

**TOWNSHIP OF LYON
(Roscommon County, Michigan)**

RESOLUTION NO. 2022-GLUA1

**TENTATIVE DECLARATION OF INTENT TO MAKE PUBLIC IMPROVEMENTS;
TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

At a regular meeting of the Lyon Township Board, Roscommon County, Michigan held at the Lyon Township Hall, 7851 W. Higgins Lake Drive, Roscommon, Michigan 48653, on the 15th day of June, 2022 at 7:00 pm.

PRESENT: Tatro, Schnell, Grier, Carlson, and Tomak

ABSENT: None

The following resolution was offered by Member Carlson and supported by Member Schnell.

WHEREAS, the Gerrish Lyon Utility Authority (the “GLUA”) was established by the Townships of Lyon and Gerrish to explore the possibility of acquiring, owning, improving, enlarging, extending or operating a sewer service or system to address wastewater collection and treatment and declining water quality in or near Higgins Lake;

WHEREAS, Higgins Lake is a critical asset to Lyon Township, including its residents and the community at-large. Acting to prevent further decline in the health and water quality of Higgins Lake is critical to protecting the public health, safety, and general welfare of the persons and property in the Township;

WHEREAS, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended (“Act 188”), as well as other statutory authority, the Township Board may initiate and carry out sanitary sewer and water system improvements, and finance the same by the levy of special assessments against benefiting properties within a special assessment district in the Township;

WHEREAS, the Township Board has received a preliminary plan, dated May 5, 2022, showing proposed sanitary sewer and water system improvements near or around Higgins Lake, and an estimate of the costs of the same at approximately \$35,440,000;

WHEREAS, there exists a need for certain public improvements in the Township near or around Higgins Lake as described in *Exhibit A* attached hereto and Act 188 provides the means to finance the improvements;

WHEREAS, the Township Board shall hold a public hearing on July 25, 2022, to hear and consider objections to the proposed improvements and the special assessment district tentatively designated around Higgins Lake;

WHEREAS, the Board has decided to tentatively declare its intention to proceed with the proposed public improvements, either directly or through the GLUA, pursuant to Act 188; and

WHEREAS, in the event written objections to the improvements are filed that satisfy the requirements of Act 188, the Township Board shall not proceed with the improvements, until petitions are filed with the Township Board by record owners of land constituting more than 50% of the total land area in the special assessment district as finally established by the Township Board.

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Lyon Township, Roscommon County, Michigan, as follows:

1. The Township Board intends to proceed pursuant to Act 188 to make the public improvements described in the Notice of Public Hearing attached as *Exhibit A* hereto, showing proposed sanitary sewer and water system improvements near or around Higgins Lake, either directly or through the GLUA.

2. The Township Board has authorized the preparation of plans showing the proposed improvements, their location and an estimate of the costs thereof in the amount of \$35,440,000. The preliminary plans and the estimate of costs have been filed with the Township Clerk. The plans and estimate of costs are available for public inspection at the Township Hall, located at 7851 W. Higgins Lake Drive, Roscommon, Michigan 48653, during normal business hours.
3. The Township Board hereby tentatively designates a special assessment district known as the "Lyon Township Sewer Special Assessment District No. 1", consisting of certain parcels of property shown in the Notice of Public Hearing attached hereto as *Exhibit A*, and against which parcels all or a portion of the cost of the proposed improvements shall be assessed.
4. The Township Board shall hold a public hearing on July 25, 2022, at 7:00 p.m. at the Township Hall located at 7851 W. Higgins Lake Drive, Roscommon, Michigan 48653, to hear and consider objections to the proposed improvements and the special assessment district tentatively designated herein.
5. The Township Clerk shall cause to be published a Notice of the Public Hearing, in a form substantially similar to *Exhibit A*, in *The Houghton Lake Resorter*, a newspaper of general circulation within the Township, at least two (2) times prior to the public hearing, with the first publication at least ten (10) days prior to the public hearing. Proofs of publication of such notice shall be filed with the Township Board.
6. The Township Clerk, at least ten (10) days prior to the date of the public hearing, shall send the same Notice of the Public Hearing by first class mail addressed to each record owner of, or party in interest in, each property to be assessed, at the address shown for such owner or party in interest upon the last township tax assessment records (the last assessment roll for ad valorem tax purposes that was reviewed by the Township Board of review), as supplemented by any subsequent changes in the names or addresses of the owners or parties listed therein, except in the case of railroad companies, which shall be mailed a Notice of the Public Hearing by registered mail within five (5) days after the first publication of the notice described in Paragraph 5 above.

