

# **AGENDA**

## **WALLED LAKE LAKE IMPROVEMENT BOARD MEETING**

**September 24, 2015  
3:30 PM**

**Novi Civic Center  
45175 W. Ten Mile Road**

- I. Call Meeting to Order
- II. Roll Call
- III. Public Comment
- IV. Approval of Minutes of June 3, 2015 meeting
- V. Treasurer's Report
- VI. Certification of Delinquent Assessment Reports from Walled Lake and Novi
- VII. Discussion of 2016 Treatments and 2016 Budget
- VIII. Public Comment
- IX. Other Business
- X. Adjournment

Please visit [www.cityofnovi.org/lakeboard](http://www.cityofnovi.org/lakeboard) for additional information

WALLED LAKE  
LAKE IMPROVEMENT BOARD MEETING MINUTES  
June 3, 2015

The meeting of the Lake Improvement Board for Walled Lake was held at the Novi Civic Center at 45175 W. 10 Mile Road on March 10, 2015. The meeting was called to order by Dave Galloway, Chairman, at 7:04 p.m.

Present: Casey Ambrose, City of Walled Lake  
Brian Coburn, Secretary-Treasurer, City of Novi  
Hugh Crawford, Oakland County Board of Commissioners Representative  
Dave Galloway, Chairman and Riparian Representative

Absent: Karen Warren, Oakland County Water Resource Commissioner's Office

Also

Present: Mark Roberts (Attorney, Secret Wardle)  
Glenn Lemmon Novi City Assessor

Chairman Galloway opened the meeting with public comment for items other than the topic of the public hearing. One member of the public spoke to express concern about the use of herbicides and the effect on the fish. He believed that there has been a degradation of the lake and that too many weeds have been removed.

**Moved by Coburn, Supported by Ambrose; CARRIED UNANIMOUSLY: To approve the Minutes of March 10, 2015 meeting.**

Secretary-Treasurer Coburn presented the Treasurer's Reports for the year end for 2014 and first quarter to date of 2015. The balance on hand as of March 31, 2015 is \$174,352.82.

**Moved by Coburn, Supported by Ambrose; CARRIED UNANIMOUSLY: To accept the Treasurer's Reports as presented.**

Coburn presented a brief overview of the work completed by the City Assessors for Novi and Walled Lake to prepare the proposed special assessment roll. Coburn explained that many of the parcels are being assessed the same units of benefit as the previous roll and that the amount of each assessment has been reduced by approximately 30% based on costs that were less than estimated for the past four years of the project.

Galloway opened the public hearing at 7:10 and requested that Coburn summarize the correspondence regarding the public hearing.

Jerry Anderson, 127 S Pontiac Trail, Walled Lake—supports the Lake Board and the assessment.

John Carpenter, Lot 11 Shore Acres Sub, Novi—not in support of the assessment, does not want to pay more in taxes.

Rick Titsworth 1304 E Lake Drive, Novi—requests that the board remove Lot 1 of Shore Acres from the assessment because it is encumbered with an access and storm easements.

William and Alicia Roberts, Lots 16 & 17 Supervisor's Plat No. 1, Walled Lake—owns two lots but the house sits on both lots and believes that only one of the two lots should be assessed as was the case last time.

Galloway then requested that those wishing to speak approach the podium.

Darrin Holmes, 228 Osprey, Walled Lake—Lives in Jenny Park Subdivision and noted a dispute with the properties adjacent to Outlot A, which serves as the lake access for the back lot owners. He wanted to know how the Lake Board believes that he has access since those in the dispute say he does not.

Andrew Maltese, 127 DeKalb, Walled Lake—Lives in Jenny Park Subdivision and noted that there is still no resolution regarding the lake access. He and his neighbors assert that they have access to the lake via Outlot A.

William Roberts, 584 E Walled Lake Drive, Walled Lake—Reiterated the statements in his letter that he should be assessed at 1 unit of benefit instead of 2 since his house sits on both lots.

George Rourk, 1331 South Lake Dr—stated that the quality of the lake is good and appreciates the work done by the Board. He is in favor of continuing the assessment.

