

# Lake Boards 101 – Lake Board Procedures

Tony Groves  
Progressive AE



# Statutory Authority

- Part 309, Inland Lake Improvements, Natural Resources and Environmental Protection Act (PA 451 of 1994)
- Formerly the Inland Lake Improvement Act (PA 345 of 1966)

## NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)

Act 451 of 1994

PART 309

INLAND LAKE IMPROVEMENTS

### **324.30901 Definitions.**

Sec. 30901. As used in this part:

(a) "Benefit" or "benefits" means advantages resulting from a project to public corporations, the inhabitants

# Establishing a Lake Board

- Motion of local unit of government
- Petition signed by 2/3 of freeholders

**PETITION TO ESTABLISH A LAKE BOARD  
PURSUANT TO PART 309, INLAND LAKE IMPROVEMENTS,  
OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,  
PUBLIC ACT 451 OF 1994, AS AMENDED**

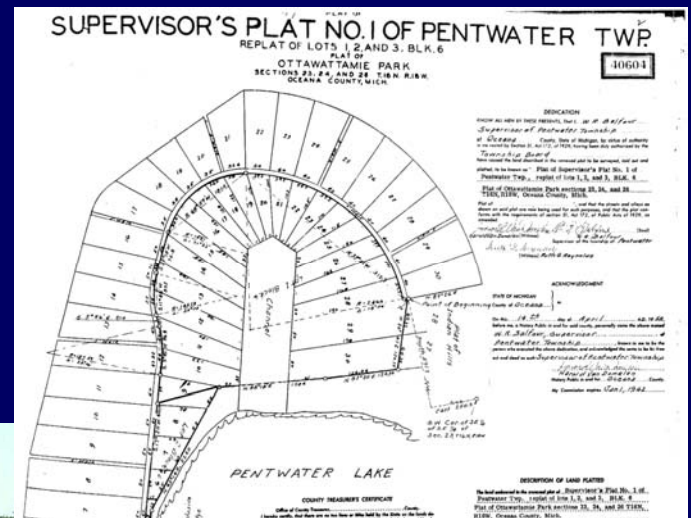
We, the undersigned being owners of property abutting Lloyd's Bayou, located in the Village of Spring Lake and Spring Lake Township, Ottawa County, State of Michigan, do hereby petition the Village of Spring Lake and Spring Lake Township to provide for the improvement of Lloyd's Bayou and to take steps necessary to improve Lloyd's Bayou as authorized by Part 309, Inland Lake Improvements, of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended. We acknowledge that a Special Assessment District may be established to finance the necessary improvements.

Signature(s) of Property Owner of Record  
(Both Must Sign if Property is Owned Jointly)  
(Please Sign and Print Name)

	ADDRESS	DATE
1.	_____	_____
	_____	_____
2.	_____	_____
	_____	_____

# Resolution Creating Board

- Local governmental unit(s) instruct lake board to
  - Determine project scope
  - Establish special assessment district

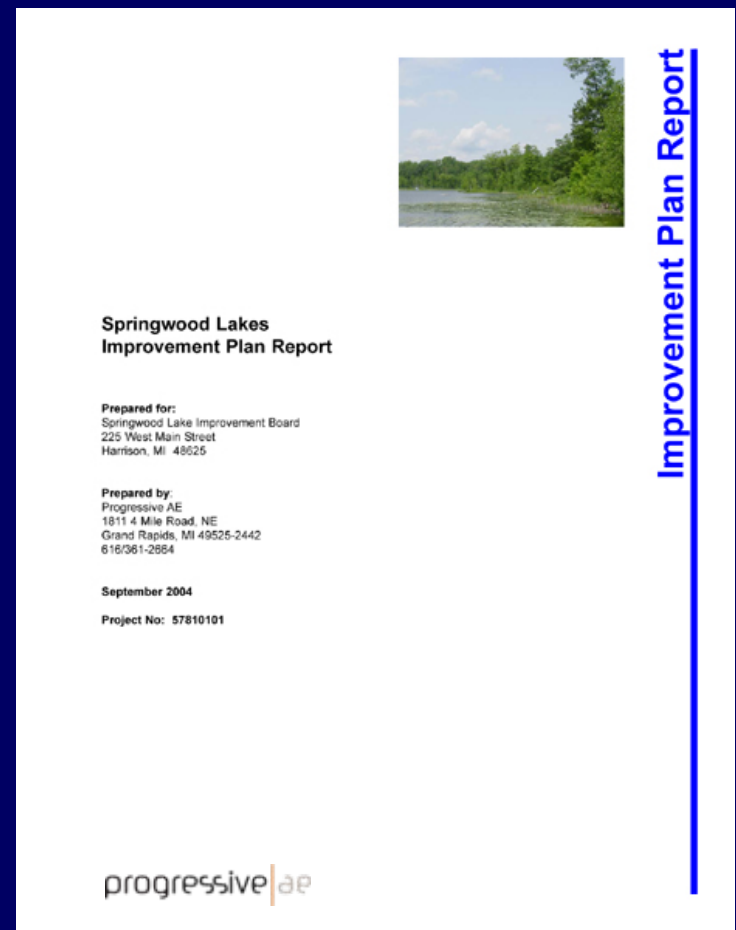


# Lake Board Members

- Representative of each local unit of government (2 representatives for lakes in only 1 local unit)
- County Commissioner
- County Drain Commissioner, or designee
- Lakefront Property Owner

# First Order of Business

- Select chairperson, secretary, treasurer
- Retain engineer
  - Engineering feasibility report
  - Estimates of cost and probable assessments
  - Public hearing within 60 days of report



# Hearing on Practicability

- Publish notice of hearing
- Hold public hearing on improvements
- Formal resolution to proceed
- Publish resolution
- 30-day challenge period

## RESOLUTION TO PROCEED WITH IMPROVEMENTS TO RYERSON LAKE

At a special meeting of the Ryerson Lake Improvement Board held in the Sherrill Room on the 27<sup>th</sup> day of August, 2001, at 7:00, local time.

