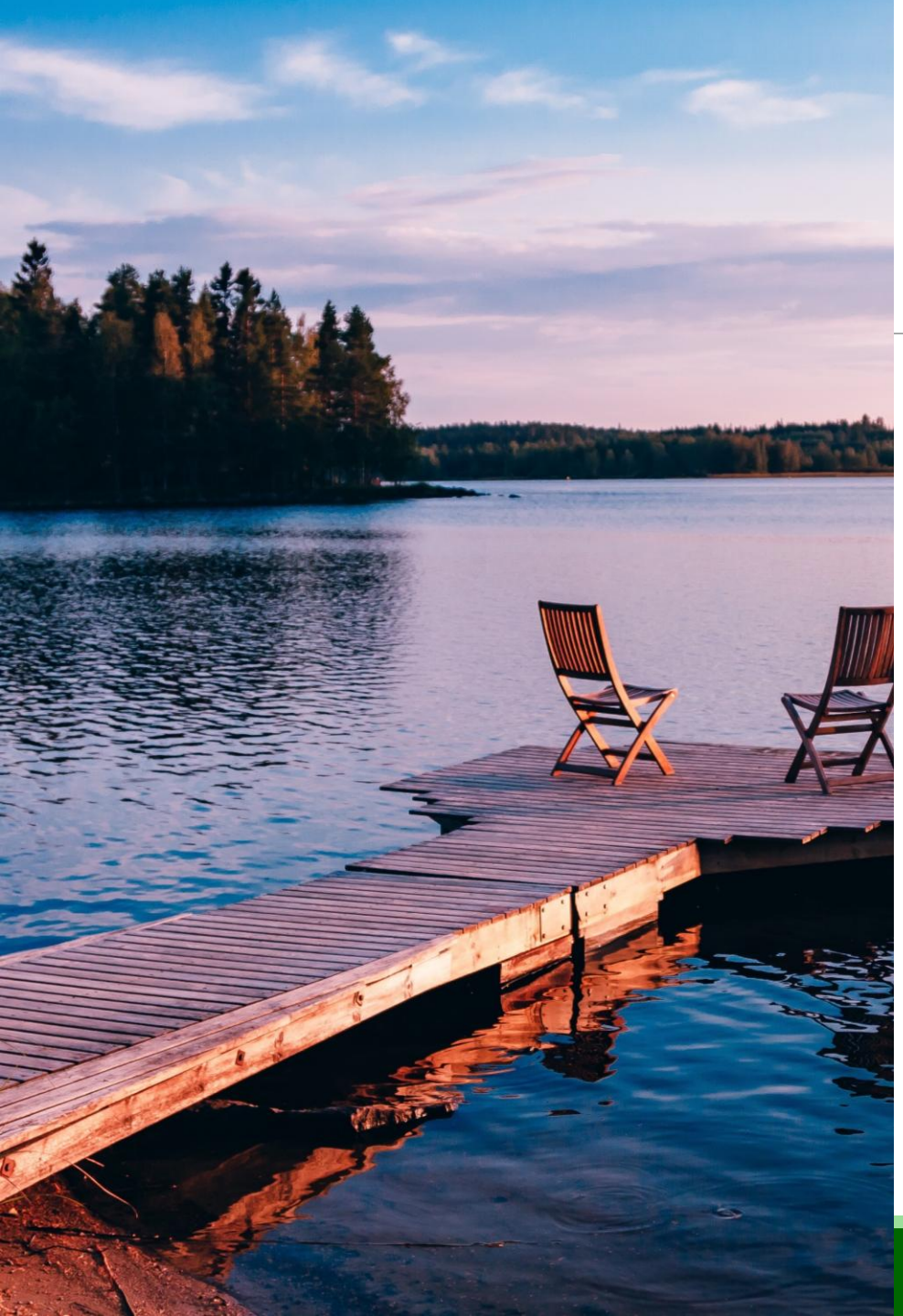
# Bear Lake - Lake Board Lake Improvements