Steve Letzeiser 1127 South Lake Unit 205—Asked the Board if the condo at South Pointe is lake access or lake front. Coburn responded that it is lake access. Mr. Letzeiser suggested that the assessment be based on the frontage of the condo divided by the number of co-owners. Lemmon explained the process for developing the assessment categories.

Cynthia Coleman, 123 DeKalb, Walled Lake—Lives in Jenny Park Subdivision and questioned if she has lake access. Supports the assessment.

Alan Dezell, 1217 East Lake Drive, Novi—Fully supports the assessment and the continuation of the treatments. Believes that the lake is in good condition.

Jim Tesorero, 1627 West Lake Drive, Novi—Supports the continuation of the assessment and believes that it is fair.

Galloway closed the public hearing at 7:30 after seeing no one else wanting to address the Board.

The Board had a discussion regarding the Titsworth letter and the comments by William Roberts. Lemmon explained that Roberts only had one unit of benefit last time because there was a part of the home on the other lot making them inseparable. Lemmon explained that the Titsworth Lot 1 was not buildable and served as the access point for several outlots and such a lot would not typically be assessed.

**Moved by Crawford, Supported by Coburn; CARRIED UNANIMOUSLY: To revise the proposed roll to remove lot 16 of Supervisor's Plat No. 1 owned by Mr. Roberts from the assessment roll.**

**Moved by Crawford, Supported by Coburn; CARRIED UNANIMOUSLY: To revise the proposed roll to remove lot 1 of Shore Acres owned by Mr. Roberts from the assessment roll.**

There was a brief discussion regarding how the condos are assessed based on whether there is direct access to the water, like Harbor Cove, or indirect access to the water like South Pointe Condo. The Board took no action to revise the roll based on this discussion.

**Moved by Crawford, Supported by Ambrose; CARRIED UNANIMOUSLY: To approve the assessment roll with the two corrections as approved by the Board and to approve the resolution confirming the assessment roll.**

<b>Galloway</b>	<b>Yes</b>
<b>Ambrose</b>	<b>Yes</b>
<b>Coburn</b>	<b>Yes</b>
<b>Crawford</b>	<b>Yes</b>

Galloway opened public comment and there were six members of the public that spoke regarding the impact on fish in the lake, Outlot A access in Jenny Park Subdivision, and the use of herbicide in lake affecting the fish.

**ADJOURNMENT:** There being no further business to come before the Lake Board, the meeting was adjourned at 8:06 p.m.

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Brian Coburn, Secretary-Treasurer

**WALLED LAKE IMPROVEMENT BOARD  
 QUARTERLY TREASURER'S REPORT  
 June 30, 2015**

<b>BALANCE ON HAND: 03/31/15 \$174,352.82</b>
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<b>INCOME</b>	<u>Quarter</u>	<u>YTD</u>	<u>Budget</u>	<u>Variance</u>	<u>Notes</u>
Assessments (City of Novi)	\$ 393.86	\$ 52,190.34	\$ 60,739.00	(\$8,548.66)	1
Assessments (City of Walled Lake)	\$ 36,695.30	\$ 36,695.30	\$ 36,695.30	\$ (0.00)	2
<b>TOTAL INCOME</b>	<b>\$ 37,089.16</b>	<b>\$ 88,885.64</b>	<b>\$97,434.30</b>	<b>(\$8,548.66)</b>	
<b>EXPENSES (see detail below)</b>					
Herbicide and Harvesting	\$ 19,075.00	\$ 19,075.00	\$ 72,820.00	\$ 53,745.00	
Lake Management Consultant	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00	
Permit Fee	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00	
Administrative & Legal	\$ 3,083.36	\$ 3,289.56	\$ 3,000.00	\$ (289.56)	
<b>TOTAL EXPENSES</b>	<b>\$ 22,158.36</b>	<b>\$ 22,364.56</b>	<b>\$ 82,820.00</b>	<b>\$ 60,455.44</b>	

<b>BALANCE ON HAND: 06/30/15 \$189,283.62</b>
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**Notes**

- 1 Novi payment includes assessments paid to date to Novi
- 2 Walled Lake has paid the assessment in full

