

WINTER NIGHT FEBRUARY 20TH, 2019 MOONLIGHT ON FROZEN WAVES

Spring 2019

IN THIS ISSUE



The continued historic high water on Three Mile Lake is causing some issues for many of our lake riparians'. With continued spring rain forecasted and snow/frost melt the lake will in all likelihood be even higher than last year. Be very aware of floating debris this spring when you are out in your boat! There are sure to be some floating wood toys, etc. from previous beach storage with the water rise.

High Lake Levels

Three Mile Lake Drain Information

Annual Lake Association Picnic

President Cicchini Retires

Membership Drive

Your Board of Officers

HIGHER PROPERTY VALUES!



The average property value on the lake is going up – which is great for all of us! It's been nice to see some very substantial remodels this past year.

Routine lakefront maintenance will help you get top dollar should you ever choose to sell! It's also been shown that neighboring lot condition has an impact on your property value, especially on waterfront property.

In keeping with the Three Mile Lake helpful neighbor spirit the board has helped

recruit some volunteers for.....

Spring Clean up With the lake up so high this year, we noticed a lot of debris and damaged items around the lakeshore. We have a group of residents who volunteered to help you remove items that are on your beach and no longer useful by taking them to the dump. If you have any items you want cleaned up and can pile them up, email admin@threemilelakepawpaw.org and we'll get them picked up and removed once the weather gets nicer. Let us know how much you have in advance.



If you see items, like dock sections, boats, etc. that floated on your shore and aren't yours, please email us at admin@threemilelakepawpaw.org or call Jim Chlada at 708-610-2065 to let him know so he can send a notice around to try to find the proper owner.

As always in the Spring we want to remind you to be aware of floating items in the lake that can cause damage to boats. Let's try to keep the lake safe.

WHO'S IN CHARGE OF OUR LAKE LEVEL?

Some residents wonder who is "in charge" of the water level at our lake. The simple answer is nobody! Three Mile Lake does not have a legal lake level. The Drain Commissioner could hold hearings in order to address lake levels if warranted.

Shoreline Maintenance

The Michigan Natural Shoreline Partnership has a website that addresses shoreline erosion and some steps you can take to remedy. <http://www.mishorelinepartnership.org>

Generally speaking, some of our well-manicured lawns with a lack of other vegetation near the shoreline creates a situation where when the water is high there is little to HOLD the ground together and the dirt gets washed away. Without a seawall to prevent water incursion – we look to natural solutions as a possibility. Not everyone can create a natural shoreline defense however maintenance when the water recedes can help as well – know that repairing your landscape as levels drop can significantly help for the next cycle, preventing further erosion and rain wash next time.



Traditional Lakefront Landscaping



Healthier Lakefront Landscaping

Planning For Higher Lake Levels

While the lake does experience up and down water levels throughout the years all signs are pointing to a generally higher precipitation trend for the next few years. Our lake is quite healthy and will continue to be so. We cannot change the geography Three Mile Lake is a water basin of sorts for the surrounding area sitting LOWER than surrounding ground. Much of the water drains to our lake especially when ground is otherwise saturated. No worries with a little bit of planning and yearly remediation of any damages caused you can keep your property in good condition for the long-term.

Ever wonder why one neighbors lakefront yard is flooded and another's seems OK? This is due to a variety of factors but if you want to avoid the erosion that can be caused by water infiltration onto your land and keep your property value intact there's some things you can do to help.

- Repair your landscaping above the water line or your existing seawall. The longer you wait to make repairs the longer the water keeps eroding your property.

- After your primary barrier is intact make sure to replenish any lost soil, gravel etc. This is a common mistake a failed seawall plus a couple of years of water beating against your land actually permeates MUCH further than you can see. Then when it rains or water is flowing back to the lake small particles are carried with it out of your lawn. The longer this goes on the easier it is for your ground to become saturated. This creates an easy path for the water to follow. That's why neighboring properties can have a vastly different appearance. Even a decade later after water has receded the ground level will slowly DROP if not maintained.

- Replant vegetation: Grass and other destroyed vegetation makes it easier to lose ground. The roots help hold soil together and maintain your property.

From Michigan DNR News Digest March 4, 2019:

Dead fish may show up as ice begins to thaw

Winter conditions – very cold temperatures and heavy snow over ice, for example – can kill fish and other aquatic creatures like turtles, frogs, toads and crayfish. When ice and snow start to melt in the spring, it's likely that people will begin to discover those deaths.