Public Hearings on Practicability & Assessments

September 24, 2026

Web: www.bllb.org



# Welcome & Introductions

- **Paul Pek –** Chair Bear Lake – Lake Board
- **Kyle O'Meara** – *Fahey Schultz Burzych Rhodes PLC*

# Purpose of Hearings

1. Discuss the continued Bear Lake improvement project
2. Discuss the special assessment methodology
3. Consider the resolutions of practicability and assessments
4. Hear public comment and answer questions



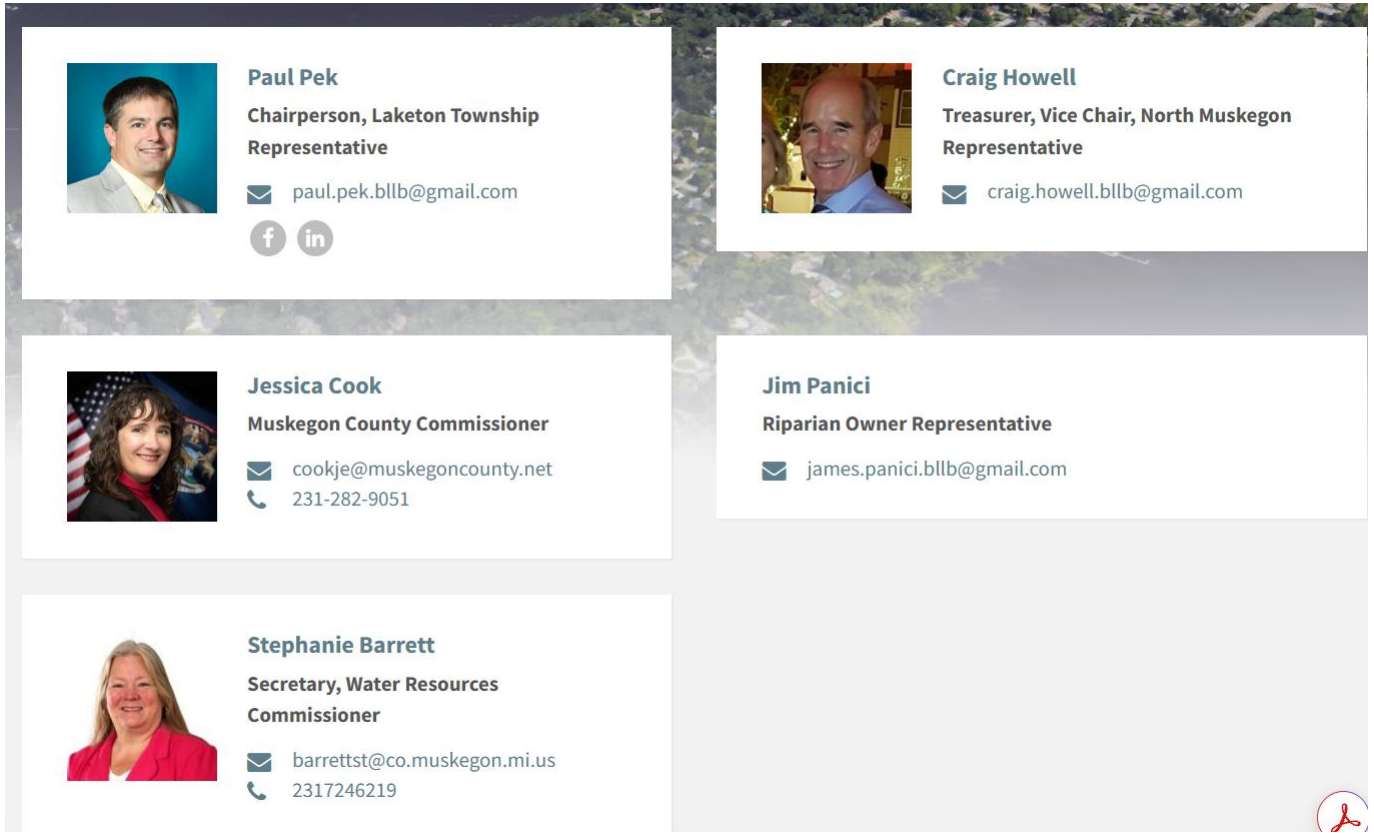
# Part 309 Basics

***This is the law that forms "lake improvement boards" like the Bear Lake – Lake Board***

Part 309 of Michigan's Natural Resources and Environmental Protection Act requires two public hearings to review improvement project history, method, successes, and proposed budget.