**EXPENSE DETAIL FOR Q2-2015**

<u>Description</u>	<u>Invoice No.</u>	<u>Vendor</u>	<u>Amount</u>
Legal Services through 3/31/15	1264918	Secrest Wardle	\$ 585.00
Legal Notice Spinal Column	15881	Kingsett, LLC	\$ 325.05
Legal Notice Spinal Column	16448	Kingsett, LLC	\$ 325.05
Postage		City of Novi	\$ 29.75
Postage		USPS	\$ 1.15
Legal Notice Novi News	000624574	Michigan.Com	\$ 471.60
Envelopes for Public Hearing Mailing	12737	Accuform Printing	\$ 94.00
Postage for Public Hearing Mailing		City of Novi	\$ 658.56
Legal Services through 5/31/15	1268527	Secrest Wardle	\$ 593.20
Savin Lake Services	3035	Herbicide Treatment	\$ 19,075.00
			<u>\$ 22,158.36</u>

Submitted by  \_\_\_\_\_

Brian Coburn, Secretary/Treasurer  
 Walled Lake Improvement Board

City of Novi - Walled Lake Weed Control Special Assessment Lake Board Report  
 2014 Delinquent Roll  
 SAD #175E

<b>Parcel # Owner</b>	<b>Principal 2014 Delinquent Balance</b>	<b>1/2 % per month Penalty</b>	<b>Lake Board Total Assessment</b>	<b>Additional 6% Penalty</b>	<b>City of Novi Total Installment</b>
50-22-02-151-003 KERN, JOHN L & KIMBERLY A	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-151-054 SMITH, JOHN WYATT	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-327-018 LEVY, KIMBERLEE E	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-327-019 LEVY, KIMBERLEE E	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-327-021 GAVRILES, MARY	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-354-006 RILEY, GEORGE K	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-355-004 RILEY, GEORGE K	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-02-355-006 KOYAMA, EIKO & HIROMI	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-03-126-026 CHEN, KE	\$ 19.22	\$ 0.58	\$ 19.80	\$ 1.15	\$ 20.95
50-22-03-126-051 CUSHNIER, KHIM	\$ 19.22	\$ 0.58	\$ 19.80	\$ 1.15	\$ 20.95
50-22-03-131-028 FARRINGTON, JAMES R	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-03-152-023 LAPP, KEVIN	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-153-028 THORPE, DONNA	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-155-020 COON, RONALD	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-03-201-002 KELLY, STANLEY & LYNDA	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-203-001 DIANTONTIS, DANIEL	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-204-015 HARVEY, JOHN T.	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-03-330-006 ANTOUNPOUR, CLAUDINE	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42

City of Novi - Walled Lake Weed Control Special Assessment Lake Board Report  
 2014 Delinquent Roll  
 SAD #175E

50-22-03-382-001 COOK, DAVID	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-383-032 BIRDSALL, DAVID	\$ 19.22	\$ 0.58	\$ 19.80	\$ 1.15	\$ 20.95
50-22-03-383-034 EATON, LUCILLE L	\$ 19.22	\$ 0.58	\$ 19.80	\$ 1.15	\$ 20.95
50-22-03-383-037 KIBA, GEORGE & VIRGINIA	\$ 19.22	\$ 0.58	\$ 19.80	\$ 1.15	\$ 20.95
50-22-03-383-056 SHEEDY, DELORES	\$ 19.22	\$ 0.58	\$ 19.80	\$ 1.15	\$ 20.95
50-22-03-404-009 NAPIERALA, HALINA	\$ 192.13	\$ 5.76	\$ 197.89	\$ 11.53	\$ 209.42
50-22-03-452-007 JOSEPHSON, RICHARD	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-453-009 MAUDLIN RENTAL, LLC	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-455-005 BATES, KEVIN & RENEE	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-03-483-006 JONES, BRIAN	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
50-22-04-429-014 FRANE, SCOTT & KIMBERLY	\$ 38.44	\$ 1.15	\$ 39.59	\$ 2.31	\$ 41.90
	<u>\$ 2,997.41</u>	<u>\$ 89.86</u>	<u>\$ 3,087.27</u>	<u>\$ 179.89</u>	<u>\$ 3,267.16</u>
	Principal	1/2 %/Month Penalty	Lake Board Roll 9.1.15	6% Additional Penalty	City Assessor's Roll

## MEMORANDUM

**TO:** WALLED LAKE IMPROVEMENT BOARD MEMBERS  
**FROM:** BRIAN COBURN, P.E.; SECRETARY/TREASURER *BTC*  
**SUBJECT:** CERTIFICATION OF DELINQUENT ASSESSMENTS  
**DATE:** SEPTEMBER 21, 2015

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On June 17, 2010, the Walled Lake Improvement Board approved Resolution #3 (attached) which confirmed the special assessment roll. Paragraph 6 of the resolution requires that the City Treasurer for each city report any delinquencies to the lake board including the parcel number and the amount of delinquency.