"Winterkill is the most common type of fish kill," said Gary Whelan, the DNR Fisheries Division's research manager. "As the season changes, it can be common in shallow lakes, ponds, streams and canals. These kills are localized and typically don't affect the overall health of fish populations or fishing quality."

Shallow lakes with excess vegetation and soft bottoms are prone to winterkill. When aquatic vegetation under ice and snow dies from lack of sunlight, it uses up dissolved oxygen as it decays, and that creates fish kill conditions. Canals in urban areas also are susceptible due to run-off and pollution from roads and lawns and septic systems, again using up dissolved oxygen through the decay of vegetation and organic materials in sediments.

"Fish and other aquatic life typically die in late winter but may not be noticed until a month after the ice melts, because the dead fish are temporarily preserved on the lake bottom by the cold water. Once the water warms up, bacterial activity results in the dead fish coming to

the surface,” Whelan said. “Fish also are affected by rapid water temperature changes due to unseasonably warm weather, leading to stress and sometimes mortality.”

Fish can get easily stressed as they often have low energy reserves in late winter and food is scarce. That equals less adaptability to low oxygen and temperature swings.

Anyone spotting a fish kill in larger quantities – 25 fish or more – should report it using the Sick or Dead Aquatic Species form available under the fish icon at Michigan.gov/EyesInTheField. People also can [contact local DNR offices](#). It’s important to report observations as soon as possible, allowing fisheries staff to collect the best-quality fish for analysis.

For more information, visit Michigan.gov/FishHealth or contact [Gary Whelan](#), 517-284-5840 or [Elyse Walter](#), 517-284-5839.



Join our Community and support efforts of the Lake Association!

Online Payments NOW AVAILABLE

We have the lowest membership dues around at only \$20 annually. Fill out the attached membership form OR go online to threemilelakepawpaw.org

UNDER LAKE ASSOCIATION INFORMATION you can download and fill in your information. Or for the first time ever PAY ONLINE – just go to website for easy to fill form and payment info! It’s only \$20 and supports all the activities of your lake association while giving you a voice on issues affecting the lake. Additionally, we are launching some new member only benefits through the website. Members with the password will be able to Access the members only page on the website providing the ability to;

- POST A CLASSIFIED AD – The ad will be public but only members can post.
- DOWNLOADS- HI RESOLUTION MAPS AND IMAGERY (suitable for printing), Realtor Packet
- ACCESS MEMBER DIRECTORY- The annual directory includes contact info for your lake neighbors!
- SPECIAL NEWS -Members only news and notes!

Check out the new classifieds section by clicking Classifieds on the homepage!

www.threemilelakepawpaw.org



The 2019 Free Fishing Weekend: June 8 & 9.

All fishing license fees will be waived for two days. A **Recreation Passport** will NOT be required for entry into state parks and recreation areas during Free Fishing Weekend. Residents and out-of-state visitors may enjoy fishing on both inland and Great Lakes' waters for all species of fish. All fishing regulations will still apply.

PHOTOS!

We'd love to see your photos and post them to the website from 2019!

Send your best ones to admin@threemilelakepawpaw.org

We'll be updating the website routinely with new pictures if they are received!



CONDOLENCES

Our hearts are with Roland and his family after the passing of longtime lake resident and board member Jill Haring. We'd like to thank her family for all she did for the lake as our secretary, coordinating the newsletters, and helping run the annual picnics for years! She was a positive influence for the lake and sure to be missed.

NEW BOATING AND FISHING LAWS TO PREVENT THE INTRODUCTION AND SPREAD OF INVASIVE SPECIES

Michigan's Natural Resources and Environmental Protection Act ([Act 451 of 1994](#)) Part 413 - An update takes effect March 21st 2019. Here's a summary of the changes.

New changes require all of the following prior to transporting any watercraft over land:

- Removing all drain plugs from bilges, ballast tanks, and live wells.
- Draining all water from any live wells and bilges.
- Ensuring that the watercraft, trailer, and any conveyance used to transport the watercraft or trailer are free of aquatic organisms, including plants.



**STOP AQUATIC
HITCHHIKERS!**

This means that after trailering boats, and before getting on the road, boaters must pull plugs, drain water and remove plants and debris.