Resolutions following hearing (if passed) will approve continued lake improvement project and confirm assessment roll

# Lake Improvement Boards – Membership (MCL 324.30903)




The Lake Improvement Board (Lake Board) determines project scope and establishes special assessment districts

# Bear Lake Improvement Project

***Continued Improvements***

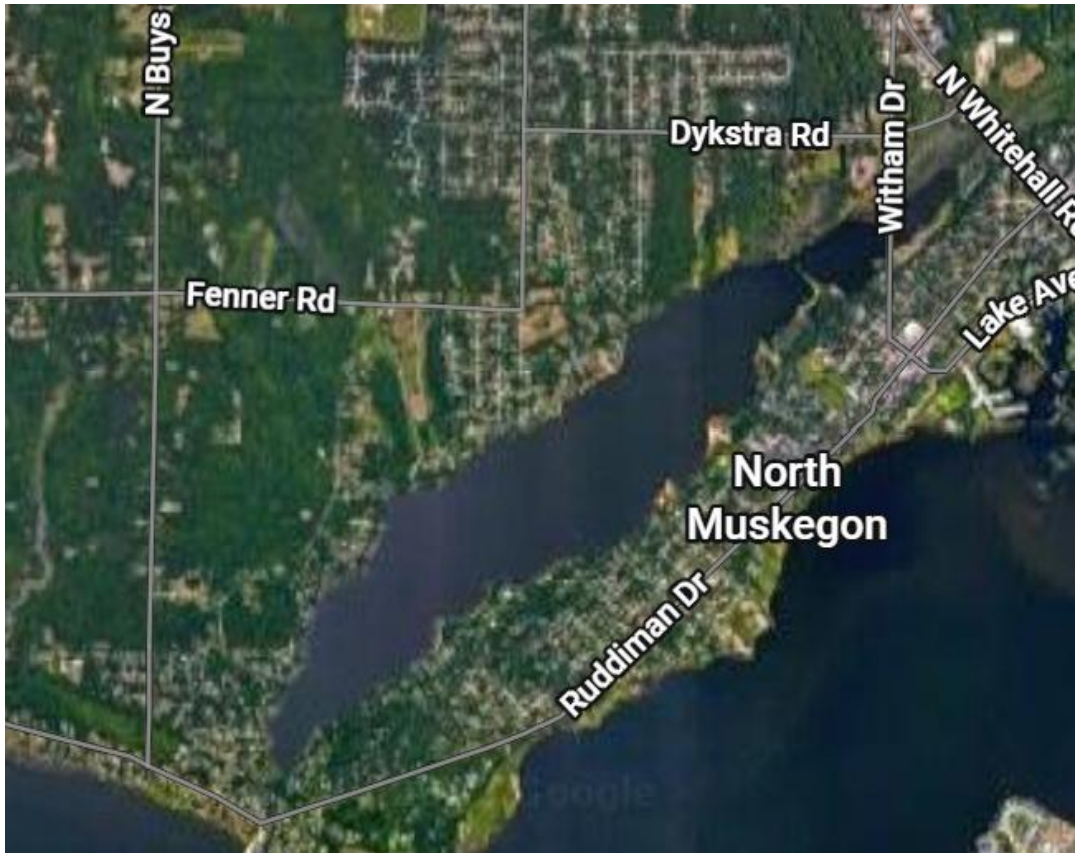
- Specified in Bear Lake Management Plan (August 2026)
- Aquatic Vegetation Management
- Sediment Assessment / Phosphorus Mitigation Plan
- Water Quality Monitoring
- Among Others….

