

WALLED LAKE
LAKE IMPROVEMENT BOARD MEETING MINUTES
November 9, 2011

The meeting of the Lake Improvement Board for Walled Lake was held at the Novi Police Training Center at 45125 W. 10 Mile Road on November 9, 2011. The meeting was called to order by Dave Galloway, Chairman, at 7:05 p.m.

Present: Brian Coburn, Secretary-Treasurer, City of Novi
Dave Galloway, Chairman and Riparian Representative
Karen Warren, Oakland County Water Resource Commissioner's Office
Philip Weipert, Oakland County Board of Commissioners Representative

Also

Present: Mark Roberts, Attorney, Secrest Wardle

Absent: William Burke, City of Walled Lake

Chairman Galloway opened the meeting and then asked for Public Comment. There were no members of the public that spoke.

Moved by Coburn, Supported by Weipert; CARRIED UNANIMOUSLY: To approve the Minutes of September 28, 2011 meeting.

Secretary-Treasurer Coburn presented the Treasurer's Report for the third quarter of 2011 and for the fourth quarter to date as of November 3, 2011. Coburn reminded the board that at the November 18, 2010 meeting, the Board authorized the Treasurer to pay bills on behalf of the Board up to the budgeted amounts. The year to date costs for Administrative and Legal are at the budgeted amount, therefore Coburn requested approval of the latest attorney invoice and a budget amendment to reduce the budget for Mechanical Harvesting and to increase the budget for Administrative and Legal to pay invoices for the rest of 2011. Coburn stated there would be \$31,200 not allocated for 2011 that would be available for 2012.

Moved by Coburn, Supported by Weipert; CARRIED UNANIMOUSLY: To approve payment to Secrest Wardle for attorney fees in the amount of \$768.

Moved by Coburn, Supported by Warren; CARRIED UNANIMOUSLY: To approve a budget amendment for the approved 2011 budget to reduce the line for Mechanical Harvesting by \$34,200 to reflect the actual work performed to date and to increase Administrative and Legal line by \$3,000 for anticipated legal invoices for the remainder of 2011.

Coburn provided an overview of the discussion at the September 28, 2011 meeting regarding a request from Roger Curtis to reevaluate the assessment on parcel 22-03-204-007. Coburn provided an email from the Novi City Assessor which clarified that the inclusion of this parcel on the assessment roll was a clerical error and that it should be removed. Mr. Curtis addressed the board and requested that the board act on his request and explained that the parcel is mostly an easement for a private road and is not on the lake.

Moved by Weipert, Supported by Warren; CARRIED UNANIMOUSLY: To fix the clerical error described by the Novi Assessor and remove parcel 22-03-204-007 from the lake board assessment roll and to refund the amount that has been paid to date for the lake board assessment on said parcel.

Galloway noted that six proposals were received in response to the request for proposals for a lake management consultant. He opened the floor to hear from firms that submitted proposals. Guy Savin, Savin Lake Services, addressed the board regarding his proposal. Galloway, citing budgetary constraints, suggested that the board consider not making an award for lake management consultant until 2013. There was a brief discussion by the Board. Warren clarified that Galloway as the riparian representative was requesting that the Board not hire a lake management consultant. Galloway said that he is comfortable managing the program again in 2012. The Board members present agreed not to award a lake management contract for 2012.

Galloway noted that the Board received three bids for mechanical harvesting and opened the floor to any contractors submitting a bid. Guy Savin, Savin Lake Services, explained that his company was not proud of their performance with harvesting on Walled Lake in 2011 and provided the board with a one page document that outlined several changes that would be made in 2012 if awarded the contract. Savin offered self-imposed penalties in the amount of \$500 per day for each day that the first or second harvesting project exceeds 14 calendar days in duration.

Coburn noted that Savin is the low bidder, but was concerned their performance in 2011. Coburn asked Savin if he would agree to add the self-imposed penalty language to the contract. Savin indicated that it would be acceptable. Galloway noted that he is comfortable with the steps that are outlined by Savin to improve performance in 2012.

Moved by Warren, Supported by Coburn; CARRIED UNANIMOUSLY: To award the mechanical harvesting contract to Savin Lake Services, the low bidder, at the unit prices in the bid, for a total of \$48,300, pending contract negotiations with the contractor and to authorize the Board officers to execute a contract.

Galloway stated that four bids were received for herbicide treatments and opened the floor to contractors that submitted bids. Representatives from Savin Lake Services and Aqua-Weed addressed the board regarding his approach.

Warren asked about the alternate versus base bid. Coburn responded that the base bid reflects the board discussion at the last meeting regarding application rates while the alternate bid provides only areas and allowed the contractor to pick the herbicide and application rates. There was discussion with the contractors regarding the application rates.

Moved by Coburn, Supported by Weipert; CARRIED UNANIMOUSLY: To award the herbicide bid to Savin Lake Services at the unit prices contained in the bid for a total of \$57,750 and to authorize the Board officers to execute a contract.

There was a discussion about the 2012 budget based on the previous awards. Mark Roberts explained to the Board that there was at least one pending Tax Tribunal case that will require attorney work that should be reflected in the budget. Coburn explained that with the removal of parcel -007 approved earlier there would be approximately \$128,635 in income including the \$31,200 that was not used in 2011. He further explained that with the previous awards for mechanical harvesting and herbicide treatments, and an estimated permit fee of \$1500 and estimated administrative and legal amount of \$3,000, there would be \$17,000 unallocated for 2012. The board discussed creating a line for contingency. Roberts noted that a maximum of 15% of assessments can be held in contingency per section 30927(2). Coburn noted that 15% of assessments is approximately \$14,600. The Board agreed to increase the administrative and legal line item for potential attorney fees for tax tribunal cases to the remaining amount.

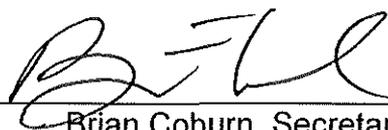
Moved by Coburn, Supported by Warren; CARRIED UNANIMOUSLY: To approve the 2012 budget as discussed by the Board that includes \$128,635 in income and expenses.

Moved by Coburn, Supported by Weipert; CARRIED UNANIMOUSLY: To authorize the Treasurer to pay bills on behalf of the Board up to the amounts authorized in the approved budget.

Galloway opened the floor for public comment. There were no members of the public that spoke.

There was a discussion about the next meeting. The Board agreed to meet in the spring after April 1. There Board discussed meeting in the afternoon since the night meetings were intended to accommodate public comment, which has been minimal at the last two meetings. No meeting date was set. Coburn will coordinate setting the next meeting date.

ADJOURNMENT: There being no further business to come before the Lake Board, the meeting was adjourned at 8:14 p.m.



Brian Coburn, Secretary-Treasurer