**Keep Our
Waters
Great!**

Don't Dump Your Bait



- A person shall not release baitfish in any waters of this state. A person who collects fish shall not use the fish as bait or cut bait except in the inland lake, stream, or Great Lake where the fish was caught, or in a connecting waterway of the inland lake, stream, or Great Lake where the fish was caught if the fish could freely move between the original location of capture and the location of release.

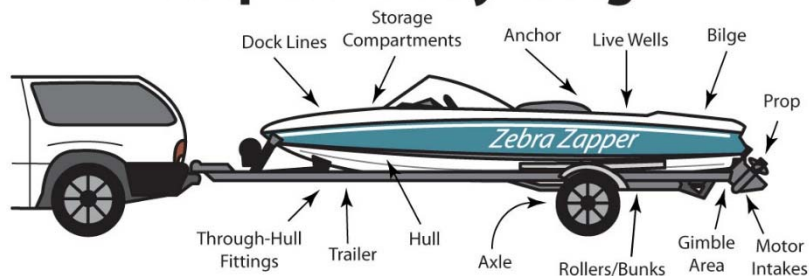
• A person, who catches fish other than baitfish in a lake, stream, Great Lake, or connecting waterway shall only release the fish in the lake, stream, or Great Lake where the fish was caught, or in a connecting waterway of the lake, stream, or Great Lake where the fish was caught if the fish could freely move between the original location of capture and the location of release.

Whether purchased or collected, unused baitfish should be disposed of on land or in the trash – never in the water. Any baitfish an angler collects may be used only in the waters where it was originally collected.

Anglers who are catching and releasing fish should only release the fish back into the same water or in a connecting body of water the fish could have reached on its own.

What you should do:

Before leaving and before launching...
inspect everything!



To comply with the law and prevent the introduction and spread of aquatic invasive species, boaters should:

1. CLEAN boats, trailers and equipment.
2. DRAIN live wells, bilges and all water - pull all drain plugs.
3. DRY boats and equipment.
4. DISPOSE of unwanted bait in the trash.



Reminder: For the safety of walkers, joggers, cars, and delivery personnel – please keep your dog on a leash.



2019 Lake Association Picnic and BOAT PARADE

When: July 6 th 2019	Where: Ron and Sue Cicchinis House
Picnic: 1:30 Meeting 2-5pm Picnic	64433 Parkwood Ct
Boat Parade: 7:30pm Meet South Side	Parking all around the side of road!

Our longest serving President Rinaldo Dominico Cicchini has decided to retire as President. We all thank him for his many years of service, helping with the starting of the Lake association and countless efforts in helping serve our lake community. Your leadership will be missed and we looked forward to your continued help, input and guidance of the lake association. We've granted Mr. Cicchini the honorary title President Emeritus! Ron and Sue have been gracious enough to allow us to host the picnic at their humble abode this year. We're breaking out some classic fare including the **10 CHICKEN ROTISSERIE!** We'll also have brats, veggies and all the fixins! Including a special dessert!

ALL LAKE RESIDENTS AND THEIR FAMILY'S ARE WELCOME

BAGS TOURNAMENT IS ON!

May the best team win! Bring your partner this year for a competition for the ages. Top team will get a VERY SPECIAL prize you won't want to miss.

Please RSVP so we know how much food to make
by emailing admin@threemilelakepawpaw.org OR
call Jim Chlada at 708-610-2065



It's was an awesome 2018 on the lake! We hope you've enjoyed it as much as we have. A special welcome to all our new residents! Any questions about the lake? Feel free to reach out to any of your board members below OR admin@threemilelakepawpaw.org

<u>Position</u>	<u>Name</u>	<u>Phone</u>	<u>Email</u>	<u>Term Expiring</u>
President	Ron Cicchini	269-657-5096	do3do@comcast.net	2019
Vice President	Dillon Preston	815-993-6057	dillon.r.preston@wmich.edu	2019
Treasurer	Jim Chlada	708-610-2065	jimchlada@comcast.net	2020
Secretary	Chadwick Learned	269-779-3636	clearned@gmail.com	2020
Director	Charlie Bear	269-657-7590	bearcsm@yahoo.com	2021
Director	Rich Maxwell	269-657-7343	maxpp4444@aol.com	2019
Director	Millie Pawlowski	312-406-1129	pawboat1@earthlink.net	2021
Director	Ron Weber	708-743-7938	rweb00@aol.com	2020
Director	Nancy Benefiel	317-371-2706	nrossell2003@yahoo.com	2020

Interested in serving on the board? We have a vacancy! Call anyone above or email us at admin@threemilelakepawpaw.org

FISH JOKE

A man was stopped by a game-warden with two buckets of fish leaving a lake well known for its fishing.