***Notable Past Improvements***

- GVSU AWRI brought on for monitoring, special projects and consulting
- Phosphorus Mitigation in Fenner's Ditch and deep holes



# Special Assessment District

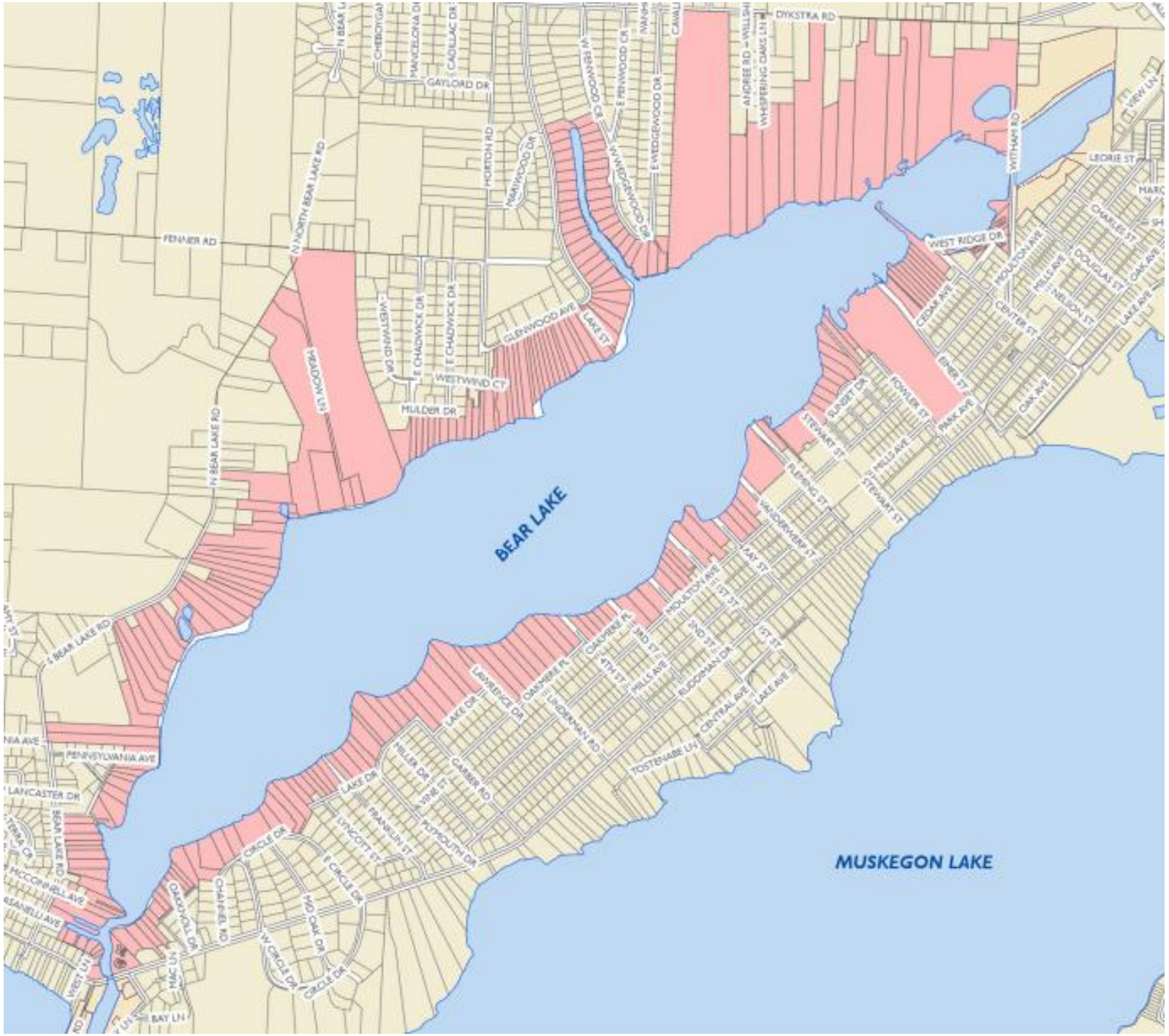



- Lake Board has authority to assess parcels based on "**benefits derived from the proposed lake improvement**" under Part 309 (MCL 324.30912)
- To do this, Lake Board creates special assessment district comprised of "all parcels of land and local units which will be benefited by the improvement of the lake" (MCL 324.30908)
- District boundaries may be expanded or altered since the last special assessment period if parcels benefited change
- Here, all waterfront property included in district
- Assessors have reviewed the proposed roll.

# Special Assessment District

All waterfront parcels (Bear Lake, Bear Creek, Bear Lake Channel)

from Witham bridge to Ruddiman bridge



# District Boundary Expansion

The district boundaries were expanded to the Witham bridge in the northeast to account for the lake evolution after the massive Bear Lake Hydrologic Reconnection and Wetland Restoration project.

This created a large area of new open water which has been treated, and will continue to be treated, providing benefit to owners in this area.





2001



2008



2014



2019



2023




