

AGENDA

WALLED LAKE LAKE IMPROVEMENT BOARD MEETING

May 20, 2010 at 7:00 P.M.

Novi Civic Center
45175 W. Ten Mile Road

- I. Call Meeting to Order
- II. Roll Call
- III. Public Comment on items not on the Agenda
- IV. Approval of Minutes
 - a. March 25, 2010 Meeting
 - b. May 11, 2010 Special Joint Meeting with Walled Lake City Council
- V. Presentation of Meeting Notice as posted
- VI. Approve Payment of Bills
- VII. Discussion of Rules for Public Hearing and Public Comment
- VIII. Continuation of the March 25, 2010 Public Hearing
 - A. Purpose of hearing
 - B. Rules for hearing
 - C. Documentation regarding notice
 - D. Open public hearing
 1. Description of project and cost estimate
 2. Review correspondence received
 3. Open floor for comment
 - E. Close public hearing
- IX. Consideration of Resolution Confirming Assessment Roll
- X. Public Comment on items not on the Agenda
- XI. Other Business
- XII. Adjournment

Please visit www.cityofnovi.org/lakeboard for additional information

WALLED LAKE
LAKE IMPROVEMENT BOARD MEETING *DRAFT* MINUTES
March 25, 2010

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 25, 2010. The meeting was called to order by Dave Galloway, Chairman, at 7:06 p.m.

Present: William Burke, City of Walled Lake
Brian Coburn, Secretary-Treasurer, City of Novi
Karen Warren, Oakland County Water Resource Commissioner's Office
Dave Galloway, Chairman and Riparian Representative
Jeff Potter, Oakland County Board of Commissioners Representative

Also

Present: Glenn Lemmon, City Assessor
Marjorie Bixby, Deputy City Assessor
Mark Roberts, Attorney, Secrest Wardle

At Public Comment on Items not on the Agenda, seven individuals addressed the Board regarding the lake improvement process, the chemicals used for weed control, the selection of the board members, the composition and authority of the board, the impact of the weed control on fishing, the communication to the public by the board, and the request for a contribution by the City of Walled Lake to the Lake Board.

Moved by Coburn, Supported by Warren; CARRIED UNANIMOUSLY: To approve the Minutes of November 5, 2009.

Secretary-Treasurer Coburn presented bills for payment to: The Observer & Eccentric Newspapers (Invoice Nos. 3430943, 3432469), Spinal Column (Invoice Nos. S1800040, S1812640), Secrest Wardle (Invoice Nos. 1195368, 1196397, 1196918, 1197953) and Spalding DeDecker (Invoice No. 0058404), totaling \$10,650.87

Moved by Coburn, Supported by Warren; CARRIED UNANIMOUSLY: To approve payment of Bills.

The public hearing was opened by Dave Galloway. He explained that the purpose of the public hearing was to review, to hear any objections to, and to consider confirming a five-year Special Assessment Roll for the purpose of implementing a Lake Improvement Program for the years 2010 through 2014. He reviewed the rules for the public hearings that were previously adopted by the board. He also reviewed the documentation regarding the public hearing notice.

Glenn Lemmon, Novi City Assessor, provided an overview of the project and the assessment roll. He wanted to make it clear that the proposed Special Assessment roll was a **draft** only and could be changed if the Board so determined. He indicated that based on assessment records and the plats, there was no way to know the deeded access owners for Walled Lake without researching individual property deeds from the early 20th century. He stated that the preparation of the roll presented many challenges:

the huge number of participants, two governmental units, a variety of parcels, some owners were private, some were governmental. The estimated cost of the project was \$518,615 for five years. He took the lake perimeter (375 parcels that touched the Lake) and came up with an average 64 feet per parcel.

Mr. Lemmon explained that the property owned by each city was exempt under the statute; however, each city could choose to adopt a resolution to be included in the assessment, could choose to make a contribution or could choose to maintain an exempt status. The average parcel frontage was then used to establish the estimated contribution amount for each community. An estimate of \$45,000 was presented to Novi to include city owned and lake access parcels. An estimate of \$16,000 was presented to Walled Lake to include Mercer Beach and several lake access lots. He indicated that the City of Novi committed to paying \$45,000 but the City of Walled Lake did not commit to provide a contribution.

Mr. Lemmon explained that there are several types of properties in the roll. The proposed roll only assesses the properties that actually touch the lake. He explained that he did not have much direction from the board regarding the properties to include in the roll and is looking for any direction that the board would like to provide. The average single family parcel with a frontage of less than 95 feet was assessed 1 unit of benefit and those with more than 95 feet of lake frontage were assess 1.5 units of benefit. Commercial properties on the lake were assessed 3.0 units of benefit. The condo units that have direct lakefront access were assessed 0.75 units each and the condo units with a common lake access lot were assessed 0.1 units of benefit each. Lake access parcels with unknown ownership were assessed 2.0 units of benefit each.

Mr. Lemmon calculated that the final per unit cost would be \$1,094.69 per participant, to be paid in five installments, with a 6 percent interest rate, which if approved would be added to the July 1 tax bill.

Ms. Warren asked how many owners were unknown. Mr. Lemmon indicated that there were eight on the Walled Lake side and that the City of Walled Lake had decided not to contribute toward the cost of the project. Mr. Roberts answered that the Oakland County Equalization Department had been contacted for help but that the Department had not gotten back to him. Mr. Potter asked why the six percent interest rate had been used, which he thought was high. Mr. Lemmon responded that the six percent rate was the maximum allowed by statute in setting up lake boards; he said that the Lake Board could reduce the rate.

Mr. Coburn commented that the Board had received over 60 letters in response to the proposed assessment roll.

The floor was opened for public comment. The following persons spoke:

Tom Harvey, 1603 West Lake Drive, was disappointed that the resolution was on the agenda. He felt that the cost per unit for Walled Lake should be higher since a contribution was made by Novi. He said that “benefit” was defined by statute and felt that anyone with access to the lake “benefitted” from the lake and should be taxed. He gave his website, www.walledlakeboardtax.com.

Jason Woodward, 420 Old Pine Way, Walled Lake, representing East Bay Village Condominiums, wanted to know what the rate of the assessment was for East Bay Village. He said that East Bay Village did not have boat rights. He said he likes the weeds. He wanted clarification of who is on the board. He said that values had dropped dramatically and felt it was not the time to tax. He wanted to know what was done with the permit fees for events on the lakes and beach tolls, etc. He wanted East Bay Village removed entirely from the roll.

Dorothy Ducheneau, 1191 South Lake, questioned how units were assigned. She felt the assessment should be fair, for example, using the existing standard of 25 feet of frontage for each boat in the water as a unit of assessment.

Patrick Ziarnik, 1601 West Lake Drive, was in favor of the project but felt that the backlots owners should pay part of the assessment. He requested that the Board not rush to approve the roll without having all of the information.

Joe DeBrincat, 1339 East Lake Drive, stated that there were several acres that shed to Walled Lake and that fertilizer went into the lake. He believed that it was unfair and should be assessed differently. He asked how much it would cost if they paid it all at once and also questioned the interest rate calculation. He thought that frontage foot would be a fairer method of assessment. He also felt that the City of Novi should pay more for the 1500 of frontage that it had; he also believed that the City of Walled Lake should pay for its frontage.

Steve Loe, 1507 West Lake Drive, had been against “poisoning” of the lake to control weeds from the beginning. He disagreed with the lake board attorney in saying that the City may be exempt from paying; he heard the mayor say that he committed to paying the assessment. He wanted to know how much money had been spent to date. In order to be fair about the assessment, people should have to prove that they have lake access. He felt the Board should take a giant step backward and suspend all spending until the total cost was resolved. He reiterated that Walled Lake was a healthy lake according to the Spalding DeDecker report.

Jan Barlow, 875 South Pontiac Trail #301, said that in looking at the unknown properties, the assessor had neglected the end of road accesses. She appreciated Novi’s contribution. She said any overage goes back to the municipalities and felt that the six percent interest charge was excessive and should have been discussed before. She felt that this should be suspended until things were in order.

Sandra Carolan, 835 Bluffton, wanted to know how to change the way the process would be done. She was uncomfortable about the fact that people were assessed and taxed without representation. She said that questions remained unanswered. She felt that the Board was overreaching its authority and asked if it could be dissolved by petition. She felt that her deeded ownership was in danger on her plat. Her deed stated that she had access and feared that the Board could make changes to her ownership.

