
(Action Requested By Sept 18) Bear Lake - Lake Board Proposed Assessment Roll - Request for Assessor Certification1 message

Kyle O'Meara <komeara@fsbirlaw.com>

Fri, Sep 4, 2026 at 10:15 AM

To: "\"devoogdma@co.muskegon.mi.us\"<devoogdma@co.muskegon.mi.us>, \"evandervries2024@hotmail.com\"<evandervries2024@hotmail.com>, \"assessor@laketontwpmi.gov\"<assessor@laketontwpmi.gov>,"

\"karter@laketontwpmi.gov\"<karter@laketontwpmi.gov>

Cc: Summer Stoldt <sstoldt@fsbirlaw.com>, Mariel Dunn <mdunn@fsbirlaw.com>, Holly Darling <hdarling@fsbirlaw.com>, Paul Pek <paul.pek.blb@gmail.com>

Good Morning, Assessors / Assessing Officials

Our office serves as legal counsel for the Bear Lake – Lake Board. As you may know, the Lake Board intends to hold public hearings on September 24, 2026 to consider a special assessment roll to levy annual special assessments for five additional years (tax years 2026 – 2030) to fund a continuing nuisance aquatic weed project. See <http://www.blb.org/> for more information about the Lake Board.

The Board is governed under Part 309 of Michigan's Natural Resources and Environmental Protection Act. Case law recognizes that lake improvement projects (particularly nuisance aquatic weed projects) can require management over many years like this project. *Crane v Dir of Assessing for the Charter West Bloomfield*, ___NW2d___; 2012 Mich. App. LEXIS 711, at *9 (Ct App, Apr. 19, 2012).

Under the Part 309 process, the Board has the ultimate authority to approve the special assessment roll in the form it sees fit (both as to the properties being assessed and the assessment methodology). See MCL 324.30913. However, the statute talks about assessors joining in on the assessment roll in MCL 324.30912 and affixing a "certificate" to the draft roll.

Based on my experience representing a variety of lake improvement boards, I am cognizant that some assessors have expressed reservations of "certifying" a roll when it could be changed (or if special assessment methodology is discretionary and an assessor does not want to endorse a particular methodology). Therefore, we've tried to come up with a limited form for compliance with the statute, but that is phrased to try to avoid those concerns.

I would appreciate, if possible if you could by September 18, 2026:

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1. Review the draft special assessment roll and let me know any comments or questions.
2. Sign the respective assessing certificate and return a copy to me via e-mail.
 - a. For the Township, an assessor or the Supervisor can sign.

b. For the City, the City assessor should sign.

Kindly let me know if you have any questions. Otherwise, have a great day and I look forward to receiving the certificates.

Regards,

Kyle



Kyle A. O'Meara

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3 attachments



(Document 1) City of North Muskegon Assessor Certificate.docx

17K



(Document 1) Laketon Township Assessor Certificate.docx

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BLLB 2026-30 Assessment Roll DRAFT.xlsx

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