If a record owner's name does not appear on the Township tax assessment records, then notice shall be given by first-class mail addressed to the record owner at the address shown by the records of the county register of deeds at least ten (10) days before the date of the hearing.

7. This resolution is initiating a new project and therefore objections and petitions objecting to prior projects will not be considered as objections to this new project.
8. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

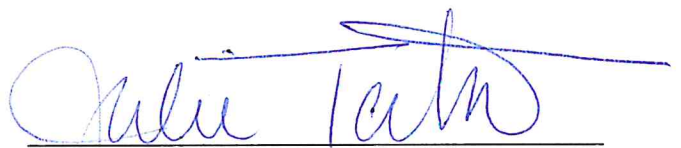
All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Tatro, Schnell, Grier, Carlson, Tomak

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.


Julie Tatro, Supervisor

CERTIFICATION

I, Doug Schnell, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Lyon at a meeting held on June 15, 2022, and that public notice of said meeting was given pursuant to Act 267, Public Acts of Michigan, 1976, including, in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

Dated: June 15, 2022



Doug Schnell, Clerk

EXHIBIT A

NOTICE OF PUBLIC HEARING

**TOWNSHIP OF LYON
(Roscommon County, Michigan)**

LYON TOWNSHIP SEWER SPECIAL ASSESSMENT DISTRICT NO. 1

TO: THE RESIDENTS, PROPERTY OWNERS AND PARTIES IN INTEREST IN LAND WITHIN LYON TOWNSHIP, ROSCOMMON COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

NOTICE IS HEREBY GIVEN that the Township Board of Lyon Township will conduct a public hearing at the Lyon Township Hall, 7851 W. Higgins Lake Drive, Roscommon, Michigan 48653, on July 25, 2022 at 7:00 pm to hear and consider objections to the proposed sanitary sewer and water system improvements near or around Higgins Lake and the special assessment district tentatively designed by the Township Board, illustrated in enclosed *Schedule A*. At the public hearing, the Township Board will consider any objections, revisions, corrections, amendments, or changes to the proposed improvements, the estimate of costs or the special assessment district.

The proposed improvements include the design, acquisition, and construction of a sanitary sewer system, including a collection system and a wastewater treatment plant all as more specifically described in the Plans and Cost Estimates dated May 5, 2022, which are on file with the Township Clerk. The wastewater treatment plant is proposed to be located at the northeast quadrant of US 127 and Pine Drive in Lyon Township and the collection system is proposed to be located generally as shown on the map attached as *Schedule A*. The public improvements may be made directly by Lyon Township or through the Gerrish Lyon Utility Authority.

The special assessment district within which the cost of the proposed improvements is proposed to be assessed is described as: those properties shown on the map enclosed as *Schedule A* ("Lyon Township Sewer Special Assessment District No. 1").

The total cost of the proposed improvements is estimated to be \$35,440,000. Periodic redeterminations of cost may be necessary without a change in the special assessment district, and such redeterminations may be made without further notice to record owners or parties in interest in the property.

The proposed improvements, estimated costs and special assessment district map may be examined at the Lyon Township Hall, 7851 W. Higgins Lake Drive, Roscommon, Michigan 48653, during ordinary business hours, or at the public hearing.

PROPERTY SHALL NOT BE ADDED TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT WITHOUT FURTHER NOTICE AND PUBLIC HEARING AND THE ORIGINAL COST ESTIMATE WILL NOT BE INCREASED BY MORE THAN 10% WITHOUT FURTHER NOTICE AND PUBLIC HEARING.

The Township Board has tentatively declared its intention to proceed with the improvements pursuant to Act 188, Public Acts of Michigan, 1954, as amended. The Township Board has

tentatively determined that some or all of the cost of the improvements will be specially assessed against benefitted parcels in the proposed Lyon Township Sewer Special Assessment District No. 1.

This public hearing is considering a new project and objections and petitions objecting to prior projects will not be considered as objections to this new project.