Robert Dillon, 1605 East Lake Drive, believed the Board was doing a great job, thought it was a good first draft and wanted the Board to move forward. He was happy to pay the costs. He questioned the 95 feet of frontage and suggested that the threshold should be 35 feet or 45 feet. He thought that they were road ends that were taken over by Walled Lake, but he believed a higher value should be placed on the unknown lots. He felt that the interest rate should be lowered.

Delores Newman, 462 Conway, hoped that the assessment roll was tentative; she had questions and wanted fair assessment.

Tom Harvey, Sr., 1195 West Lake Drive, said that we're really looking at \$518,000, not just \$1,000; he said a good way to sell programs was to minimize the cost. If we were trying to be fair, we should study the lake and all the parcel ownership; he didn't think we could come up with something fair between now and July 1. He asked how the Lake Board came up with the area and the costs. He was concerned that the Lake Board would move ahead without considering their interest, since it was not elected; he suggested a team of people to get the job done.

Paul Olsen, 1312 East Lake Drive, thanked the Board for its energies and said he was willing to contribute. He was satisfied with the roll, which he didn't think was unreasonable. He was disappointed that the City of Walled Lake not contributing, however.

Alan Dezell, 1217 East Lake, said he had been involved since the beginning and fully supported the Board moving forward. He said the Board needed to do the right thing and assess all those that had a benefit on the lake. He thought that backlot owners needed to contribute a portion as well. He suggested that the Board consider using frontage feet as part of the calculation.

Randy St Laurent, 159 East Bay Drive, said there were 372 properties at the condos, 10% of the total budget, 0% of water privileges. He believed that they needed to have some privileges on the lake or don't charge.

Mark Adams, 1721 East Lake Drive, thought the Board was doing a great job, but the assessment roll should be tweaked. The lake level regulator was installed and there was a study on the access to the lake. He said there was a guide book done a few years ago of all the parcels that had access to Walled Lake that could be used to research.

Michael Condon, 1411 West Lake Drive, thanked the Lake Board and says that we are in a tough position but do not take a step backward. The weeds have been a problem for many years. They needed to be able to use the lake; it was tough to figure out how to fairly distribute the cost. If the backlots could be assessed – great – but keep moving forward to save the Lake.

James Kern, 561 East Walled Lake, encourage expansion of the district to include the tributary area that discharges fertilizer to the lake.

David Hultgren, 116 Arvida, Welfare Sub, hoped that the property could be included in the roll. He thanked the Board and hoped that we could move forward expeditiously. He said we could argue percentages for years.

Gwendolyn Martin, 1155/1127 South Lake. She said that the back building didn't touch the Lake at all; the front building faced the lake, but the units did not touch the water. She said some owners have pontoons, 13 were allowed but have only 5. She wondered how they will locate those co-owners to assess them. She was retired and living on a fixed income; 55+ seniors lived in the complex. She wanted the Lake to be cleaned up.

William Roberts, Mayor of the City of Walled Lake, 584 East Walled Lake Drive, said that he formally appeals the assessment on the property. There were 11 properties in Walled Lake that had combined their lots; three others where the lot could easily be combined. The most ardent supporters of this were backlot owners. They were not paying a penny; he asked the Board to step back and re-evaluate. He invited the assessor to sit with him at the City Hall tomorrow to establish the ownership of the lake access lots. They had records on the unknown lots. He was on a fixed income and asked that it be one parcel. He wanted a more equitable roll.

James Street, 1915 West Lake Drive, supported the Board's efforts moving forward. He thought his assessment was fair. He was concerned with the backlots; he thought they needed to be included in Bentley Subdivision. He thought more lots needed to be identified to share in the cleanup of the Lake.

Bob Daar, 148 Arvida, thanked Mr. Potter for his point of view. He said there were a lot of points made and some people in East Bay Village used the lake. There was access over a given lot or several lots and it was shared. He didn't have the full benefit of a lakefront lot and didn't believe backlot owners should pay the same percentage as lakefront owners. He indicated that the backlot owners had not been mailed a meeting notice; therefore, there might need to be another meeting. Since we want to tax him he needs to be notified or it would be taxation without representation. He had access to seven lots; was he responsible for payment on all of those lots? The health of the Lake was his major concern and it was healthy.

Dave Cook, 306 Eubank, spoke as a backlot owner; he thought they should have to pay a share but not the same percentage. He believed that everyone benefitted from the Lake and should pay a reasonable share. He asked that the Board not move forward tonight until things had been settled.

Ernie Schlager, 1419 West Lake Drive, said he heard words like "benefit," and said he didn't want weed killer in the lake. He was choosing not to participate.

Renee Riding, 895 Pontiac Trail, asked when the harvesting would start and how to harvest after the docks were in. She had petitioned for the Board and gathered signatures telling people that the most it would cost was \$150 per year. The November 5th resolution stated that the backlots would be included and that it could be appealed. She had told everyone that there would be no harvesting because it didn't work on Wolverine Lake and it wouldn't work here.

A spokesperson for Chester Marendia, 1143 East Lake Drive, said she couldn't understand how a cottage could be identified as a commercial property. She wanted to know how contract overages would be addressed. She also asked how assessments would change, how they might be absorbed. She also asked if the assessed had the option to prepay to hold in escrow by a legitimate agent instead of the Board.

George Baczewski, 1945 West Lake Drive, said he was not opposed to paying his fair share; he only owned 30 feet of property. He knew of no safe chemical; he asked when the chemicals were used were the residents going to breathe the chemical and prohibit access to lakefront?

Larry Kern, 1159 East Lake Drive, asked if the Lake would be closed to boating during the application. The riparian was losing access of the lake. He asked if they could assess per boat. Per foot wouldn't be fair when one lot had multiple boats.

The public hearing was closed.

A discussion was held regarding the six percent interest rate for the assessment and whether it was reflective of the true cost of money to the city. There was discussion about the proposed Consideration of Resolution Confirming Assessment Roll and inclusion of the back lot owners. There was a discussion about new information provided by a property owner that clearly demonstrates that several parcels in the Welfare Lakeview Subdivision has deeded access through several lots to Walled Lake. Mr. Lemmon added that this is the type of proof that he needs to add the back lot owners to the assessment roll.

Moved by Potter: To approve that those lots that have an adjacent vacant lot next to an occupied home where adjacent lot is less than 30 feet of lake access that those two lots be considered with 1 unit of benefit; No Support. Motion Fails.

Coburn stated that even though the lot may be considered unbuildable, it can still serve as a lake access and receives a benefit. Warren questioned if the board could give direction to the Assessor to reduce the benefit for unbuildable lots. Mr. Roberts stated that it is not the Assessor's responsibility to deem a lot as buildable or not that that additional direction about lot size would be needed from the Board.

Warren asked if the meeting could be adjourned. Roberts said the meeting could be adjourned if the Board wanted to investigate adding backlots to the assessment roll. Potter stated that the Board needed to give the Assessor guidance regarding the backlot owners; he added that he was looking at the mid to high \$100 per unit of benefit as the price point for the property owners. Coburn asked that the motion summarize questions to resolve interest rate. There was discussion about the units of benefit to be used for the back lot parcels and a consensus to request a recommendation from the Assessor.

Coburn asked if the motion included the Novi parcels in the research on backlot owners, and Potter answered that Novi back lots are included. Coburn stated that Novi's contribution was intended cover the lake access parcels in Novi.

Moved by Potter; Supported by Burke: CARRIED 4 to 1 (Coburn, No); To adjourn the public hearing until May 20th to allow 45 days for additional research on lake access for backlot owners in both communities and to direct the assessor to revise the roll to include backlot owners where lake access was reasonably determined with certainty within the 45 day period and the Assessor shall work with the Finance Director to determine the city's cost for lost revenue for delinquent payments.

Coburn asked the Board to consider a letter of support requested by the City of Novi for The Landings Property at Walled Lake for the Michigan Natural Resources Trust Fund Grant to be submitted by April 1, 2010.

Moved by Potter, Supported by Burke; CARRIED UNANIMOUSLY: To approve letter of support for the Landings Property on Walled Lake for the Michigan Natural Resources Trust Fund Grant to be submitted by the City of Novi.

At Public Comment, eight individuals addressed the Board regarding the use of chemical treatment for weed control, the length of time that the lake would be closed after chemical treatment and to thank the Board for their work.

ADJOURNMENT: There being no further business to come before the Lake Board, the meeting was adjourned at 10:29 p.m.