The attached report has been provided by the City Treasurer for Novi reporting that a total of \$2,997.41 is delinquent from 29 parcels is delinquent for the City of Novi. The interest on the delinquent assessments is set by paragraph 5 in Resolution #3 as 0.5% per month beginning February 14, 2015. The interest accrued through September 1 for Novi delinquent payments for the City of Novi is \$89.86. Walled Lake did not provide a report of delinquent assessments even though it was requested.

The Lake Board is required by paragraph 7 of Resolution #3 to “certify the delinquency to the City Assessing official for the City in which the property is located, who shall then report the delinquency to the City Council.” The delinquent sum and accrued penalties plus an additional penalty of six percent of the total amount reported would then be reassessed on the City’s annual tax roll.

A motion from the Lake Board is necessary to certify the delinquent amounts plus interest for the City Assessing official for each City.

Please let me know if you have any questions.

## Coburn, Brian

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**From:** Coburn, Brian  
**Sent:** Tuesday, August 25, 2015 9:45 AM  
**To:** Colleen Coogan (CCoogan@walledlake.com); jstuart@walledlake.com; Glenn, Tina  
**Subject:** Lake Board Delinquent Assessments  
**Attachments:** Resolution 3-Approve Assessment Roll.pdf

Good morning:

I am writing to remind you that according to [MCL 324.30916](#), the Treasurer for each City is required to provide a sworn statement listing the names of delinquent Lake Board Assessments and the amount of the delinquency including accrued interest and penalties to the Lake Board by September 1 for certification by the Board.

**324.30916 Special assessments; collections.** When any special assessment roll is confirmed, the lake board shall direct the assessments made in the roll to be collected. The clerk of each local unit of government involved shall then deliver to the treasurer of each local unit of government the special assessment roll, to which he or she shall attach his or her warrant commanding the treasurer to collect the assessments in the roll in accordance with the directions of the lake board. The warrant shall further require the treasurer, on September 1 following the date when any assessments or any part of an assessment have become due, to submit to the lake board a sworn statement setting forth the names of delinquent persons, if known, a description of the parcels of land upon which there are delinquent assessments, and the amount of the delinquency, including accrued interest and penalties computed to September 1 of the year. Upon receiving the special assessment roll and warrant, the treasurer shall collect the amounts assessed as they become due.

The attached Lake Board resolution provides additional information in this regard.

The Lake Board will meet in late September to act on the delinquent roll.

Please let me know if you have any questions.

Brian Coburn  
Secretary/Treasurer  
Walled Lake Improvement Board



**Brian Coburn, P.E.** | Engineering Senior Manager  
Department of Public Services | City of Novi  
Field Services Complex | 26300 Lee BeGole Drive | Novi, MI 48375  
office: 248-735-5632 dept: 248-347-0454

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**STATE OF MICHIGAN**

**COUNTY OF OAKLAND**

**WALLED LAKE IMPROVEMENT BOARD**

**WALLED LAKE IMPROVEMENT BOARD SPECIAL ASSESSMENT DISTRICT**

RESOLUTION CONFIRMING ASSESSMENT ROLL

RECITATIONS:

It has been determined that the Walled Lake Improvement Board will implement a five year aquatic weed control program for Walled Lake (the Project).

The Project is intended to make annual improvements to Walled Lake through the year 2015 at a total cost estimated to be \$518,615.00 for the benefit of the properties identified in Exhibit 1, which properties together shall constitute The Walled Lake Improvement Board Special Assessment District, hereinafter referred to as the "Lake Board SAD", and for administrative purposes to be known as SAD 175 in the City of Novi and SAD 175 in the City of Walled Lake.