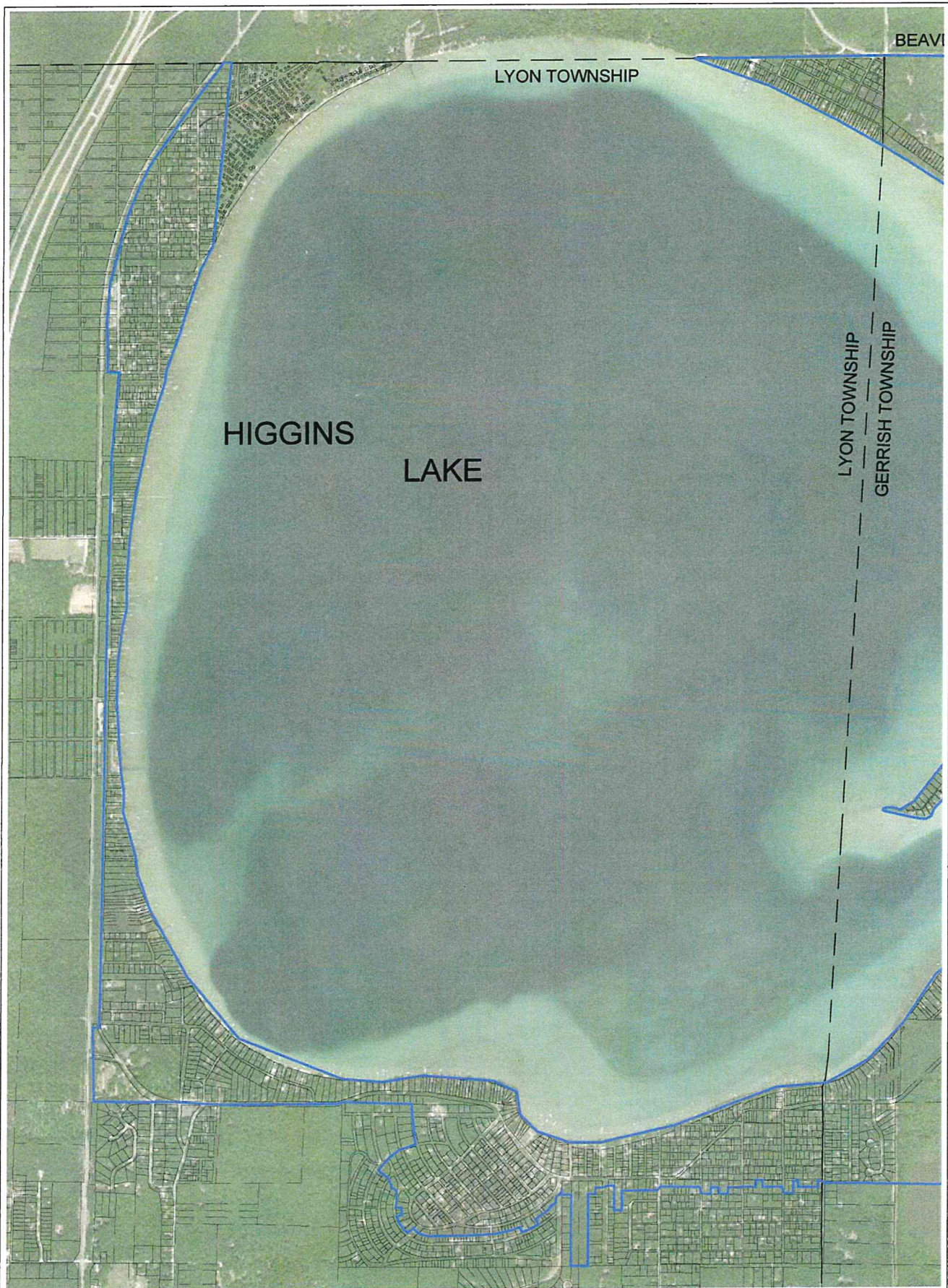
If any person has a disability and requires accommodations to participate in the public hearing, please notify the Township at least five (5) days prior to the hearing via phone at the address or telephone number listed below.

This notice was authorized by the Township Board of the Township of Lyon.

FOR FURTHER INFORMATION PLEASE CONTACT:

Township Supervisor
Township of Lyon
7851 W. Higgins Lake Drive
Roscommon, Michigan 48653
Telephone: (989) 821-9694

Doug Schnell, Clerk
Township of Lyon



BEAVI

LYON TOWNSHIP

HIGGINS
LAKE

LYON TOWNSHIP
GERRISH TOWNSHIP



NORTH
NTS

LEGEND

— PROPOSED SERVICE DISTRICT

LYON & GERRISH TOWNSHIPS
ROSCOMMON COUNTY, MI
PROPOSED SERVICE DISTRICT

EXHIBIT D



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