Brian Coburn, Secretary-Treasurer

WALLED LAKE IMPROVEMENT BOARD
SPECIAL JOINT MEETING WITH WALLED LAKE CITY COUNCIL
DRAFT MINUTES
May 11, 2010

A special meeting of the Lake Improvement Board for Walled Lake was held as a joint meeting with the Walled Lake City Council at the Walled Lake Fire Station Training Room at 1499 E. West Maple on May 11, 2010. The meeting was called to order by Walled Lake Mayor William Roberts, at 7:05 p.m.

Present: William Burke, City of Walled Lake
Brian Coburn, Secretary-Treasurer, City of Novi
Dave Galloway, Chairman and Riparian Representative
Jeff Potter, Oakland County Board of Commissioners Representative

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

Also

Present: William Roberts, Walled Lake Mayor
Linda Ackley, Walled Lake Mayor Pro Tem
Casey Ambrose, Walled Lake City Council Member
John Owsinek, Walled Lake City Council Member
Robert Robertson, Walled Lake City Council Member
Dennis Yezbick, Walled Lake City Council Member

Mayor Roberts opened the meeting and explained that the purpose of the meeting was to discuss the lake improvement board. Chairperson Galloway began the presentation by the Board with an overview of the work completed to date and reviewed the engineering study and its recommendations. Coburn discussed the website that has been set up for the Lake Board at www.cityofnovi.org/lakeboard to provide access to documents by the public that also includes a page of Frequently Asked Questions and a link to submit a question to the Board. Potter stated that the dissolution of the Lake Board is a matter for the two cities to decide, requested that the discussion be respectful, and discussed the contribution made by Novi in supporting the financial and administrative functions of the Lake Board to date. Burke discussed some of the history of the lake and referenced the timing of the project in the economic downturn. Galloway reviewed the three recommended items that were removed by the Board from the approved project: goose management, self-help, and lake management fees. Galloway shared his belief that the weed issue cannot be cured, but that it can be controlled. Galloway stated that as the riparian representative he would request the board to consider using weevils for weed control as part the second year treatment. Galloway concluded the presentation with an explanation of the adopted project which includes a budget of \$130,615 for the first year and a budget of \$97,000 for each of the remaining four years.

Following the presentation by the Lake Board, Mayor Roberts opened audience participation and encouraged the Board to interact with the audience and to answers questions as applicable. There were approximately 20 individuals that addressed the Council and the Board regarding the purpose and intent of the lake improvement

project, the need for the project, the petitions that were collected before the formation of the board, petitions to dissolve the board, the proposed interest charge on the previously proposed special assessment roll, the use of chemicals to control weeds, the use of weevils as a biological control for weeds, the data collection dates of the previous aquatic plant studies, the proposed assessment roll, the timeline for the collection of the assessment, the procedure to dissolve the Board, the number of harvestings per year in the project, the inclusion of Wellsboro on the proposed assessment roll, the regulation of chemical treatments by the Michigan Department of Natural Resources and Environment (MDNRE), concerns about the effects of the weed control on the fish population, the change in the engineer's recommendation from the draft study to the final approved study, the impact of the project on property values, concerns about odor resulting from harvesting, the exclusion of the tributaries and Shawood Lake from the project, and the speed of the Board in moving forward with the project. There were numerous questions on these topics that were addressed by the Lake Board.

Following the first audience participation, the Mayor and City Council agreed to allow individuals a second opportunity to address the City Council and the Lake Board. During the second audience participation there were seven individuals that spoke regarding the impact of the project given the current economy, the petitions to dissolve the Board, the time of year for the previous aquatic plant studies, impact of the proposed assessment roll in maintaining rights to lake access, the inclusion of parcels of unknown ownership that may serve as a lake access parcel on the roll, the process for board approval of the proposed assessment roll, the ability for the board to deviate from the recommendations in the engineering study, the use of weevils as a biological treatment for weeds, the process to dissolve the Lake Board, and a request for the Lake Board to study weevils as a treatment technique. Several of the issues, questions and concerns were addressed by members of the Lake Board.

There were several questions from City Council members to the board regarding the selection of the engineering consultant that completed the study, the use of weevils as a biological weed control, the types of contractors that would perform the chemical treatment and the qualifications of the contractors, and the permit requirements from MDNRE.

There was a final audience participation in which three individuals spoke and reiterated several of the topics from prior in the meeting.

ADJOURNMENT: There being no further business to come before the Lake Board or the City Council, the meeting was adjourned by the Walled Lake City Council at 10:11 p.m.

Brian Coburn, Secretary-Treasurer

AGENDA ITEM VNo. L-10-22

**NOTICE OF MEETING OF THE
LAKE IMPROVEMENT BOARD
FOR
WALLED LAKE**

A meeting of the Lake Improvement Board for Walled Lake
will be held on Thursday, May 20, 2010 at 7:00 p.m.
at the Novi Civic Center, Council Chambers
45175 W. Ten Mile Road, Novi, MI 48375

Posted: 4/9/10
10:30 a.m.

MEMORANDUM

TO: WALLED LAKE IMPROVEMENT BOARD MEMBERS
FROM: BRIAN COBURN, P.E.; SECRETARY/TREASURER
SUBJECT: PAYMENT OF BILLS
DATE: MAY 13, 2010

We have received the following invoices for payment since the last meeting as attached and summarized below:

Payee	Description	Invoice No.	Amount
City of Novi	March 2010 Postage for Public Hearing Notice		\$320.76
City of Novi	May 2010 Postage for Public Hearing Notice		\$236.72
Secrest Wardle	Legal Services through 2/28/10	1198609	\$840.00
Secrest Wardle	Legal Services through 3/31/10	1199449	\$1,667.00
Secrest Wardle	Legal Services through 4/30/10	1200500	\$2,424.00
Spinal Column Newsweekly	Public Hearing Notice 3/17/10	S1813180	\$227.62
Spinal Column Newsweekly	Public Hearing Notice 5/5/10	S1821300	\$227.62
Spinal Column Newsweekly	Public Hearing Notice 5/12/10	S1821660	\$227.62
TOTAL BILLS DUE:			\$6,171.34

Please also see attached report showing all expenditures as of May 13, 2010.

**WALLED LAKE IMPROVEMENT BOARD
EXPENDITURES TO DATE
as of 5/13/10**

<u>Approval Date</u>	<u>Description</u>	<u>Inv No.</u>	<u>Vendor</u>	<u>Amount</u>
9/23/2009	Legal Services through 5/31/09	1190502	Secrest Wardle	\$ 696.00
9/23/2009	Legal Services through 6/30/09	1191901	Secrest Wardle	\$ 588.65
9/23/2009	Legal Services through 8/31/09	1193552	Secrest Wardle	\$ 204.00
9/23/2009	Progress Payment for Engineering Study	0057727	Spalding DeDecker	\$ 12,892.00
11/5/2009	Legal Services through 9/30/09	1194483	Secrest Wardle	\$ 636.65
11/5/2009	Public Hearing Notice 10/14/09	s1795710	Spinal Column Newsweekly	\$ 143.75
11/5/2009	Public Hearing Notice 10/21/09	s1797070	Spinal Column Newsweekly	\$ 143.75
3/25/2010	Legal Services through 10/31/09	1195368	Secrest Wardle	\$ 876.00
3/25/2010	Legal Services through 11/30/09	1196397	Secrest Wardle	\$ 888.00
3/25/2010	Legal Services through 12/31/09	1196918	Secrest Wardle	\$ 2,776.30
3/25/2010	Legal Services through 1/31/10	1197953	Secrest Wardle	\$ 2,432.43
3/25/2010	Final Payment for Engineering Study	0058404	Spalding DeDecker	\$ 3,223.00
3/25/2010	Public Hearing Notice 10/15/09	3430943	Observer & Eccentric	\$ 170.30
3/25/2010	Public Hearing Notice 10/22/09	3730943	Observer & Eccentric	\$ 170.30
3/25/2010	Notice of Resolution Published	S1800040	Spinal Column Newsweekly	\$ 35.94
3/25/2010	Public Hearing Notice 03/10/10	S1812640	Spinal Column Newsweekly	\$ 227.62
3/25/2010	Notice of Resolution Published	3432469	Observer & Eccentric	\$ 78.60
Total Expenditures Approved as of May 13, 2010				<u><u>\$ 26,183.29</u></u>
 <u>Invoices for approval on May 20 agenda</u>				
	<i>March 2010 Postage for Public Hearing Notice</i>		<i>City of Novi</i>	\$ 320.76
	<i>May 2010 Postage for Public Hearing Notice</i>		<i>City of Novi</i>	\$ 236.72
	<i>Legal Services through 2/28/10</i>	<i>1198609</i>	<i>Secrest Wardle</i>	\$ 840.00
	<i>Legal Services through 3/31/10</i>	<i>1199449</i>	<i>Secrest Wardle</i>	\$ 1,667.00
	<i>Legal Services through 4/30/10</i>	<i>1200500</i>	<i>Secrest Wardle</i>	\$ 2,424.00
	<i>Public Hearing Notice 3/17/10</i>	<i>S1813180</i>	<i>Spinal Column Newsweekly</i>	\$ 227.62
	<i>Public Hearing Notice 5/5/10</i>	<i>S1821300</i>	<i>Spinal Column Newsweekly</i>	\$ 227.62
	<i>Public Hearing Notice 5/12/10</i>	<i>s1821660</i>	<i>Spinal Column Newsweekly</i>	\$ 227.62
	Total Expenditures for Approval on May 20 Agenda			<u><u>\$ 6,171.34</u></u>
	 Grand Total			 <u><u>\$ 32,354.63</u></u>