Plans for the Project, the estimated cost of the Project, and the special assessment district boundaries were approved by Resolution of the Walled Lake Improvement Board following a public hearing on November 5, 2009. The Lake Board resolution further directed the Assessors for the City of Novi and for the City of Walled Lake to prepare a proposed assessment roll, which was considered by the Lake Board at its March 25, 2010 public hearing and the continuation of the public hearing on May 20, 2010.

In accordance with the direction of the Walled Lake Improvement Board following the March 25, 2010 public hearing and the continuation of the public hearing on May 20, 2010, the

City Assessors have prepared a revised special assessment roll allocating the total cost of the Project, less the City of Novi's voluntary contribution to the Project in the amount of \$30,000.00, to the property within the Lake Board SAD and the Assessors have filed such roll with the Lake Board.

A public hearing to review the revised special assessment roll was set and duly noticed in accordance with law for the purpose of hearing objections to the revised assessment roll.

The public hearing was conducted in accordance with the notice, and the Walled Lake Improvement Board determined that it would be appropriate to approve and confirm the revised assessment roll.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The revised special assessment roll for the Walled Lake improvement Board Project, the Lake Board SAD, in the total amount of \$488,615.00 (\$97,723.00 annually for years 2011 through 2015), attached as Exhibit 1 to this resolution, shall be and is hereby adopted and confirmed, and shall be collected from the properties benefited within the Lake Board District.

2. The Walled Lake Improvement Board Secretary/Treasurer is directed to endorse on the assessment roll the date of this confirmation.

3. All amounts of an assessment shall be assessed against each parcel of land in the Lake Board SAD as described on the Special Assessment Roll (Exhibit 1) to be due and payable in five installments, the first to be due on the 14th day of February, 2011, and the several subsequent installments shall be due and payable successively in intervals of twelve (12) months from the due date of the first installment.

4. The Clerks for the Cities of Novi and Walled Lake are directed to attach their warrants as required by law to the roll and to direct the roll, with their warrants attached, to the respective

City Treasurer. The City Treasurer for the Cities of Novi and Walled Lake shall thereupon collect the special assessment from those properties listed in Exhibit 1 which are located within each City's jurisdiction in accordance with the terms of this Resolution, the warrant, and the statutes of the State of Michigan.

5. Any portion of an assessment which has not been paid on or before the **14th** day of **February** of the tax year shall be considered delinquent by the City Treasurer for the City in which the property is located and shall accrue penalties at the rate of  $\frac{1}{2}$  of 1% for each month or fraction of a month that the assessment remains unpaid before being reported to the City Council for reassessment upon the City tax roll.

6. The City Treasurer shall report to the Lake Board on September 1 following the date when the assessment or any part of the assessment became due any delinquencies by submitting a sworn statement listing the names of the delinquent persons, if known, a description of the parcels of land upon which there are delinquent assessments, and the amount of the delinquency, including accrued penalties computed to September 1 of the year.

7. If the City Treasurer reports as delinquent any assessment or part of an assessment, the Lake Board shall certify the delinquency to the City Assessing official for the City in which the property is located, who shall then report the delinquency to the City Council in which the property is located to reassess on the City's annual tax roll of that year the delinquent sum and accrued penalties plus an additional penalty of six percent of the total amount reported.

AYES: Burke, Coburn, Galloway

NAYS: Potter

ABSTENTIONS: none

ABSENT: Warren

**CERTIFICATION**

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Walled Lake Improvement Board located within the Cities of Novi and Walled Lake at a meeting duly called and held on the 17th day of June, 2010.

WALLED LAKE IMPROVEMENT BOARD

BY:   
BRIAN COBURN, SECRETARY-TREASURER

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**WALLED LAKE IMPROVEMENT BOARD  
2016 PROPOSED ANNUAL BUDGET**

<i><b>Description</b></i>	<i><b>Annual Budget</b></i>
<u>Income</u>	
City of Novi Assessments	\$42,015
City of Walled Lake Assessments	\$25,373
Use of Surplus Funds	\$20,613
<b>TOTAL INCOME</b>	<b>\$88,000</b>
<u>Expenses</u>	
Harvesting and Herbicide Treatments	\$80,000
Lake Management Consultant	\$5,000
Permit Fee	\$2,000
Administrative & Legal	\$1,000
<b>TOTAL EXPENSES</b>	<b>\$88,000</b>