



**FOUR LAKES TASK FORCE BOARD
SPECIAL ASSESSMENT DISTRICT
February 7, 2019**

To sustain the Four Lakes for future generations, the Four Lakes Task Force is pursuing the establishment of legal lake levels for Sanford, Wixom, Smallwood and Secord Lakes. With establishment of legal lake levels, ownership of lakes and dam components will need to be purchased from Boyce Hydro and transferred to Midland and Gladwin Counties. This will assure that the lakes can be sustained and locally managed for future generations, regardless of ability to generate hydroelectric power.

State of Michigan law, Part 307 of Michigan Public Act 451 of 1994, outlines the procedures for establishing legal lake levels. By resolution and in accordance with this law, the Midland and Gladwin County Board of Commissioners, authorized the Four Lakes Task Force to complete a lake level study.

A component of this lake level study is the preparation of a tentative Special Assessment District (SAD) for the Four Lakes. A map showing the tentative SAD is available on the Four Lakes Task Force website (www.four-lakes-taskforce-mi.com). The tentative SAD includes property owners who either own land that fronts Sanford, Wixom, Smallwood or Secord Lakes or who own land that has a dedicated (private easement) access to these lakes. The tentative SAD also includes lands that front the lakes and is owned by MDNR or local government. The Circuit Court has been petitioned to order the establishment of a legal or "normal" lake levels and establishment of the Four Lakes Special Assessment District. A Circuit Court hearing is presently being scheduled and all properties identified in the tentative SAD will receive a notice for the hearing.

Also, six public informational meetings will be conducted. These meetings will have a presentation of the findings of the lake level study. The presentation will include the planning level cost estimates, the tentative implementation schedule, the tentative special assessment district (SAD) and estimated yearly assessments. You will have the opportunity to ask questions and provide comments in a public forum and/or to meet individually with project engineers.

Should the lake levels and SAD be ordered by the Circuit Court, the SAD will be responsible for costs associated with establishing the legal lake levels and the costs associated with acquiring, repairing, improving, operating and maintaining dams to be compliant with State of Michigan dam safety standards. The dams will need proper operation, maintenance and repairs into the future, thus future assessments to properties in the tentative SAD would occur.

Current estimates of the initial cost/investment for establishing and maintaining legal lake levels, acquiring and then repairing the four dams to meet State of Michigan dam safety standards is approximately \$20 million. The State of Michigan has provided \$5 million dollars

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towards repairs to the dams, thus reducing the cost to the SAD. The portion of the cost/investment not covered by grants or other funding will be shared by tentative SAD. It is anticipated this SAD portion of the cost will be spread over 20 years. The current estimated annual assessment for residential property owner of **a single parcel or adjacent parcels** that are associated with a single residence having less than 300 feet of property fronting the lake is \$350.

It is anticipated that the assessments will not be spread evenly amongst all property owners, for example, a property owner that fronts the lake will have a higher assessment than a property owner having a private easement but not fronting the lake. Also, a residential property owner will not have the same assessment as a commercial property owner. The tentative factors shown below have not been finalized and are intended for discussion and to illustrate the currently proposed methodology for spreading of the special assessment. The factor is simply a multiplier. To estimate the annual assessment for each property ownership class simply multiply the tentative factor by \$350. These numbers are for discussion and ARE NOT FINAL.

Property Owner Description	Tentative Factor
Residential property owner with less than 300 ft. of frontage	1
Commercial property owner with less than 300 ft. of frontage	1.5 to 3
Agricultural property owner with less than 300 ft. of frontage	1
Other property owner with less than 300 ft. of frontage	1 to 3
Residential property owner with greater than 300 ft. of frontage	2
Commercial property owner with greater than 300 ft. of frontage	3 to 6
Agricultural property owner with greater than 300 ft. of frontage	1 to 2
Other property owner with greater than 300 ft. of frontage	2 to 6
Residential property owner with private easement and no frontage	0.25
Commercial property owner with private easement and no frontage	0.5
Other property owner with private easement and no frontage	0.5

A Special Assessment hearing must be conducted prior to any assessments being levied. This is a separate hearing from the Circuit Court hearing of the SAD. Property owners in the SAD will receive a notice of the Special Assessment Hearing, at which, the exact amount of the special assessment will be known. The Special Assessment hearing is not anticipated to be sooner than late summer of 2020 and that assessments will not occur earlier than the winter taxes of 2020. It is possible this could be pushed back to 2021, dependent on progress with engineering, permitting, and construction bidding. The exact amount of the assessment will not be known until final construction permits have been issued.