Coburn, Brian

From: McNamara, Cheryl
Sent: Thursday, May 13, 2010 10:52 AM
To: Coburn, Brian
Subject: Lake Board Postage
Attachments: Lake Board Mailings.pdf

Brian,

Attached is the back-up received for Finance to charge two mailings to the Lake Board. The mailings occurred:

March 2010 – \$320.76
May 2010 - \$236.72

Please let me know if you need any additional information

Thank you,

Cheryl McNamara
Finance Department
City of Novi
45175 W. 10 Mile
Novi, MI 48375

Office 248-347-0465
Fax 248-735-5682

cmcnamara@cityofnovi.org

SECRET
SW
WARDLE

SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
30903 NORTHWESTERN HIGHWAY P.O. BOX 3040
FARMINGTON HILLS, MICHIGAN 48333-3040
(248) 851-9500

V-6839

IRS # 38-1863919

Walled Lake Improvement Board
Brian Coburn
45175 W 10 Mile Road
Novi, MI 48375-3024

March 3, 2010
Invoice # 1198609
Client No. M1104
Matter No. 091331

RE: Walled Lake Improvement Board

INTERIM

Services Rendered: CLAIM #

CURRENT BILLING SUMMARY THROUGH FEBRUARY 28, 2010

Fees for Professional Services	\$840.00
Expenses Advanced	\$0.00
CURRENT BILL DUE	\$840.00

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 634213
CINCINNATI, OH 45263-4213

DATE	TKPR	DESCRIPTION	HOURS
02/05/10	MSR	Review and revise Lake Board letter to City of Walled Lake regarding possible contribution to Lake Board Project	0.40
02/05/10	MSR	Prepare and send email with attached documents to B. Coburn regarding Walled Lake Improvement Board letter to City of Walled Lake	0.20
02/08/10	MSR	Receipt and review of email with attached documents from B. Coburn	0.00
02/08/10	MSR	Receipt and review of email with attached documents from B. Coburn regarding letter to City of Walled Lake	0.20
02/08/10	MSR	Arrange for lake board request for funding assistance to be on City of Walled Lake Council Agenda	0.20
02/08/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding City of Novi gift of \$45,000.00 to Lake Board project	0.20
02/09/10	MSR	Receipt and review of letter from B. Coburn to City Council of Walled Lake	0.30
02/15/10	MSR	Receipt and review of e-mail correspondence from V. Vanerian regarding Walled Lake's consideration of contribution to the lake board project	0.20
02/16/10	MSR	Exchange emails with B. Coburn; review emails from Novi Assessor regarding draft assessment roll	0.40
02/22/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding notice of public hearing question	0.20
02/22/10	MSR	Review Lake Board and special assessment statutes for the notice requirements for the public hearing on the assessment roll	0.30
02/22/10	MSR	Prepare and send email correspondence to B. Coburn regarding notice requirements for hearing on assessment roll	0.20
02/22/10	MSR	Preparation of published and mailed notice of hearing regarding assessment roll	0.80
02/22/10	MSR	Email correspondence with B. Coburn regarding information needed to complete notices and for resolution for public hearing on assessment roll	0.30
02/26/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding public notices	0.20

DATE	TKPR	DESCRIPTION	HOURS
02/26/10	MSR	Telephone conference(s) with G. Lemmon and B. Coburn regarding the proposed assessment roll, treatment of lake front access parcels of undetermined ownership	0.40
02/26/10	MSR	Revise publication notices	1.70
02/26/10	MSR	Prepare and send email with attached documents to B. Coburn and G. Lemmon regarding revised notices of hearing	0.20
02/27/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding posting notice on website	0.20
02/27/10	MSR	Prepare and send email correspondence to B. Coburn regarding notice of public hearing posted on website	0.20

HOURLY CHARGES:

INIT.	TIMEKEEPER	RATE	HOURS	BILLED
MSR	MARK S ROBERTS, Associate	\$120.00	6.80	\$840.00

TOTAL HOURLY CHARGES: \$840.00

EXPENSES ADVANCED:

EXPENSE SUMMARY:

TOTAL CURRENT BILL \$840.00

OUTSTANDING STATEMENTS AS OF March 3, 2010

Statement No: 1195368	11/5/2009	\$876.00
Statement No: 1196397	12/2/2009	\$888.00
Statement No: 1196918	1/6/2010	\$2,776.30
Statement No: 1197953	2/5/2010	\$2,432.43
	TOTAL	\$6,972.73

Walled Lake Improvement Board
Brian Coburn
45175 W 10 Mile Road
Novi, MI 48375-3024

March 3, 2010
Invoice # 1198609
Client No. M1104
Matter No. 091331

RE: Walled Lake Improvement Board

INTERIM

Services Rendered: CLAIM #

CURRENT BILLING SUMMARY THROUGH FEBRUARY 28, 2010

Fees for Professional Services	\$840.00
Expenses Advanced	\$0.00
CURRENT BILL DUE	\$840.00

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 634213
CINCINNATI, OH 45263-4213

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SECRET
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SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
30903 NORTHWESTERN HIGHWAY P.O. BOX 3040
FARMINGTON HILLS, MICHIGAN 48333-3040
(248) 851-9500

IRS # 38-1863919

Walled Lake Improvement Board
Brian Coburn
45175 W 10 Mile Road
Novi, MI 48375-3024

April 7, 2010
Invoice # 1199449
Client No. M1104
Matter No. 091331

RE: Walled Lake Improvement Board

INTERIM

Services Rendered: CLAIM #

BRIAN COBURN

CURRENT BILLING SUMMARY THROUGH MARCH 31, 2010

Fees for Professional Services	\$1,644.00
Expenses Advanced	\$23.00

CURRENT BILL DUE	\$1,667.00
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PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 634213
CINCINNATI, OH 45263-4213

DATE	TKPR	DESCRIPTION	HOURS
03/01/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding mailed notices	0.20
03/01/10	MSR	Telephone conference(s) with B. Coburn regarding mailed notices, resolution	0.20
03/01/10	MSR	Receipt and review of e-mail correspondence from B. Coburn confirming assessment roll posting on Lake Board website	0.20
03/02/10	MSR	Intra-office conference with Van Vanerian regarding Walled Lake consideration of contribution to Lake Board project; email to B. Coburn	0.30
03/02/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding Walled Lake Council meeting	0.20
03/03/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding City of Walled Lake consideration of contribution to lake board project	0.20
03/03/10	MSR	Telephone conference(s) with V. Vanerian regarding City of Walled Lake's decision not to contribute to the lake board project	0.20
03/03/10	MSR	Telephone conference(s) with B. Coburn regarding City of Walled Lake's decision not to contribute to the lake board project	0.20
03/05/10	MSR	Receipt and review of email with attached documents from City of Novi regarding notice of Walled Lake Improvement Board public hearing posted	0.20
03/05/10	MSR	Work on draft Lake Board resolution	0.60
03/08/10	MSR	Revise draft resolution and email to B. Coburn	0.40
03/08/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding revised assessment roll, impact on public hearing notices	0.20
03/09/10	MSR	Review Lake Board statute regarding notice and intra-office conference with D. Beckerleg	0.30
03/09/10	MSR	Prepare and send email correspondence to B. Coburn regarding revised assessment roll	0.20
03/09/10	MSR	Receipt and review of email with attached documents from J. Barlow regarding a claimed error in the assessment roll	0.20
03/15/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding inquiries received on the proposed assessment roll	0.30
03/16/10	MSR	Receipt and review of email with attached documents from B. Coburn regarding Public Hearing meeting packet with proposed agenda	0.40