The game warden asked the man, "Do you have a license to catch those fish?"

The man replied to the game warden, "No, sir. These are my pet fish."

"Pet fish?!" the warden replied.

"Yes, sir. Every night I take these here fish down to the lake and let them swim around for a while. I whistle and they jump back into their buckets, and I take em home."

"That's a bunch of crap! Fish can't do that!" replied the warden in disbelief.

The man looked at the game warden for a moment and then said,

"Here, I'll show you. It really works."

"O.K. I've GOT to see this!" The game warden was curious.

The man poured the fish into the river and stood and waited...

After several minutes, the game warden turned to the man and said, "Well?"

"Well, what?" the man responded.

"When are you going to call them back?" the game warden prompted.

"Call who back?" the man asked.

"The FISH," the warden said sternly.

"What fish?" the man asked.



Special Boating Rules for Three Mile Lake

Below is a review of the special boating rules the DNR has enacted for our lakes!

Please let visitors know of these rules before using the lake.



Special restrictions regarding high speed boating and towing are in effect by statute for our lakes. Below is the full regulation enacted by the DNR.

For quick reference:

- No one can operate a boat at high speed or tow skiers/tubers on the South Side portion of the lake essentially south of the island – see map to left. AND in all of Little Three Mile Lake
- There is no towing on the ENTIRE LAKE during special times:
- During Eastern Daylight Savings time from 7:30 pm to 11:00 am the following day. March 12th to November 5th 2018
- The remainder of the year the time is 6:30 pm to 10:00 am

**SPECIAL LOCAL WATERCRAFT CONTROLS – VAN BUREN COUNTY –
LITTLE THREE MILE LAKE AND PORTION OF THREE
MILE LAKE – R281.780.2 –**

High-speed boating and water skiing prohibited.

2. On the waters of Little Three Mile lake and on that part of Three Mile lake south of the south eighth line of section 21, T3S, R14W, Van Buren county, state of Michigan, no operator of any motorboat shall:

(a) Operate such motorboat at high speed.

(b) Have in tow, or shall otherwise assist in the propulsion of, a person on water skis, water sled, surfboard, or other similar contrivance.

History: Eff. February 14, 1966

**RUSH LAKE AND THREE MILE LAKE – R281.780.1 –
Water skiing hours.**

1. On the waters of Rush lake and Three Mile lake, Van Buren county, state of Michigan, no operator of any motorboat shall have in tow, or shall otherwise assist in the propulsion of, a person on water skis, water sled, surfboard, or other similar contrivance during the period from 6:30 p.m. to 10:00 a.m. of the following day.

History: Eff. February 14, 1966

R 281.700.3 High-speed boating and water skiing prohibited; time.

Rule 3. (1) On the waters of this state where special local watercraft controls have been established prohibiting high-speed boating and water skiing from 6:30 p.m. to 10:00 a.m. of the following day, the hours shall be 7:30 p.m. to 11:00 a.m. of the following day when and where eastern daylight saving time is in effect. (2) "Daylight saving time" means the advancing of the standard time by 1 hour, commencing at 2 o'clock antemeridian on the last Sunday of April of each year and ending at 2 o'clock antemeridian on the last Sunday of October of each year in conformity with the federal uniform time act of 1966.

NOTICE 2019

PLM Lake and Land Management Corp
8865 100th St. SE, Alto, MI 49302
(616) 891-1294(o) (616) 891-0371(f)
www.plmcorp.net



Three Mile Lake has been scheduled for the week of:

Date	Description	Date	Description
4/8/2019	Water Quality	7/8/2019	Weed & Algae Treatment & E.coli
4/29/2019	Survey	7/29/2019	Weed & Algae Treatment & Water Quality
5/20/2019	Weed & Algae Treatment	9/2/2019	AVAS Survey & Phrag Optional
6/10/2019	Weed & Algae Treatment		