# Cedar Street Area



# Cedar Street Area




# Bay Ridge Condos Area




# Bay Ridge Condos Area



# Bay Ridge Condos Area

# Bear Lake - Lake Board 2027-2031 Rationale

| EXPENSE SUMMARY | Rationale |
|---|---|
| GVSU PY Carryover - Testing/Report/Consulting | Estimated carry over from 2026 services. |
| GVSU CY Testing/Report/Consulting | 2026 quote and increased by 5% each year. |
| GVSU CY Special Projects | 3 year average was $8,572, rounded to an even $10k/yr |
| Lake Management Plan | 2026 estimate and increased 5% ea year |
| AVAS Survey | 2026 estimate and increased 5% ea year |
| Newsletter Production & Distribution | 2026 estimate and increased 5% ea year |
| Invasive Treatments | 2026 estimate and increased 10% ea year |
| Phosphorus Treatments | 2026 estimate and increased 10% ea year |
| Algae Treatments | 2026 estimate and increased 10% ea year |
| Native Plant Treatments | estimated $12k every other year |
| Fuel Surcharge | 2026 estimate and increased 10% ea year |
| State of MI (Treatment Permit) | 2026 actual and increased 5% ea year |
| Insurance | took 2026 est and increased 5% ea year. |
| Education | $5,000 potential, spread over ea year |
| Grant Match | $10,000 potential, spread over ea year |
| Attorney Fees | Estimated $10,000 with higher at start |
| Assessment Expenses | Estimated $10,000 year prior to new assessment |