DATE	TKPR	DESCRIPTION	HOURS
03/16/10	MSR	Receipt and review of email with attached documents from B. Coburn regarding revised proposed resolution	0.30
03/17/10	MSR	Revise draft resolution for the 3/25/10 hearing, including telephone call to City of Walled Lake for its SAD number to be assigned to the Lake Board SAD	0.60
03/17/10	MSR	Prepare and send email with attached documents to B. Coburn with revised resolution	0.20
03/18/10	MSR	Receipt and review e-mail correspondence from G. Lemmon re: assessment roll, public hearing procedure and his role at public hearing	0.20
03/18/10	MSR	Telephone conference(s) with G. Lemmon re: assessment roll	0.30
03/18/10	MSR	Telephone conference(s) with B. Coburn re: assessment roll; draft resolution and hearing procedure	0.20
03/22/10	MSR	Receipt and review e-mail correspondence from B. Coburn re: public hearing and respond to email	0.20
03/23/10	MSR	Attend meeting with Lake Board Chair and Novi representative at City Hall to discuss the public hearing procedures	2.20
03/25/10	MSR	Review agenda packet for the public hearing on the assessment roll	0.60
03/25/10	MSR	Receipt and review email with attached documents from B. Coburn regarding right-of-way/easement access for Welfire Lakeview Subdivision	0.40
03/25/10	MSR	Attend meeting of Lake Board public hearing regarding assessment	3.80
03/26/10	MSR	Receipt and review e-mail correspondence from J. Potter re: interest rate issue, B. Coburn response, and telephone conference with B. Coburn	0.20

HOURLY CHARGES:

INIT.	TIMEKEEPER	RATE	HOURS	BILLED
MSR	MARK S ROBERTS, Associate	\$120.00	13.70	\$1,644.00

TOTAL HOURLY CHARGES: \$1,644.00

EXPENSES ADVANCED:

03/23/10	ATTORNEY MILEAGE - Vendor: Mark S Roberts (23.00 x 0.50)	11.50
03/25/10	ATTORNEY MILEAGE - Vendor: Mark S Roberts (23.00 x 0.50)	11.50

EXPENSE SUMMARY:

ATTORNEY MILEAGE	\$23.00
TOTAL EXPENSES ADVANCED	\$23.00
TOTAL CURRENT BILL	<u>\$1,667.00</u>

OUTSTANDING STATEMENTS AS OF April 7, 2010

Statement No: 1195368	11/5/2009	\$876.00
Statement No: 1196397	12/2/2009	\$888.00
Statement No: 1196918	1/6/2010	\$2,776.30
Statement No: 1197953	2/5/2010	\$2,432.43
Statement No: 1198609	3/3/2010	\$840.00
	TOTAL	\$7,812.73

SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
30903 NORTHWESTERN HIGHWAY P.O. BOX 3040
FARMINGTON HILLS, MICHIGAN 48333-3040
(248) 851-9500

IRS # 38-1863919

Walled Lake Improvement Board
Brian Coburn
45175 W 10 Mile Road
Novi, MI 48375-3024

April 7, 2010
Invoice # 1199449
Client No. M1104
Matter No. 091331

RE: Walled Lake Improvement Board

INTERIM

Services Rendered: CLAIM #

CURRENT BILLING SUMMARY THROUGH MARCH 31, 2010

Fees for Professional Services	\$1,644.00
Expenses Advanced	\$23.00
CURRENT BILL DUE	\$1,667.00

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
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FARMINGTON HILLS, MICHIGAN 48333-3040
(248) 851-9500

IRS # 38-1863919

Walled Lake Improvement Board
Brian Coburn
45175 W 10 Mile Road
Novi, MI 48375-3024

May 10, 2010
Invoice # 1200500
Client No. M1104
Matter No. 091331

RE: Walled Lake Improvement Board

INTERIM

Services Rendered: CLAIM #

CURRENT BILLING SUMMARY THROUGH APRIL 30, 2010

Fees for Professional Services	\$2,424.00
Expenses Advanced	\$0.00
CURRENT BILL DUE	\$2,424.00

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
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P.O. BOX 634213
CINCINNATI, OH 45263-4213

DATE	TKPR	DESCRIPTION	HOURS
04/06/10	MSR	Receipt and review of email with attached documents from B. Coburn regarding additional properties, interest rate issue and draft minutes	0.40
04/08/10	MSR	Telephone call to B. Coburn regarding access lot research	0.20
04/08/10	MSR	Prepare and send email correspondence to G. Lemmon regarding access lot research	0.20
04/09/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding inquiry related to interest recalculation and response	0.20
04/09/10	MSR	Receipt and review of e-mail correspondence from G. Lemmon regarding access parcel on Walled Lake	0.20
04/09/10	MSR	Prepare and send email correspondence to G. Lemmon regarding information needed for research into access parcels to Walled Lake	0.20
04/12/10	MSR	Receipt and review of email with attached documents from City Assessor's office regarding subdivisions with access lots and background information needed to investigate deeded access	0.30
04/13/10	MSR	Review file for information on access lots for research at Register of Deeds	0.70
04/15/10	MSR	Receipt and review e-mail correspondence from B. Coburn regarding issues raised by Assessor	0.20
04/15/10	MSR	Prepare and send email correspondence to B. Coburn regarding information from K. Warren regarding access property list	0.20
04/15/10	MSR	Receipt and review email with attached documents from Lake Level Judgment for use in determining access lots	0.80
04/16/10	MSR	Continue review of lake level judgment entered in 1984 and easements received from Lake Board Chair	0.60
04/16/10	MSR	Attend meeting with Assessor at Novi City Hall	2.40
04/17/10	MSR	Receipt and review of email with attached documents from B. Coburn regarding J.W. Hawthorn's Subdivision access rights to Walled Lake	0.40
04/19/10	MSR	Prepare and send email correspondence to B. Coburn regarding JW Hawthorn Subdivision access issue	0.30
04/19/10	MSR	Telephone conference(s) with B. Coburn regarding email inquiry from J. Michael DeBrincat	0.20
04/19/10	MSR	Review records at Oakland County Register of Deeds in an effort to verify access rights of backlot owners	3.40

DATE	TKPR	DESCRIPTION	HOURS
04/20/10	MSR	Telephone conference(s) with T. Schultz regarding status of research to determine back lot property owners with access rights to Walled Lake	0.40
04/21/10	MSR	Review notes and materials obtained at Register of Deeds related to back lot access to Walled Lake	0.60
04/21/10	MSR	Intra-office conference with T. Schultz regarding assessment issues and effect on Novi gift	0.40
04/22/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding conference with Mayor Roberts of Walled Lake	0.20
04/23/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding backlot properties, search of Register of Deeds records and amended roll	0.20
04/26/10	MSR	Review subdivision plats to verify notes from Register of Deeds regarding possible backlots with access easements to possibly include in the Lake Board assessment district	2.40
04/27/10	MSR	Meet with B. Coburn and assessors regarding backlot properties and assessment roll	1.80
04/28/10	MSR	Review of draft notice to be published for continued public hearing or assessment roll	0.30
04/28/10	MSR	Prepare and send email with attached documents to B. Coburn regarding revised notice of public hearing	0.20
04/28/10	MSR	Telephone conference(s) with K. Warren regarding information related to backlot owners in Walled Lake received from County	0.20
04/28/10	MSR	Prepare and send email with attached documents to K. Warren regarding list of backlot owners in Walled Lake	0.20
04/28/10	MSR	Review Godlewski February 3, 1997 judgment regarding Pratt Subdivision lots claim of easements over Lot 40, Walled Lake Shores Subdivision, and description of easement granted to specific properties	0.40
04/28/10	MSR	Prepare and send email correspondence to G. Lemmon regarding Godlewski judgments and conclusion of Pratt Subdivision access parcels	0.30
04/28/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding assessment roll, interest rate issue	0.20
04/28/10	MSR	Review Lake Board statutes related to delinquent/overdue assessments, interest and/or penalty provisions	0.30
04/29/10	MSR	Receipt and review of e-mail correspondence from B. Coburn regarding Jeff Potter's dissolution question	0.30

DATE	TKPR	DESCRIPTION	HOURS
04/29/10	MSR	Prepare and send email correspondence to B. Coburn regarding dissolution question	0.40
04/30/10	MSR	Receipt and review of email with attached documents from G. Lemmon regarding per unit cost of Lake Board Assessments based upon a possible change to the Novi contribution	0.30
04/30/10	MSR	Telephone call to G. Lemmon regarding assessment roll	0.20