DEQ permitting restrictions, national holidays, and/or weather conditions may influence the timing of treatments throughout the 2019 season. PLM treats each lake according to a schedule or season plan, established with the cooperation of your lake association, lake board or residents on the lake. The treatment schedule is approximate. Please watch your shoreline for the posting of the 8.5x11 inch, yellow or green signs. The signs will indicate the date of the treatment, the products used, and any restrictions on the use of treated water for swimming, watering lawns, etc. The property owners in this area are planning to have the waters chemically treated to control lake weeds and/or algae. This notice is being circulated in accordance with Department of Environmental Quality (DEQ) procedures. Below is a list of herbicides that may be applied to the lake and the associated use restrictions. On the day of treatment, signs will be posted along the shoreline within 100 feet of treatment areas that indicate what products were used and specific water use restrictions that apply:

Chemical product/active ingredient	Chemical trade name	Do Not Use this water for swimming or bathing until	Do Not Use this water for ornamentals or turf irrigation until	Do Not Use this water for domestic purposes or agriculture irrigation until	Do Not Use this water for livestock watering or similar purposes until
Glyphosate	Aqua Pro, Aquaneat	1 Day(s)	N/A	N/A	N/A
Endothall Diquat Dibromide	Aqua Strike	1 Day(s)	3 Day(s)	5 Day(s)	14 Day(s)
Endothall	Aquathol K, Hydrothol 191	1 Day(s)	N/A	14 Day(s)	14 Day(s)
Flumioxazin	Clipper, Schooner	1 Day(s)	3 Day(s)	5 Day(s)	N/A
Imazapyr	Habitat	1 Day(s)	120 Day(s)	120 Day(s)	N/A
Chelated Copper Herbicide	Komeen, Komeen Crystal, Nautique	1 Day(s)	N/A	N/A	N/A
2,4-D ester	Navigate 2,4-D	1 Day(s)	INDEF or until approved assay indicates a concentration of 100ppb or less for ornamentals; No restriction for established turf	INDEF or until approved assay indicates a concentration of 70ppb or less	N/A
Florpyrauxifen-Benzyl	ProcellaCOR EC 2x100	1 Day(s)	Site-specific recommendation* No restriction for established turf/grasses	N/A on domestic; assay indicates no detect at the water intake	N/A
Triclopyr liquid	Renovate 3	1 Day(s)	120 Day(s) or until approved assay indicates 1ppb or less; No restriction for established turf/grasses	120 Day(s) or until assay indicates 1ppb or less. N/A on domestic	N/A
Triclopyr granular	Renovate OTF	1 Day(s)	Site-specific recommendation* No restriction for established turf/grasses	120 Day(s) or until assay indicates 1ppb or less. N/A on domestic	N/A
Diquat Dibromide	Reward, Tribune	1 Day(s)	3 Day(s)	5 Day(s)	1 Day(s)
2,4-D amine Sculpin	Sculpin G	1 Day(s)	Site-specific recommendation* No restriction for established turf/grasses	N/A on domestic; assay indicates levels under 100ppb at the water intake	N/A
Carfentrazone-Ethyl	Sting Ray	1 Day(s)	14 Day(s)	14 Day(s)	1 Day(s)
PLM Blue, Cygnet Select: water dye (tracer), Copper Sulfate, Cutrine Plus-Ultra, Captain-XTR, Earthtec, SeClear and SeClear G, Formula F-30, K-Tea: chelated copper, Cygnet Plus, PolyAn: Adjuvant, Pak 27, AquaSticker, Green Clean L and Green Clean 5.0: oxidizer, AquaPrep: enzymes & non-ionic surfactants, M.D. pellets: gram negative, naturally occurring bacteria. PLM Enzyme: enzymes, Phoslock: phosphorus locking technology.				No Restrictions on swimming, bathing, irrigation, domestic purposes or livestock watering.	

For a complete listing of all product labels, please see our website.

N/A= Not Applicable INDEF= Indefinite

*Site-Specific recommendations to limit ornamental irrigation with ProcellaCOR, Renovate & Sculpin granular treated water will typically last 2-14 days. Contact PLM for further information.

The chemicals used for Aquatic Nuisance Control are registered by the U.S. Environmental Protection Agency and the Michigan Department of Agriculture. The potential for damage to fish and other non-target organisms is minimal provided that the product is used as directed on the product label and the permit. To minimize the possible effects on health and the environment, the treated water is restricted for the above purposes.

