

**Eight Point Lake Property Owners' Corporation
Policy / Procedure**

Issue Date: 8/31/2024	Title: Lake Management and Weed Control	Author: Doug Rau
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Statement of Purpose

The purpose of this document is to present the Eight Point Lake Property Owners' Corporation's (hereto referred to as "the Corporation") position on, and involvement in, managing the body of water known as Eight Point Lake within Garfield township of Clare County, Michigan.

Policy

1. Water Levels:
 - 1.1. The water level of Eight Point Lake is not under the Corporation's purview. The primary responsibility for lake levels lies with the Clare County Drain Commissioner. This includes regulation of both inward and outbound water flows.
 - 1.2. Eight Point Lake is one of several lakes in Clare County that has a court-determined lake level. The original level of 1050.4 feet above sea level was approved on August 6, 1966. The procedure for determining sea level changed in later years and the lake level was updated by the Clare County Drain Commission on August 5, 2022 to between 1050.0 and 1051.0 with a target of 1050.5 feet above sea level.
 - 1.3. If the water level is adversely affected by an issue involving blocked culverts under public roads, either the Drain Commissioner or the County Road Commission is responsible for its resolution. The Drain Commissioner and Road Commission organizations, however, have no jurisdiction on private property.
 - 1.4. In situations involving private properties and the blockage of water that normally would flow into or out of the lake, the Corporation, with permission of the private property owners, may contract excavation services to remedy the blockage and install new culverts if necessary. In such cases Corporation funds may be used to pay the costs associated with the contracted services.
2. Weed Control:

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- 2.1. In the year 2000, three acres of the aquatic invasive species Eurasian Milfoil first appeared in Eight Point Lake. By 2005 the infestation increased to 54 acres prompting the Corporation to create a Lake Improvement Board under the supervision of the Michigan Department of Environment, Great Lakes and Energy Aquatic Nuisance Control (EGLE-ANC) and the Clare County Drain Commission to identify and treat invasive aquatic plant species in the lake.
- 2.2. The Lake Improvement Board is established by local government and operates under the provisions of the State of Michigan Compiled Laws Public Act 451 of 1994, Part 309. The Board may undertake a wide range of projects, including preventing pollution and flooding, eliminating public health hazards, improving the lake's habitat, and improving the lake's fishing, boating, swimming and other recreational uses. Further information regarding 'Lake Management in Michigan with a Lake Improvement Board' is available in a publication downloadable via a link located at:
https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjMsK2E9ZmDAXdkYkEHdnmCRUQFnoECBsQAQ&url=https%3A%2F%2Fwww.mcinalms.org%2Fresources%2F&usg=AOvVaw23MhbAv9AM1RZ_7GksWYBP&opi=89978449
- 2.3. The Lake Improvement Board was created by Public Hearing in 2005 and bids were requested from Michigan treatment contractors to handle treatment of the lake's weeds. A contractor was selected and has worked as a team member with the Lake Improvement Board since then.
- 2.4. The aforementioned public hearing established a Special Assessment District (SAD) to assess property owners for the costs of the weed control program via the winter property tax bill. The funds are collected by Garfield Township who also pays approved expenses for the Lake Improvement Board.
- 2.5. As stated in 2.3, above, a service provider is contracted to provide lake management services including performance of weed surveys, performance of water quality testing, the mailing of required notifications to property owners, making recommendations to the Lake Improvement Board, and presenting an annual proposal for weed treatment, which must be in accordance with Michigan laws. The Lake Improvement Board votes on areas of the lake to treat and the related chemical concentrations.
- 2.6. The Lake Improvement Board is a self-governing legal entity with five members, three of which reside on Eight Point Lake. The Board members are determined by vote of the Lake Improvement Board at an official scheduled meeting. This includes selecting a Chairperson, of which only the two Township appointed representatives and the waterfront riparian are eligible.
- 2.7. The Lake Improvement Board has access to legal services if needed. With over 40 lakes in Clare County, 14 have Lake Improvement Boards managed by the Clare County Drain Commission. The public hearings are renewed every five years.
- 2.8. The Lake Improvement Board does not interact directly with government agencies other than the Township and the County.

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- 2.9. While the Corporation works and has membership overlap with the Lake Improvement Board, the Lake Improvement Board is an independent entity not under the direct control of the Corporation.

Procedure

1. The Lake Board meets whenever it needs to conduct business that requires decisions to be made, but state law requires a minimum of one annual meeting, typically held in October.
2. There are no required reporting requirements for the Lake Improvement Board. The Board chooses to post documents of its work on the Eight Point Lake Property Owners' Corporation website, www.8pointlake.org which includes treatment acreages, treatment maps, and water quality test results.
3. Weed treatment is scheduled for the summer months as it is the high weed growth period. The target date for completing treatment is 2 - 3 weeks prior to July 4 so increased boat traffic does not cut the weeds into fragments that can re-root and become new plants.
4. The contractor responsible for treatment of weeds within the lake is required to mail a legal notice to every property owner within 7 to 45 days of the treatment. They also post a treatment notice on every waterfront property on the day of treatment. As a courtesy, the Lake Board requests that the Association include a lake treatment letter in the spring mailing to all members along with an email reminder near the treatment date. The target treatment date is included in the Association summer event calendar.
5. Questions regarding lake and weed management should be directed to info@8pointlake.org which will be forwarded to the Lake Improvement Board Chairperson.

REVISION HISTORY

Rev #	Date	Description of Revisions	Revised By
1.0	8/31/2024	Document origination.	Doug Rau