FREQUENTLY ASKED QUESTIONS (FAQ's):

Public Information Meetings & Circuit Court Hearing

Why have I received this notice for Public Information Meetings?

- The Four Lakes Task Force invites you to attend a Public Information Meeting regarding the establishment of Michigan legal lake levels and a Special Assessment District (SAD) for Sanford, Wixom, Smallwood and Secord Lakes.
- The objective of the Four Lakes Task Force is to safeguard the lakes for future generations by establishing State of Michigan legal lake levels. By establishing these legal lake levels, the current levels will be sustained and managed locally into the future.
- You have been identified as owning property within the tentative Four Lakes Special Assessment District that has been petitioned for.
- A Map of the tentative Four Lakes Special Assessment District is available on the Four Lakes Task Force website at www.four-lakes-taskforce-mi.com.

What is a Special Assessment District?

- A Special Assessment District includes properties that would receive special assessments to pay for a particular benefit received from public projects such as lakes, drains, water lines, or roads.
- In this case, the tentative Four Lake Special Assessment District includes waterfront properties along the Four Lakes and "backlot" properties with dedicated (private easement) access. These properties benefit from sustaining the lakes now, and into the future.

What is the benefit of the Special Assessment District?

- With the establishment of State of Michigan legal lake levels and the Special Assessment District, the ownership of the Four Lakes would be transferred from Boyce Hydro to Midland and Gladwin Counties.
- The lake levels can be sustained for future generations regardless of future hydro power.
- The operation and maintenance of these lakes and dams will be controlled by a "Delegated Authority", appointed by the Counties, with representation from each lake.

Is the lake level going to change?

- No. The lakes will be managed at the same levels as they have been for the past 20-30 years.
- The State of Michigan legal lake level will match the current elevations specified by Federal Energy Regulatory Commission (FERC) licenses.
- This process is designed to formally set this lake level in the State of Michigan, rather than rely only on the existing FERC licenses to do so. Should additional FERC licenses be revoked or expire, established Michigan lake levels will provide a legal requirement that lake levels are sustained.

Who will be responsible for maintaining the lake levels?

- The Four Lakes Task Force Board will be the Delegated Authority with oversight from County Commissioners.
- The Four Lakes Task Force Board will be responsible to maintain the established lake level set by a Circuit Court Order.

A Sustainable Future for the Four Lakes



What is the purpose of the Public Information Meetings, and do I have to attend?

- The intent of these meetings is to share information with the public regarding the reasons for establishment of Michigan legal lake levels and the Special Assessment District (SAD). A Question/Answer period will allow the landowners within the tentative SAD to **ask questions and offer input** on those matters.
- Details for the meetings will be mailed to all property owners in the tentative Special Assessment District, posted on the Four Lakes Task Force website, and on our Facebook page.
- You do not have to attend any of the several public information meetings. However, we encourage you to attend any of these meetings to get additional information on the status of the dams and lakes, the process going forward, and the boundaries of the tentative SAD.

What is the purpose of the Circuit Court Hearing, and do I have to attend?

- You do not need to attend the hearing. However, it is your right to do so.
- The Circuit Court hearing is a formal process in which you may present **sworn testimony and evidence** to the Court regarding establishment of the legal lake elevations and the establishment and confirmation of the Special Assessment District boundaries.
- Please note that you must protest in person or by writing to reserve your right to appeal the special assessment.

When do I receive my lake level special assessment?

- It is currently estimated the first assessment would be no sooner than your 2020 winter taxes, roughly two years from now.
- Assessment amounts may vary from year to year, depending on annual cost to operate and maintain dams.

What is my tentative assessment amount?

- Preliminary, estimated assessment amounts will be available at the Public Information Meetings.
- They are also available on the website, www.four-lakes-taskforce-mi.com.
- Notices for the Public Information Meetings and a separate notice of the Circuit Court Hearing will be sent out to all property owners within the tentative Special Assessment District.

Where can I get more information?

- You can attend one of several public information meetings, visit the Four Lakes Task Force website at www.four-lakes-taskforce-mi.com, send us an email through the website, or call (989) 315-8366 and leave us a detailed message, and we will follow up as soon as we can.