PLM Lake & Land Management Corp. Certified Applicators: Salvatore Adams, Randall Brazelton, Jason Broekstra, Jaimee Conroy, Bill D'Amico, Jeff Fischer, Christopher Garner, BreAnne Grabill, Dustin Grabill, Steve Hanson, Kyle Heath, Jake Hunt, Jacob Irons, Adam Kehr, Michael Krueger, James Lee, Anna Lindquist, Blake Mallory, Casey Mohr, Michael Pichla, Carly Pieri, Eric Reed, Colton Risner, Cameron Robinson, James Scherer, Alison Schermerhorn, Ben Schermerhorn, Casey Shoaff, Lucas Slagel, Keith terHorst, Jeff Tolan, Andy Tomaszewski, Dennis Vangessel, Andrew Weinberg

This is Michigan Law!!!

Your association must forward this to all riparians! Tentative treatment dates and notice of products to be applied must given to all riparians not more than 45 days before and at least seven days prior to the initial treatment.

Three Mile Lake Drain Information

At the behest of several association members and lake owners from all around the lake experiencing hardship due to the historically high lake levels the Three Mile Lake board of directors investigated the drain as a possible remedy. Below is a summary of the information we have gathered and next steps in the process.

- There is an existing county drain called the Three Mile Lake and Jennings drain - this drain does not currently connect to the lake although it did in the past.
- Sometime after 1954- the private connection to this drain collapsed - this was a section crossing Mandigo farms property and west of Park St through a private lot to an outlet from the lake. This private connection is no longer functioning.
- A petition has been initiated and the drain commissioner will be assembling a Board of Determination (BOD), where 3 disinterested citizens will determine if the drain can be maintained and improved to alleviate drainage issues (essentially repairing and replacing the old private connection to the Three Mile lake and Jennings Drain. THERE WILL BE A PUBLIC MEETING at this time, all will receive notice from the Drain Commissioner and be able to voice their opinion.
- If approved by the BOD (there is NO VOTING FROM RIPARIANS OR THE LAKE BOARD ETC) the drain commissioner can then start the process of gaining engineering studies, gaining easements and DEQ permits for approval and then they will get bids and initiate the work necessary.

?’s that came up during Lake Association Board review

Would this set a legal lake level?

NO - absolutely not, if approved this maintenance and improvement would only set a FLOOD OVERFLOW RELIEF point. Essentially like a bathtub that gets too high.

Is pumping involved?

NO- absolutely not, the drain connection would be gravity fed only

Isn't the high lake level just a natural up/down - should we be trying to win against mother nature?

Partially true - however - many man-made circumstances are creating unnaturally occurring high lake levels. Such as - I-94 - North of lake this roadway drains downhill to the lake and was artificially built up. A legal drain established in the 80's the HOWE, WEBB AND LABADIE drain, empty's into the lake - this is a manmade drain adding water to the lake(very clean water filtered through wetlands), and all the manmade structures in the drainage district displace water. Additionally, we have more 50 year and 100 year water events in the past decade than ever before. The ground water levels are very high.

Would there still be natural fluctuations?

YES - Absolutely - all this drain connection would do is the same as what it did before it came into disrepair- drain out the Flood level waters above a set point. The drain commissioner could speak more as to how this is set, however in our discussions with him he shares the view that this point should only be a flood relief not a convenience depth or lake level establishment.

Would this create a point low enough that the connection to Little Three Mile Lake would be inaccessible?

Not even close. The flood relief drain point would be WELL ABOVE the level where the channel would remain accessible by boat. Now in very low water years it could still drop below, however this would not be because of the drain at all - the drain would not even be functioning at these levels.

Could we drain the lake North of Little Three Mile lake through the lands near I-94?

No this would require pumping and extensive new drain line creation to eventually connect to the existing drain point. Also water does not run up hill - that elevation would require pumping and is not feasible. Nor would there be any benefit as opposed to using the most direct connection point.

Do we need this? (I don't mind not having a beach a few years etc)

The current lake level problems are not isolated to one area of the lake but impact all areas around the lake. While need is a relative term here's the reasons the board recommends support for the measure.