HOURLY CHARGES:

INIT.	TIMEKEEPER	RATE	HOURS	BILLED
MSR	MARK S ROBERTS, Associate	\$120.00	20.20	\$2,424.00

TOTAL HOURLY CHARGES: \$2,424.00

EXPENSES ADVANCED:

EXPENSE SUMMARY:

TOTAL CURRENT BILL \$2,424.00

OUTSTANDING STATEMENTS AS OF May 10, 2010

Statement No: 1198609	3/3/2010	\$840.00
Statement No: 1199449	4/7/2010	\$1,667.00
	TOTAL	\$2,507.00

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30903 NORTHWESTERN HIGHWAY P.O. BOX 3040
FARMINGTON HILLS, MICHIGAN 48333-3040
(248) 851-9500

IRS # 38-1863919

Walled Lake Improvement Board
Brian Coburn
45175 W 10 Mile Road
Novi, MI 48375-3024

May 10, 2010
Invoice # 1200500
Client No. M1104
Matter No. 091331

RE: Walled Lake Improvement Board

INTERIM

Services Rendered: CLAIM #

CURRENT BILLING SUMMARY THROUGH APRIL 30, 2010

Fees for Professional Services	\$2,424.00
Expenses Advanced	\$0.00
CURRENT BILL DUE	\$2,424.00

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
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CINCINNATI, OH 45263-4213

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- MONTHLYADVERTISER
- WEST OAKLAND DIRECTORY
- TYPE N PRINT SHOP

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Union Lake, MI
48387-0014

Phone (248) 360-6397 • (248) 360-7355

CITY OF NOVI
 45175 W TEN MILE ROAD
 NOVI MI 48375

ACCOUNT NO.
 a101986

DUE DATE:
 03/27/10

TOTAL DUE
 227.62

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DATE	CODE/CUSTOMER REFERENCE	INV./PO. #	SIZE/INCH	RATE	AMOUNT
03/17/10	LEGAL-PUBLIC HEARING	51813180	I	00	227.62
Reach 125,000 readers with a Spinal Column Want Ad			INVOICE DATE	PAY TOTAL	227.62
			03/17/10		

WALLED LAKE IMPROVEMENT BOARD
NOTICE OF PUBLIC HEARING

**TO THE OWNERS OF ALL PROPERTIES ABUTTING AND/OR
WITH DEEDED ACCESS TO WALLED LAKE, LOCATED WITHIN THE
CITIES OF NOVI AND WALLED LAKE, OAKLAND COUNTY, MICHIGAN**

Notice is hereby given that the Walled Lake Improvement Board, Cities of Novi and Walled Lake, County of Oakland, will meet at the **Novi City Hall located at 45175 West Ten Mile Road, Novi, Michigan 48375-3024** on **Thursday, March 25, 2010, 7:00 p.m.**, to review, to hear any objections to, and to consider confirming a five-year Special Assessment Roll for the purpose of implementing a Lake Improvement Program for the years 2010 through 2014. Residential riparian parcels with up to 96 feet of lake frontage are proposed to be assessed at one unit of benefit, or **\$217.97** for each year of the Project. Residential riparian parcels with more than 96 feet of lake frontage are proposed to be assessed at one and one-half unit of benefit, or **\$326.96** for each year of the Project. Lake access parcels with unknown ownership are proposed to be assessed at two units of benefit, or **\$435.94**. Commercial riparian parcels are proposed to be assessed at three units of benefit, or **\$653.91** for each year of the Project. Lake access parcels are proposed to be assessed at .1 unit of benefit per property serviced, or **\$21.80 multiplied by the number of properties serviced** for each year of the Project. Waterfront condominium properties are proposed to be assessed at .75 unit of benefit, or **\$163.48** for each year of the Project. The Special Assessment Roll will be on file at the **City of Novi Clerk's Office** and available on the internet at **www.cityofnovi.org/lakeboard** for public examination.

Any person may appeal and be heard at the said Hearing, which is called pursuant to the provisions of Section 30913 of Part 309 of Public Acts No. 451 of 1994, as amended, which provides that the special assessment must be protested at the hearing held for the purpose of confirming the special assessment roll before the Michigan Tax Tribunal may acquire jurisdiction of any special assessment dispute. Appearance and protest of the special assessment at the time and place of review is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner or party in interest in property to be assessed, or his or her agent, must appear in person to protest the Special Assessment or must protest the special assessment by letter filed with **Brian Coburn, Walled Lake Improvement Board Secretary, 45175 West Ten Mile Road, Novi, Michigan 48375-3024**, prior to the time of review, in which case personal appearance is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll has been published in a newspaper of general circulation.

Brian Coburn,
Walled Lake Improvement Board Secretary

The City of Novi, on behalf of the Walled Lake Improvement Board, will provide necessary, reasonable auxiliary aids and services at all meetings to individuals with disabilities. All such requests must be made at least five days prior to said meeting. Individuals with disabilities requiring auxiliary aids or services should contact the Novi Clerk's Office by writing or calling the following: Novi Clerk's Office, **45175 West Ten Mile Road, Novi, Michigan 48375-3024**. Telephone: (248) 347-0460.

SC: 3-10-10, 3-17-10 D

**AFFIDAVIT OF PUBLICATION
STATE OF MICHIGAN
COUNTY OF OAKLAND**

MABLE McCULLOUGH being duly sworn, deposes and says that the annexed printed copy of a notice was taken from the SPINAL COLUMN NEWSWEEKLY, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following date(s):

MARCH17, 2010 (PUBLIC HEARING)

That (s)he is the agent of the printers of above said newspaper and knows well the facts stated herein.

Subscribed and sworn to before this SEVENTEENTH day of MARCH 2010 A.D.



Carolyn J Petherbridge
Notary Public, Oakland County, Michigan
Acting in the County Of Oakland
My Commission Expires March 27, 2014

INVOICE

51821300



- SPINAL COLUMN NEWSWEEKLY
- THE PAPER
- OAKLAND HOMES
- OAKLAND LAKEFRONT
- MONTHLY ADVERTISER
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- TYPE N PRINT SHOP

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PAYMENT ADDRESS:
P.O. Box 14
Union Lake, MI
48387-0014

Phone (248) 360-6397 • (248) 360-7355

CITY OF NOVI
 45175 W TEN MILE ROAD
 NOVI MI 48375

ACCOUNT NO.
 a101986

DUE DATE
 05/15/10

TOTAL DUE
 227.62

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DATE	CODE/CUSTOMER REFERENCE	INV./PO. #	SIZE/INCH	RATE	AMOUNT
05/05/10	LEGAL-WLD LK IMPROVEMENT BOARD	51821300	I	00	227.62
Ad deadline for the Business Review approaching			INVOICE DATE 05/05/10	PAY TOTAL ▶	227.62

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INVOICE



- SPINAL COLUMN NEWSWEEKLY
- THE PAPER
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- MONTHLYADVERTISER
- WEST OAKLAND DIRECTORY
- CITY CLERK'S OFFICE

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Union Lake, MI
48387-0014

Phone (248) 360-6397 • (248) 360-7355

2010 MAY 13 P 12: 37

CITY OF NOVI
 45175 W TEN MILE ROAD
 NOVI MI 48375

ACCOUNT NO.

a101986

DUE DATE

05/22/10

TOTAL DUE

227.62

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Please make checks payable to SCN COMMUNICATIONS GROUP.

DATE	CODE/CUSTOMER REFERENCE	INV./P.O. #	SIZE/INCH	RATE	AMOUNT
05/12/10	LEGAL-WLD LK IMPROVEMENT BOARD	51821660	I	00	227.62
op lakes area news source? The Spinal Column				INVOICE DATE 05/12/10	PAY TOTAL ▶ 227.62

spinalcolumnonline.com / oaklandpaper.com / oaklandlakefront.com / monthlyadvertiser.com

**WALLED LAKE IMPROVEMENT BOARD
NOTICE OF CONTINUED
PUBLIC HEARING**

**TO THE OWNERS OF ALL PROPERTIES ABUTTING AND/OR
WITH DEEDED ACCESS TO WALLED LAKE, LOCATED WITHIN THE
CITIES OF NOVI AND WALLED LAKE, OAKLAND COUNTY, MICHIGAN**

Notice is hereby given that the Walled Lake Improvement Board, Cities of Novi and Walled Lake, County of Oakland, will meet at the **Novi City Hall located at 45175 West Ten Mile Road, Novi, Michigan 48375-3024** on **Thursday, May 20, 2010, 7:00 p.m.**, to continue its review, to hear any additional objections to, and to consider confirming a five-year Special Assessment Roll for the purpose of implementing a Lake Improvement Program to control weeds in Walled Lake for the years 2010 through 2014. Residential riparian parcels with up to 96 feet of lake frontage are proposed to be assessed at one unit of benefit for each year of the Project. Residential riparian parcels with more than 96 feet of lake frontage are proposed to be assessed at one and one-half unit of benefit for each year of the Project. Commercial riparian parcels are proposed to be assessed at three units of benefit for each year of the Project. Parcels having deeded access to the Lake are proposed to be assessed at 0.1 unit of benefit per property serviced for each year of the Project. Waterfront condominium properties located directly on the lake are proposed to be assessed at 0.75 unit of benefit for each year of the Project. Condominium properties that have indirect lake access are proposed to be assessed at 0.1 unit of benefit for each year of the Project. The Special Assessment Roll will be on file at the **City of Novi Clerk's Office, City of Walled Lake Clerk's Office** and available on the internet at **www.cityofnovi.org/lakeboard** for public examination.

