

## **RESOLUTION 2017 – 03**

### **Resolution to Establish the Stone Lake Improvement Board**

IN ACCORDANCE WITH PART 309, INLAND LAKE IMPROVEMENTS, OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, PA 451 of 1994, as amended.

WHEREAS, Stone Lake is a public inland lake located almost entirely within the Village of Cassopolis in Cass County, Michigan; and

WHEREAS, Stone Lake is a valuable natural resource that is currently impeded by nuisance growth of exotic aquatic plants; and

WHEREAS, the establishment of a lake board for Stone Lake pursuant to Part 309, Inland Lake Improvements, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended (hereinafter referred to as Part 309), is essential to the effective management of Stone Lake;

#### **NOW THEREFORE, BE IT RESOLVED:**

RESOLUTION 2016-12 previously adopted by the Cassopolis Village Council is hereby rescinded.

**BE IT FURTHER RESOLVED**, under the authority of and subject to the provisions of Part 309:

1. The Village of Cassopolis does hereby create a lake board upon its own motion pursuant to Section 30902 of Part 309.
2. The Stone Lake Improvement Board shall initiate proceedings in accordance with Part 309 to implement an aquatic plant control program on Stone Lake.
3. The Stone Lake Improvement Board shall determine the scope of the project to improve conditions in Stone Lake and shall establish a special assessment district, that will include all parcels of land and local units which will be benefited by improvements to the lake.
4. Pursuant to Section 30903 of Part 309, the Stone Lake Improvement Board shall consist of the following:
  - a) A member of the Cass County Board of Commissioners appointed by the chairperson of the county board of commissioners.
  - b) Two representatives of the Village of Cassopolis.
  - c) The Cass County Drain Commissioner or his designee.
  - d) A member elected by the members of the lake board at the first meeting of the lake board. Only a person who has an interest in a land contract or a record interest in the title to land that abuts Stone Lake is eligible to be elected to serve in this capacity. An organization composed of and representing the majority of lakefront property owners on Stone Lake may submit up to three names to the lake board, from which the lake board shall make its selection.

Resolved this 23rd day of January, 2017

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David Johnson, Village President

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Tonia Betty, Village Clerk

Upon a motion made by Council Member Yoder and supported by Council Member Williams the above and foregoing Resolution was duly resolved.

AYES: Parsons, Jackson-Ash, Johnson, Williams, Wagner and Yoder

NAYS: Sims

ABSENT:

ABSTAIN:

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Cassopolis, County of Cass, State of Michigan, at a meeting held on January 23, 2017 the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976 including the case of a special or rescheduled meeting, notice by posting at least 18 hours prior to the time set for said meeting.

Dated: January 23, 2017

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Tonia Betty, Village Clerk