- **Property Values** - *One of the reasons the association was formed was to protect property values around the lake. There are several homes with flooded basement, water surrounding the home, and roads with standing water or in disrepair (parts of N. Park St and Parkwood Ct). Many shed's, garages, boat houses are under water or very close to it. These conditions negatively affect property value for all of us and create conditions where some home sales are not feasible*
- **Health and Safety** - *One significant area of concern is the health and safety of our lake and riparian property owners. The very high lake levels have risen to the point where many property's septic drain fields are underwater - this means raw sewage from people's homes is leaching into our lake waters. There is a concern of pathogens as well as adding unnatural nutrients back into the lake.*
- **Unnatural Shore Line Erosion** - *With water levels past natural and artificial barriers on peoples yards the movement of the water is washing away soil / landscaping etc. which adds sediment and nutrients to the lake that would not otherwise enter our waters, creating additional hardships related to maintenance and repair. Floating debris from beaches and firepits create boating hazards and could cause accidents or damage to boats.*

How much will this cost? *It is impossible to determine the cost prior to engineering reviews and permit exploration. It's actually illegal for the drain commissioner to give anyone a cost until after he obtains all the information. There's many variable factors: engineering cost, work expenses, permit studies and the cost of easements if required from private property owners. However - given all available information this minimal repair of a previous connection is essentially a VERY LIMITED project compared to other drains established in the county prior. Remember the drain already exists- all that would happen here is the extension and replacement of the previous private connection, this time with some very professional guidance and near permanent infrastructure. After costs are determined the Drain Commissioner would hold another public meeting to discuss the assessment per property owner. One positive to the cost is that the DOT(because of I-94 impact) and the township would be partially responsible for the cost. The remaining cost will be shared by watershed properties. With all available information we have now unless something drastic were to come up in the engineering and permitting process this should be an impact not much more that the cost of weed treatment. Additionally, it is not permanent - the assessment would last for a set amount of years -typically 1-5 and once complete no ongoing money is collected. Every once in a while the screening grate for the inlet would need to be cleaned and volunteers from the board or association could easily complete that.*

Why can't the Drain Commissioner, township, county etc pay for this without an assessment?

Simply put it is Illegal and the money does not exist. The only legal method to expend funds is through an assessment. No government entity has the authority to pay for the drain improvement and maintenance needed. There is no set aside money for this type of construction etc.

Did the Drain Commissioner request this, trying to get money out of this? No not in the slightest. We reached out to the drain commissioner (as did other citizens not part of the association or board). The board decided to gather information after receiving requests from several concerned members. The Drain Commissioner gets no money from this at all. In fact it just creates more work for him and his office.