Any person may appeal and be heard at the said Hearing, which is called pursuant to the provisions of Section 30913 of Part 309 of Public Acts No. 451 of 1994, as amended, which provides that the special assessment must be protested at the hearing held for the purpose of confirming the special assessment roll before the Michigan Tax Tribunal may acquire jurisdiction of any special assessment dispute. Appearance and protest of the special assessment at the time and place of review is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, must appear **in person** to protest the Special Assessment or must protest the special assessment by letter filed with **Brian Coburn, Walled Lake Improvement Board Secretary, 45175 West Ten Mile Road, Novi, Michigan 48375-3024**, prior to the time of review, in which case personal appearance is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll has been published in a newspaper of general circulation.

Brian Coburn,
Walled Lake Improvement Board Secretary

The City of Novi, on behalf of the Walled Lake Improvement Board, will provide necessary, reasonable auxiliary aids and services at all meetings to individuals with disabilities. All such requests must be made at least five days prior to said meeting. Individuals with disabilities requiring auxiliary aids or services should contact the Novi Clerk's Office by writing or calling the following: Novi Clerk's Office, **45175 West Ten Mile Road, Novi, Michigan 48375-3024**. Telephone: (248) 347-0460.

SC: 5-5-10, 5-12-10

AFFIDAVIT OF PUBLICATION
STATE OF MICHIGAN
COUNTY OF OAKLAND

CITY OF NOVI
CITY CLERK'S OFFICE
2010 MAY 13 P 12:37

MABLE McCULLOUGH being duly sworn, deposes and says that the annexed printed copy of a notice was taken from the SPINAL COLUMN NEWSWEEKLY, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following date(s):

MAY 12, 2010 (WALLED LAKE IMPROVEMENT BOARD)

That (s)he is the agent of the printers of above said newspaper and knows well the facts stated herein.

Subscribed and sworn to before this TWELFTH day of MAY 2010
A.D.



Carolyn J Petherbridge
Notary Public, Oakland County, Michigan
Acting in the County Of Oakland
My Commission Expires March 27, 2014

Rules for Public Hearings
Approved by Walled Lake Improvement Board on 11/5/09

- (a) Public Hearings shall be scheduled and due notice given in accordance with the provisions of the Inland Lake Improvement Act.
- (b) Except in extraordinary circumstances found to exist by the Walled Lake Improvement Board, no Public Hearings shall be held within five (5) business days after a holiday recognized by the City of Novi.
- (c) The order of presentation shall be as follows:
 - Introduction by Lake Board and/or Lake Board
 - Consultants, describe purpose of hearing
 - Reference to rules of the hearing
 - Document the notice given
 - Open Public Hearing
 - Description of Project and Cost Estimate
 - Review of Correspondence
 - Open Floor for Comment
 - Close Public Hearing**
- (d) Any member of the public wishing to address the Lake Board during a Public Hearing shall fill out a card giving his/her name and address.
 - 1) The general public shall limit their remarks to three (3) minutes each. Speakers shall not exceed the time limit of this rule without permission from the Chairperson.
 - 2) Any person speaking of behalf of a group shall limit his/her remarks to five (5) minutes, provided that all those in the audience being represented identify themselves.
 - 3) Speakers shall address their remarks only to the Chairperson.
 - 4) No member of the audience shall be allowed to address an issue for Public Hearing following the closing of that Public Hearing by the Chairperson.
- (e) The Chairperson shall instruct all those who wish to speak during the Public Hearing to sum up their remarks when the Chairperson or Lake Board members feel that they have exceeded their time limit, strayed from the pertinent facts, or have become repetitive or disrespectful.

The proposed Special Assessment District Roll is
posted at:

<http://cityofnovi.org/Services/PublicWorks/Engineering/LakeImprovementBoard/ProposedSpecialAssessmentRoll100505.pdf>

WALLED LAKE IMPROVEMENT BOARD

NOTICE OF CONTINUED PUBLIC HEARING

**TO THE OWNERS OF ALL PROPERTIES ABUTTING AND/OR
WITH DEEDED ACCESS TO WALLED LAKE, LOCATED WITHIN THE CITIES OF NOVI
AND WALLED LAKE, OAKLAND COUNTY, MICHIGAN.**

Notice is hereby given that the Walled Lake Improvement Board, Cities of Novi and Walled Lake, County of Oakland, will meet at the **Novi City Hall located at 45175 West Ten Mile Road, Novi, Michigan 48375-3024** on **Thursday, May 20, 2010, 7:00 p.m.**, to continue its review, to hear any additional objections to, and to consider confirming a five-year Special Assessment Roll for the purpose of implementing a Lake Improvement Program to control weeds in Walled Lake for the years 2010 through 2014. Residential riparian parcels with up to 96 feet of lake frontage are proposed to be assessed at one unit of benefit for each year of the Project. Residential riparian parcels with more than 96 feet of lake frontage are proposed to be assessed at one and one-half unit of benefit for each year of the Project.. Commercial riparian parcels are proposed to be assessed at three units of benefit for each year of the Project. Parcels having deeded access to the Lake are proposed to be assessed at 0.1 unit of benefit per property serviced for each year of the Project. Waterfront condominium properties located directly on the lake are proposed to be assessed at 0.75 unit of benefit for each year of the Project. Condominium properties that have indirect lake access are proposed to be assessed at 0.1 unit of benefit for each year of the Project. The Special Assessment Roll will be on file at the **City of Novi Clerk's Office, City of Walled Lake Clerk's Office** and available on the **internet at www.cityofnovi.org/lakeboard** for public examination.

Any person may appeal and be heard at the said Hearing, which is called pursuant to the provisions of Section 30913 of Part 309 of Public Acts No. 451 of 1994, as amended, which provides that the special assessment must be protested at the hearing held for the purpose of confirming the special assessment roll before the Michigan Tax Tribunal may acquire jurisdiction of any special assessment dispute. Appearance and protest of the special assessment at the time and place of review is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, must appear in person to protest the Special Assessment or must protest the special assessment by letter filed with **Brian Coburn, Walled Lake Improvement Board Secretary, 45175 West Ten Mile Road, Novi, Michigan 48375-3024**, prior to the time of review, in which case personal appearance is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll has been published in a newspaper of general circulation.

Brian Coburn,
Walled Lake Improvement Board Secretary

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Publish: May 5, 2010 & May 12, 2010

**WALLED LAKE IMPROVEMENT BOARD
NOTICE OF CONTINUED
PUBLIC HEARING**

**TO THE OWNERS OF ALL PROPERTIES ABUTTING AND/OR
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SC: 5-5-10, 5-12-10

AFFIDAVIT OF PUBLICATION
STATE OF MICHIGAN
COUNTY OF OAKLAND

MABLE McCULLOUGH being duly sworn, deposes and says that the annexed printed copy of a notice was taken from the SPINAR COLUMN NEWSWEEKLY, a newspaper printed and circulated in said State and County, and that said notice was published in said newspaper on the following date(s):

MAY 5, 2010 (WALLED LAKE IMPROVEMENT BOARD)

That (s)he is the agent of the printers of above said newspaper and knows well the facts stated herein.

Subscribed and sworn to before this FIFTH day of MAY 2010 A.D.

