

**RUTLAND CHARTER TOWNSHIP**  
**BARRY COUNTY, MICHIGAN**  
**2024-2033 PODUNK LAKE IMPROVEMENT PROGRAM**  
**(AQUATIC VEGETATION CONTROL)**  
**RESOLUTION NO. 2023-~~295~~**

**RESOLUTION CONFIRMING 2023-2032 SPECIAL ASSESSMENT ROLL**

WHEREAS, on August 9, 2023 the Rutland Charter Township Board approved a Resolution creating the 2024-2033 Podunk Lake Improvement Program Special Assessment District for an aquatic vegetation control program in 2024-2033, and established September 13, 2023 as the date for a public hearing to review and hear any objections to the proposed 2023-2032 special assessment roll submitted by the Supervisor/Assessing Officer of the Township allocating the cost of the program to the various lots/parcels within the District; and

WHEREAS, the Township Board conducted such public hearing on September 13, 2023 preceded by proper published, mailed and posted notice in accordance with applicable laws, as shown by affidavits pertaining thereto on file with the Township Clerk; and

WHEREAS, at the public hearing an opportunity was extended to all present to be heard in the matter, and any written comments that may have been received with respect to the proposed special assessment roll were also duly noted, including any oral or written comments requesting the proposed roll be amended; and

WHEREAS, it is the opinion of the Township Board that no further time need be granted for the consideration of this matter or for the filing of objections to the proposed special assessment roll; and

WHEREAS, pursuant to all the foregoing and any other appropriate considerations the Township Board desires to approve and confirm a special assessment roll for the special assessment installments to be levied in 2023-2032 as provided herein;

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The proposed 2023-2032 special assessment roll submitted by the Supervisor/Assessing Officer of the Township is hereby confirmed and designated as the 2024-2033 Podunk Lake Improvement Program (Aquatic Vegetation Control) Special Assessment Roll pursuant to the special assessment amounts for each type of property included in the Special Assessment District, as follows:

- \$2,268.00 to each lot/parcel abutting Podunk Lake, levied and payable in ten annual installments as follows:
    - \$315.00 in 2023, only
    - \$217.00 in each of years 2024-2032
  - \$1,848.00 to each lot/parcel abutting primarily the channel of Podunk Lake, levied and payable in ten annual installments as follows:
    - \$273.00 in 2023, only
    - \$175.00 in each of years 2024-2032
  - \$1,018.00 to each lot/parcel abutting neither Podunk Lake nor the channel but having deeded access to Podunk Lake, levied and payable in ten annual installments as follows:
    - \$190.00 in 2023 only
    - \$92.00 in each of years 2024-2032
2. The special assessment previously approved by the Township Board as part of the 2019-2023 program for levy in 2023 is hereby vacated, and replaced by the special assessment installment to be levied in 2023 pursuant to preceding paragraph 1 of this Resolution.
  3. The annual assessments in the confirmed roll shall be billed with the winter property tax bills in December 2023-2032 and due on or before each subsequent February 14 (or such other date in February as the winter property tax bills are last payable without interest/penalty), and all unpaid annual assessments prior to their transfer to the tax roll as provided by 1954 PA 188, as amended, shall bear interest payable annually at the rate of 3.0% per annum commencing on the due date set forth herein. Any annual payments made before such due date shall not bear any such interest. The Township Board reserves the right to change the interest rate annually, upward or downward, but not to exceed 8.0%.
  4. In each of years 2024-2032 the Township Board reserves the right to annually consider at its regular meeting in September-November, or thereabouts, a proposed revised special assessment roll based on an annual redetermination of actual costs for the treatment program. Any such subsequent revised special assessment roll resulting from a redetermination of costs may be considered and confirmed by the Township Board without further public hearing or notice, except as required by law or as further determined by the Board; provided that in each such instance the allocation of costs shall be based on the same

allocation method used for the special assessments in the initial confirmed 2023-2032 special assessment roll.

5. The special assessments in the confirmed roll shall be subject to an offset for the total amount of any revenue surplus from the 2019-2023 Podunk Lake Improvement Program, which the Township Board shall by subsequent motion or resolution determine and direct to be applied so as to proportionally reduce the amount of one or more of the annual special assessment installments as initially confirmed by the Board.
6. If any special assessment is not paid when due the special assessment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this Resolution, a penalty at the rate of 1.0% for each month or fraction of a month that the special assessment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, all in accordance with 1954 PA 188, as amended.
7. In accordance with 1954 PA 188, as amended, the special assessments contained in the confirmed special assessment roll shall from the date of levy of each annual special assessment installment constitute a lien upon the respective parcels of land specially assessed. Such lien shall be of the same character and effect as the lien created for Township taxes and shall include accrued interest and penalties.
8. The assessments made in the confirmed special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver the confirmed special assessment roll to the Treasurer with her Warrant attached commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and 1954 PA 188, as amended.
9. In the event the Treasurer shall report as delinquent any assessment or part thereof the Township Board shall certify the same to the Supervisor/ Assessing Officer who shall reassess on the annual Township tax roll of such year the sum so delinquent, with accrued interest and penalties, and an additional penalty of 6.0% of the delinquent amount. Thereafter the statutes relating to Township taxes shall be applicable to the collection of such reassessments.

BE IT FURTHER RESOLVED that to the extent any of the foregoing is altered by an amendment of any applicable statute, or by a binding judicial precedent, then said matter shall be considered subject to and governed by any such change in the law.

BE IT FURTHER RESOLVED that all prior Resolutions and parts of Resolutions be and the same are hereby rescinded insofar as they conflict with the provisions of the within Resolution.

**CERTIFICATE**

I, Robin Hawthorne, the Clerk of Rutland Charter Township, hereby certify that the foregoing Resolution was adopted at a meeting of the Rutland Charter Township Board, Barry County, Michigan, held on September 13, 2023, in accordance with the Open Meetings Act of the State of Michigan.

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Robin Hawthorne, Clerk  
Rutland Charter Township

RUTLAND CHARTER TOWNSHIP

BARRY COUNTY, MICHIGAN

2024-2033 PODUNK LAKE IMPROVEMENT PROGRAM  
(AQUATIC VEGETATION CONTROL)

SUPERVISOR'S CERTIFICATE REGARDING  
PROPOSED 2023-2032 SPECIAL ASSESSMENT ROLL

STATE OF MICHIGAN            )  
                                          ) ss.  
COUNTY OF BARRY            )

I, Larry Watson, the Supervisor of Rutland Charter Township state that I (or my designee) made the proposed special assessment roll/special assessment column in the regular tax roll to which this Certificate is affixed pursuant to the Resolution Creating Special Assessment District, Approving Plans and Cost Estimates, and Scheduling Public Hearing on Proposed Special Assessment Roll adopted by the Rutland Charter Township Board on August 9, 2023 and that the proposed special assessment roll/special assessment column in the regular tax roll conforms in all respects to the directions contained in that Resolution and applicable statutes, according to my best judgment.

Dated: 8/16/23

Larry Watson  
Larry Watson, Supervisor  
Rutland Charter Township

Subscribed and sworn to before me on August 16, 2023.

ROBIN J. HAWTHORNE  
Notary Public - State of Michigan  
County of Barry  
My Commission Expires Sept. 9, 2025  
Acting in the County of Barry

Robin J. Hawthorne  
Robin J. Hawthorne Notary Public  
Barry County, Michigan  
My Commission Expires: 9-9-25