PRESENT: Butler, Hallmeyer, Sullivan, Obits

ABSENT: Klemans

The following resolution was offered by member Obits and seconded by member Sullivan.

WHEREAS, a public hearing was held on the improvement program for Ryerson Lake;

WHEREAS, it is the desire of the Ryerson Lake Improvement Board to proceed with the proposed improvements to the lake as described in the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Lake Board hereby determines that the proposed improvements are practicable and that the information submitted for the lake improvement is sufficient, and it confirms its intent to proceed with the proposed improvements.
2. The Lake Board hereby approves the lake improvement plan and the execution of the same.

# Assessment District and Roll

- Resolutions
  - Accepting Special Assessment District
  - Directing preparation of Special Assessment Roll
  - Scheduling public hearing on Roll



# Hearing on Assessment Roll

- Publish and mail notice of hearing
- Hold public hearing on Special Assessment Roll
- Resolution confirming Special Assessment Roll
- Publish notice of confirmation
- 30-day challenge period

# Contracting Options

- Advertise for competitive bids
- Contract directly with a lake association (without advertising for bids)

**Thunder Lake Improvement Board  
Bid Documents for  
Aquatic Plant Harvesting  
of Thunder Lake  
Mason County, Michigan**

Prepared For:

Thunder Lake Improvement Board  
c/o Mason County Drain Commissioner  
1110 South Washington Avenue  
Ludington, MI 49431-2591

# Project Costs

- Eligible project costs include:
  - Preliminary costs
  - Engineering and inspections
  - Contract work
  - Publication of notices
  - Legal expenses
  - Administrative costs
  - Permit fees
  - Contingent expenses
- Must adopt annual budget

**DEQ**  
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER BUREAU

**APPLICATION FOR PERMIT OR CERTIFICATE OF COVERAGE  
FOR CHEMICAL TREATMENT TO CONTROL  
NUISANCE AQUATIC PLANT AND/OR ALGAE GROWTH**

Pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 401, as amended (NREPA), and Part 33, Aquatic Nuisance Control, of the NREPA, application is made by the undersigned for a permit to chemically treat the waters described below for the control of nuisance aquatic plant and/or algae growth.

**SECTION I. GENERAL INFORMATION**

APPLICANT INFORMATION		WATERBODY INFORMATION			
APPLICANT NAME		WATERBODY NAME (IF CANAL/MARINA, ALSO LIST NAME OF CANAL/MARINA)			
MAILING ADDRESS		COUNTY(IES)			
CITY, STATE, ZIP CODE		TOWNSHIP NAME(S)	TOWNS	RANGE(S)	SECTION(S)
TELEPHONE (DAYTIME)	FACSIMILE	OTHER INFORMATION FOR PRECISE LOCATION (E.G., NEARBY CROSSROADS)			
LAKE ADDRESS (IF DIFFERENT FROM MAILING ADDRESS)		SURFACE AREA OF ENTIRE WATERBODY (ACRES)			

**SECTION II. TREATMENT AREA**

1. DIMENSION OF TOTAL TREATMENT AREA  
Length \_\_\_\_\_ feet    Width \_\_\_\_\_ feet    Average depth of treatment area \_\_\_\_\_ feet

2. TOTAL SURFACE ACRES PROPOSED FOR TREATMENT \_\_\_\_\_ ACRES (1 acre = 43,560 square feet)  
Multiply length in feet by width in feet and divide by 43,560.

**SECTION III. REQUIRED FEES**  
Fees are based on the size of the proposed treatment area. **ALL FEES ARE NON-REFUNDABLE.** Check appropriate box:

For treatment of areas less than 1/2 acre, the required fee is \$75.00.  
 For treatment of areas of 1/2 acre or more but less than 5 acres, the required fee is \$200.00.  
 For treatment of areas of 5 acres or more but less than 20 acres, the required fee is \$400.00.  
 For treatment of areas of 20 acres or more but less than 100 acres, the required fee is \$800.00.  
 For treatment of areas of 100 acres or more, the required fee is \$1,500.00.

Certificate of Coverage under General Permit No. \_\_\_\_\_ – \$75.00 (all current General Permits and the list of pre-approved waterbodies may be obtained by visiting <http://www.michigan.gov/deq> or by calling 517-241-7734).

Payment must be made in full or your application will be returned. Checks should be payable to: **STATE OF MICHIGAN**.  
Submit your check, completed application form, and if necessary, a treatment map and authorization letter or contract to:

INLAND LAKES AND REMEDIAL ACTION UNIT WATER BUREAU	FOR MDEQ CASHIERS USE ONLY
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# Financing Options

- Borrow money
- Issue lake level orders
- Bond



# Lake Board Dissolution

- Local unit(s) hold hearing and make(s) determination
- All debts paid
- Excess funds refunded
- Lake board adopts order approving dissolution

# Lake Board Considerations

- Over 100 active Lake Boards statewide
- Broad scope of improvements
- Single purpose and focus
- Projects across political jurisdictions
- Cost-share grants



# Questions?