PLEASE SEE THE ATTACHED FAQ'S AND MAP AS WELL

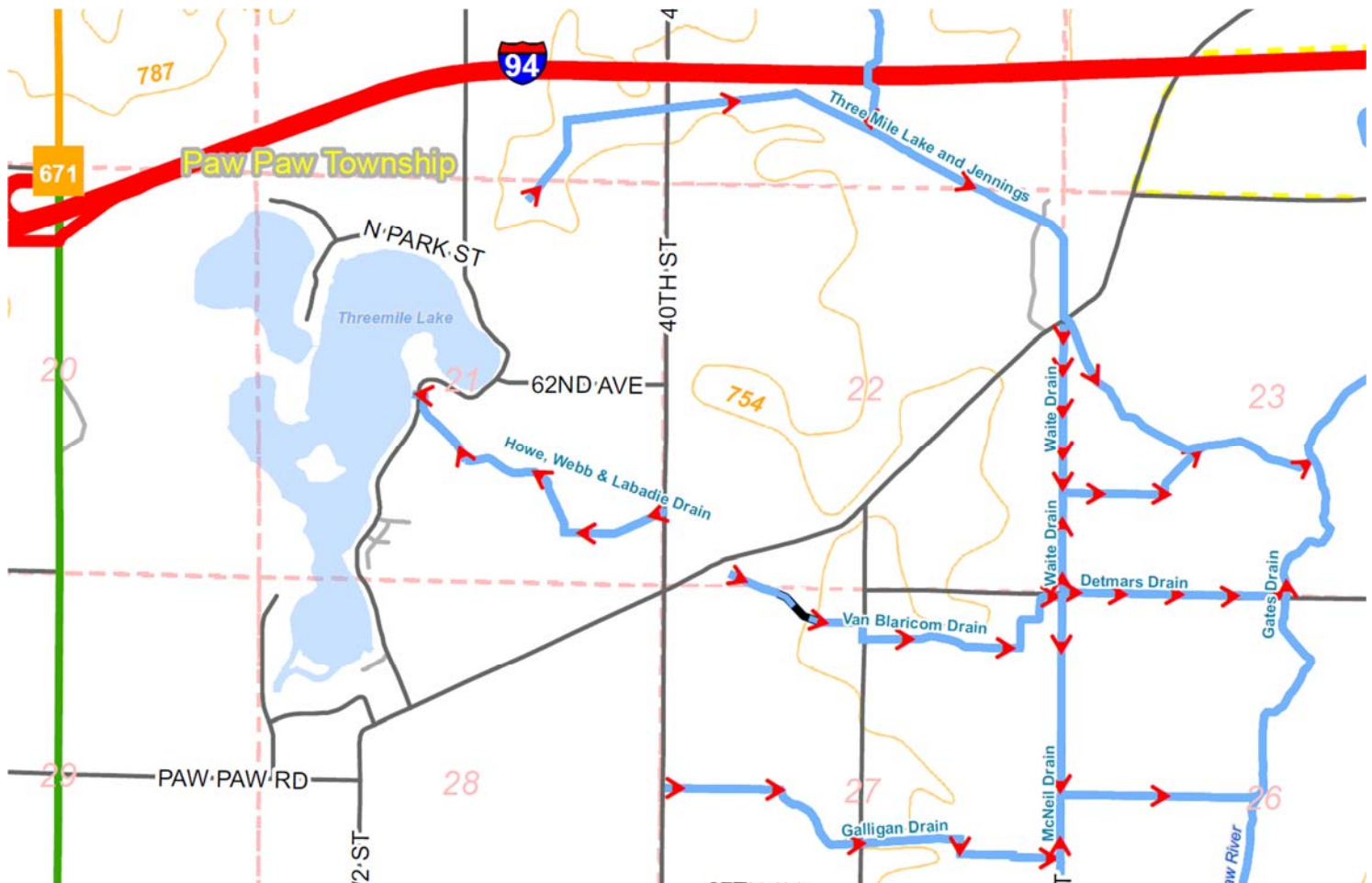
Additional questions or concerns before the public hearings?

Feel free to reach out to

Chadwick Learned - Secretary - 269-779-3636 or

Jim Chlada - Treasurer - 708-610-2065

None of the above is legal advice or representation. We are just trying to do our best to explain a somewhat complicated situation and the history of how we got to this point



FAQs

Joe Parman
Van Buren County
Drain Commissioner



FREQUENTLY ASKED QUESTIONS Drain Board of Determination

What is a Board of Determination?

A Board of Determination is a 3-member panel of disinterested property owners. The role of the Board of Determination is to receive evidence and hear testimony of interested persons and determine whether the petitioned maintenance and improvement is necessary and conducive to the public health, convenience or welfare.

What is a Drainage District?

A drainage district is the land area that benefits from the drain. The drainage district makes up the watershed that contributes water to the drain. Each property and municipality within the drainage district pays for the construction (or establishment) of the drain and for future maintenance and improvement of the drain.

Why did I receive a notice?

A petition was filed with the Van Buren County Drain Commissioner requesting maintenance and improvement be performed on the Drain. All property owners with lands in the Drainage District were sent a copy of the notice.

Does the Board of Determination decide what work gets done?

No, the Board of Determination decides necessity, but does not determine the scope or cost of the project. Further, the Board of Determination does not determine how

much property owners and municipalities will be assessed.

Does the decision of the Board of Determination have to be unanimous?

No, only a majority vote of the Board of Determination is required. Only the members of the Board of Determination vote. The attendees at the meeting do not vote, but instead provide testimony to the Board members to assist in their determination.

What is my assessment amount?

Estimated assessment amounts are not yet determined. If the Board of Determination finds the project necessary, the Drain Commissioner will hold a public meeting to review apportionments after a project scope has been determined. Notices for the public hearing on assessments will be sent out at a later date.

Do I have to attend the Board of Determination?

No, you are not required to attend the Board of Determination, however, it is your right to do so.

Can the decision of the Board of Determination be appealed?

Appeals are provided under MCL 280.72a and MCL 280.72(3).

How can I get more information?

Visit the Van Buren County Drain Commissioner's website at www.vbco.org/drain.asp or call (269) 657-8241.

Joe Parman

Van Buren County Drain Commissioner | 219 E. Paw Paw Street, Suite 310 | Paw Paw, MI 49079 | (269) 657-8241