# Bear Lake - Lake Board

**2027-2031 Assessment Budget** Last Updated: 9/24/2026

| EXPENSE SUMMARY | 2024 | 2025 | 2026 Budget | 2027 | 2028 | 2029 | 2030 | 2031 | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| GVSU PY Carryover - Testing/Report/Consulting | $ 24,748 | $ 10,000 | $ 7,042 | $ 11,500 | | | | | $ 11,500 |
| GVSU CY Testing/Report/Consulting | 10,000 | 12,500 | 11,500 | 24,150 | 25,358 | 26,625 | 27,957 | 29,354 | 133,444 |
| GVSU CY Special Projects | 6,750 | 3,750 | - | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 50,000 |
| Lake Management Plan | 1,200 | 1,225 | 1,225 | 1,286 | 1,351 | 1,418 | 1,489 | 1,563 | 7,107 |
| AVAS Survey | 875 | 900 | 900 | 997 | 1,047 | 1,099 | 1,154 | 1,212 | 5,508 |
| Newsletter Production & Distribution | - | - | 1,100 | 1,128 | 1,184 | 1,243 | 1,305 | 1,370 | 6,230 |
| Invasive Treatments | 37,079 | 27,140 | 26,103 | 28,713 | 31,585 | 34,743 | 38,217 | 42,039 | 175,298 |
| Phosphorus Treatments | 10,538 | 15,807 | 12,531 | 13,784 | 15,162 | 16,678 | 18,346 | 20,181 | 84,151 |
| Algae Treatments | 2,044 | 12,545 | 11,844 | 13,028 | 14,331 | 15,764 | 17,341 | 19,075 | 79,540 |
| Native Plant Treatments | - | - | - | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 30,000 |
| Fuel Surcharge | 174 | 69 | 72 | 80 | 88 | 96 | 106 | 116 | 486 |
| State of MI (Treatment Permit) | 1,600 | 1,600 | 1,850 | 1,943 | 2,040 | 2,142 | 2,249 | 2,361 | 10,734 |
| Insurance | 2,308 | 2,308 | 2,423 | 2,545 | 2,672 | 2,805 | 2,946 | 3,093 | 14,060 |
| Education | | - | - | 1,000 | 1,000 | 1,000 | 1,000 | 1,000 | 5,000 |
| Grant Match | | - | - | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 10,000 |
| Attorney Fees | | - | 2,000 | 4,000 | 1,500 | 1,500 | 1,500 | 1,500 | 10,000 |
| Assessment Expenses | | - | 7,000 | | | | | 10,000 | 10,000 |
| **TOTAL EXPENSES** | **$ 98,516** | **$ 96,844** | **$ 87,702** | **$ 122,153** | **$ 115,316** | **$ 123,115** | **$ 131,609** | **$ 150,865** | **$ 643,058** |
| | | | | | | | | **TOTAL EXPENSES** (With 10% Contingency) | **$ 707,364** |
| | | | | | | | | Estimated Remaining Fund Balance | **$ 16,620** |
| | | | | | | | | **TOTAL ASSESSMENT** | **$ 690,744** |

# BLLB 2026-30 Assessment Breakdown

| Budget | Interest |
|---|---|
| $ 690,744 | 0.5% |

| Category | Count | Factor | Units | Total/Parcel | Per 5 yr w/o int | Per 5 Yr w/ int. | Total | Total if all 5 yr |
|---|---|---|---|---|---|---|---|---|
| Residential | 245 | 1 | 245 | $ 2,582.22 | $516.44 | $524.22 | $ 632,644.04 | $ 642,165.25 |
| Condo | 37 | 0.5 | 18.5 | $ 1,291.11 | $258.22 | $262.11 | $ 47,771.08 | $ 48,490.03 |
| Commercial | 2 | 2 | 4 | $ 5,164.44 | $1,032.89 | $1,048.43 | $ 10,328.88 | $ 10,484.33 |
| Backlot | 0 | 0.5 | 0 | $ 1,291.11 | $258.22 | $262.11 | $ - | $ - |
| | **284** | | **268** | | | | **$ 690,744.00** | **$ 701,139.61** |

*Original 2017-2021 assessment was $516.79 per residential and condo parcel.*

# Assessment Differences

**2017-2021**

Total Cost: $650,650

Annual Assessment:

- $516.79 (without interest) for condo and residential parcels

**2026-2030**

Total Cost: 690,744 (6% increase)

Proposed Annual Assessment:

- $516.44 (without interest) per residential parcel
- $258.22 (without interest) per condo parcel
- Notice estimates of $524.22 are factoring 0.5% interest

# Assessment Differences

- Between 2017 and 2026, total overall inflation in the US was approx. 34.9%
  - If the assessment kept up with inflation, the assessment would be $697.15/yr
- Less funds coming from condo parcels, but expanding the district brings in extra funds

# Assessment Differences

- Original assessment had significant budget for the aeration project that was denied by EGLE, but little for actual lake treatments or projects to help find the source of issues.
- Original assessment had $10,000 in funding from the City of North Muskegon and Laketon Township, as well as $5,000 from the old BLPA.  This assessment does not.
- Original 2017-2021 5-year assessment lasted 9 years (no assessments over last 4 years).
- Current proposed budget will likely last more than 5 years, depending on actual expenses as well as potential grants, donations, investment income, etc.

