am objecting to who is and was not included in the SAD. The dis-apparitional taxation to some people and a give-a-way to others. All of whom benefit from the lake.

This is against the PA188 by not including everyone and is not normal taxation purposes. Everyone practically owns part of the lakefront, so all should be included.

SHAWN MATHENY. Need to clarify more on the 4 lots that everyone owns. The Register of Deeds has records of public acts and there is nothing about these being public lots. What about the mill foil? Testing? The Register of deeds asked about it. There were results but there is doubt. Are they good or bad? Anyone know?

Steve Erickson. answered. I really don't know that MSU did some testing but don't know how the test was conducted. What is your concern?

SHAWN MATHEN continues. Some mill foil is good, some bad. Need to do a genetic test and know the diagnostic results. She asked about this. Recourse is the continue testing. We might spend \$70,000 and treat the lake for the wrong problem. Invasive or non-invasive.

STEVE ERICKSON: We know what treatment will be done for our lake. The SAD is not a tax in all of the articles I could find and does not follow normal taxation rules. It stands alone.

DENNIS KRUEGER for Janet Krueger-Two concerns. Concerned about these petitions. First time out all 3 Tiers were involved. Tier 1 cost is \$125 per lot per year, no wording on a cost to anyone else. Second concern; Last year-To pump the water level down, if it is too high, was \$100 last year, Water is higher this year than in the past, will this be \$200 or \$300? What about our seniors? We have no say? There were no meetings and I got the petition a week ago. Last November it was 44% and now over 51% and only Tier 1. We are out in the open and didn't know about it. I was told to turn the petition in with a yes vote. How good is that? That's all I have to say.

MATHENY- Second line of PA188 says it is a tax.

JIM LARD: I am in favor of the Tier 1 district at \$125.00 per year this time. There was one petition for all three tiers, but now only Tier 1.

No more public comments

The supervisor asked the Board members for comments.

Roland asked if we have received letters against the SAD of more than 22% of the tier 1 owners. Reply was no. We had at this time 8 letters against (4 turned in twice but counted only once), and 5 more for the SAD.

Irwin. I don't understand why this isn't a tax. They will be charged. Before it was 1.4 mills for 3 Tiers and now \$125 for Tier 1 only. Corrected to last time the rate was \$95 for Tier 1 and \$40 for Tier 2. When the drain was put in all 3 Tiers were taxed. (Corrected to 4 Tiers.) There was an actual law suit on the drain, and benefited all land owners in the District. This was a determination from the Drain Commission and not the residents or township. As was the wells dug to maintain the lake level in 2002. All paid for the wells, but again it was the Drain Commission authorization.

Farwell We referred this SAD to our township attorneys as was requested and I made their comments as part of the minutes from the March 2nd meeting. That the attorney's opinion was that the aquatic weed/algae control is inferred to be to the benefit of lake front owners and in a court of law, the judge would stick to that judgement.

Yarhouse No questions or comments.

The supervisor then proceeded with the board to vote on the Gray Lake Resolution #2 after a motion by Farwell supported by Yarhouse. Roll Call Vote: Farwell-yes, Yarhouse-yes, Irwin-yes, Roland-yes. Byl-yes, Resolution approved.

The board proceeded to Vote on the Gray Lake #3 Resolution after a motion by Yarhouse supported by Farwell. Roll Call Vote: Yarhouse-yes, Farwell-yes, Roland-yes, Irwin-yes and Byl-yes. Resolution approved.

Motion to adjourn made by Yarhouse, Supported by Irwin Meeting closed at 6:38pm

David Byl, Supervisor

Joan E Farwell Clerk