# Special Assessment Methodology

- Proposed project will be paid by property owners in the Bear Lake Improvement Special Assessment District
- Assessed annually to property owners within the special assessment district over the next 5 years
- Generally speaking, three assessment classifications:
  1. Waterfront Residential (1 Unit) ~ $ 524.22 /yr
  2. Waterfront Condo (.5 Unit) ~$ 262.11 / yr
  3. Waterfront Commercial (2 Units) ~$ 1,048.43 / yr

# Special Assessment Methodology

Selected classifications reflect characteristics that:

- Are directly affected by the improvement of Bear Lake
- Are reasonably proportional to the special benefits conferred upon the properties, consistent with applicable special assessment principles and legal standards
- Were selected as they interact with maintenance of the lake level for specific marketable impacts to property values in accordance with special assessment law

# Special Assessment Breakdown

## BLLB 2026-30 Assessment Breakdown

| Budget | Interest |
|---|---|
| $ 690,744 | 0.5% |

| Category | Count | Factor | Units | Total/Parcel | Per 5 Year | Total | Total if all 5 yr |
|---|---|---|---|---|---|---|---|
| Residential | 245 | 1 | 245 | $ 2,582.2206 | $524.22 | $ 632,644.04 | $ 642,165.25 |
| Condo | 37 | 0.5 | 18.5 | $ 1,291.1103 | $262.11 | $ 47,771.08 | $ 48,490.03 |
| Commercial | 2 | 2 | 4 | $ 5,164.4411 | $1,048.43 | $ 10,328.88 | $ 10,484.33 |
| Backlot | 0 | 0.5 | 0 | $ 1,291.1103 | $262.11 | $ - | $ - |
| | **284** | | **268** | | | **$ 690,744.00** | **$ 701,139.61** |

# Methodology- Common Questions (and Verbal Answers)

- Why not frontage?
- Why not backlots?
- Why reduction for condos?
- Why increase for commercial?
- Why not consider “quality of access”?
- Why have I not seen special assessments recently?
- **There are many ways to levy a valid special assessment under Part 309.**



# Methodology Quality of Access

Parcels with quality of access issues, like the Cedar street area, have seen major benefits from the Bear Lake Hydrologic Reconnection and Wetland Restoration project, as well as significant invasive treatments in the open waters in front of their parcels.

Mark Huffsmith and Lisa Huberty at EGLE were consulted and confirmed parcels can clear native plants (like cattails) to clear a lane to put a dock out to open water or to create a swim area.

## Excerpt from EGLE's boilerplate permit

Except for waterbodies with a total surface area of less than 10 acres, the chemical treatment of native emergent and floating leaf vegetation, such as water lilies, cattails, arrowhead, pickerelweed, rushes, etc., is approved for the purpose of providing access to the waterbody and not for the purpose of beach grooming. Restrict treatment of native emergent and floating leaf vegetation to a 40-foot by 40-foot area for swimming and boat launching, and a 20-foot wide boat lane to reach open water per residentially developed parcel. Treatment of an infestation of non-native floating or emergent species in excess of a 40-foot by 40-foot area per residential parcel is approved using selective application methods and timing of treatment to prevent impacts to native species.

# Methodology Condo Parcels

Condo parcels are different from residential parcels because the lake access is shared among the community property of the condo association

All parcels in condominiums complex/association are assessed the same due to:

- Lake access through common elements; and
- Ability to moor boat (dock access)

# What to Expect (Public Hearings)

- Additional Lake / Project Information from PLM
- Two Public Hearings (First “Feasibility” Second “Assessment”)
- **“RULES”**
  - ❑ 3 Minute Opportunity to Address the Board
  - ❑ State Your Name and Address for the Record
  - ❑ We Will Call On Individuals Using Comment Cards First
  - ❑ Board Discretion to Answer Questions
  - ❑ You Can Participate in Only One Hearing If Desired