Carolyn J Petherbridge

Carolyn J Petherbridge
Notary Public, Oakland County, Michigan
Acting in the County Of Oakland
My Commission Expires March 27, 2014

CITY OF NOTARY
CITY CLERK'S OFFICE
2010 MAY 5 10:48

WALLED LAKE IMPROVEMENT BOARD

NOTICE OF CONTINUED PUBLIC HEARING

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Publish: May 6, 2010 & May 13, 2010

**WALLED LAKE IMPROVEMENT BOARD
NOTICE OF CONTINUED PUBLIC HEARING
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ABUTTING AND/OR WITH DEEDED ACCESS
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Publish: May 6 & 13, 2010

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5/10/2010

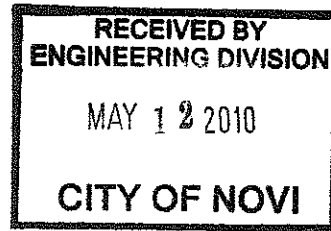
Brian Coburn
Walled Lake Improvement Board Secretary
45175 West Ten Mile Road
Novi MI 48375-3024

Dear Brian,

This is to inform you that LAKE ACCESS is not on my deed. I am against this special assessment to implement a Lake Improvement Program to control weeds in Walled Lake. We should disband the Lake Improvement Board.



Ron Seggie
416 Sparks Lane
Walled Lake MI 48390



City of Novi Clerk's Office
45175 W. 10 Mile Road
Novi MI 48375

I OBJECT TO THE EXTORTION ATTEMPT

I was amazed to rudely discover a nefarious plot to extort money from an oblivious selected group of home owners. Your own records indicated an attempt to operate under the table surroundings. The so called public notice was not posted in the newspapers of circulation IE: Detroit Free Press News or the Oakland Press but rather in obscure publishing's like the Spinal column and the Novi News. I don't even know if these two have home delivery. I did not sign nor was I offered a chance to read any type of petition..

I do not use the lake being retired, disabled and on a fixed income. The lake has been there long before the lakefront property owners used fertilizer to grow lush grass on the plots between the road and lake edge. They obviously were ignorant of the fact this would also feed the sea weeds as well. The growth of sea weed then encourages the visitation of the wild fowl. NOW the lake front owners want their neighbors to pay for their folly. I think not. Perhaps this could be ruled on by the Federal Courts. I am sure the residents of Northern Novi would rather donate money for a good constitutional attorney. Shouldn't take over three years or so to reach a final verdict.

Lawrence E. Wesson
305 Maudlin
Novi MI 48377

CITY OF NOVI
CITY CLERK'S OFFICE
2010 MAY 11 P 11:33

Mailed: May 10, 2010

MEMORANDUM

TO: WALLED LAKE IMPROVEMENT BOARD MEMBERS
FROM: BRIAN COBURN, P.E.; SECRETARY/TREASURER
SUBJECT: DRAFT RESOLUTION CONFIRMING ASSESSMENT ROLL
DATE: MAY 13, 2010

The attached draft resolution is being provided for consideration, should the Lake Improvement Board decide that it will take action to approve the proposed assessment roll.

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 for the years 2010, 2011, 2012, 2013 and 2014 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.

In accordance with the direction of the Walled Lake Improvement Board following the March 25, 2010 public hearing, 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 2010 through 2014), 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 1st day of July, 2010, 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 **1st** day of **July** of the tax year shall be considered delinquent by the City Treasurer for the City in which the property is located and shall accrue interest at the rate of ½ 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 interest and 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's Assessing official for the City in which the property is located, who shall reassess on the City annual tax roll of that year the delinquent sum plus a six percent administrative fee.

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

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 ____ day of _____, 2010.

WALLED LAKE IMPROVEMENT BOARD

BY: _____
BRIAN COBURN, SECRETARY-TREASURER

C:\NrPortbl\imanager\ROBERTMS\1424876_1.DOC

DRAFT

Walled Lake Improvement Board Frequently Asked Questions

Why was the Walled Lake Improvement Board formed?

The Walled Lake Improvement Board was formed under [Part 309 of Public Act 451 of 1994](#) (Michigan Compiled Law [MCL] Sections 324.30901 through 324.30929) to control nuisance growth of invasive aquatic plants in Walled Lake.

How was the Walled Lake Improvement Board formed?

The Walled Lake Improvement Board was formed by passage of a resolution from the [City of Novi](#) and the [City of Walled Lake](#) under [MCL 324.30906](#). The Walled Lake Improvement Board was not formed by petition, although petitions were used to provide each City Council with an idea of the level of support for the formation of the Walled Lake Improvement Board by resolution.

Who are the members of the Lake Improvement Board and how were they appointed?

The composition of the Walled Lake Improvement Board is governed by [MCL 324.30903](#) which states that the lake board shall consist of a member of the county board of commissioners appointed by the chairperson of the county board of commissioners, one representative of each local unit of government, other than a county, affected by the project, the county drain commission or his or her designee, and a member elected by the members of the lake board at the first board meeting (riparian representative). With the exception of the riparian representative, the Board members were chosen by the respective elected body/official per the statute. Board members do not receive additional compensation from the Walled Lake Improvement Board for serving on the Board.

Jeff Potter, County Commissioner-District 8, was appointed to serve on behalf of the Oakland County Board of Commissioners. The Walled Lake City Council appointed William Burke to serve as Walled Lake's representative. The Novi City Council appointed Brian Coburn to serve as Novi's representative. The Oakland County Water Resources Commissioner (formerly known as Drain Commissioner) appointed Karen Warren as his designee. At the continuation of the first meeting of the Lake Improvement Board on [March 10, 2009](#), the members of the Lake Improvement Board elected Dave Galloway as the riparian (or lakefront owners') representative after interviewing several candidates.

What authority does the Lake Improvement Board have?

The Walled Lake Improvement Board is authorized as a statutory public agency under [Part 309 of Public Act 451 of 1994](#). The statute gives the Walled Lake Improvement Board the ability to develop a project to improve the lake and to establish a special assessment district to fund the improvements.

How much money has been spent by the Lake Improvement Board to date?

The total expenditures by the Walled Lake Improvement Board as of March 31, 2010 totals \$26,724. The expenditures include \$16,115 for the engineering study required by [MCL 324.30909](#), attorney fees of \$9,098, \$970 for required public notices in the Spinal Column and Novi News, and \$541 in postage for mailing public hearing notices.

Why are the cost estimates higher than originally presented by some at the beginning of the process?

Informal petitions were circulated before each City considered forming the Walled Lake Improvement Board by resolution. The individuals circulating the petitions were using limited information to develop an estimated cost per parcel. After the formation of the Walled Lake Improvement Board, the development of the engineering study, and the creation of the special assessment roll, the Walled Lake Improvement Board now has much more information that can be used to calculate project costs per parcel. It is important to note that the Walled Lake Improvement Board was not created by petition, but by resolution from each City.

What is included in the project that was approved by the Lake Improvement Board?

The Walled Lake Improvement Board passed a [resolution](#) on November 5, 2009 approving a project that includes a combination of mechanical weed harvesting and herbicide treatment on a portion of the lake. The [engineering study](#) has more detailed information about the project.

Has the Lake Improvement Board selected a contractor to perform weed harvesting and control?

No. A contractor has not been selected and will not be selected until such time that the assessment roll is approved and funding is available to pay a contractor.

How will the Lake Improvement Board select a contractor?

The Walled Lake Improvement Board is required under [MCL 324.30926](#) to advertise for competitive bids and to award to the lowest bidder that is qualified to perform the work.

Why is the Lake Improvement Board proceeding with consideration of the assessment roll before a contractor is hired and the actual project costs are known?

The [statute](#) requires that the Walled Lake Improvement Board must complete items in a certain order. After the Board is formed, it must first complete the engineering study. A key component of the study is a cost estimate based upon the engineer's expertise and recommendations for the project. The Walled Lake Improvement Board must then develop the assessment roll based upon the estimated costs supplied from the study. Once the assessment roll is in place and the Walled Lake Improvement Board is funded, the Walled Lake Improvement Board can proceed with hiring contractors to perform the work. Once the actual contracts have been awarded the Walled Lake Improvement Board will adopt a budget based upon the actual costs as well as allowable contingencies.

How much am I being assessed?

The [proposed special assessment roll](#) has been prepared by the assessors as required by [MCL 324.30913](#) and is on file with the Walled Lake City Clerk and the Novi City Clerk, as well as on the internet at www.cityofnovi.org/lakeboard. The Walled Lake Improvement Board will meet on May 20, 2010 to continue the public hearing and to review the proposed special assessment roll.

Is interest being charged on the assessment?

No. The [proposed special assessment roll](#) does not include an interest component.

What chemicals are proposed for treating the weeds in the lake?

While several herbicides are mentioned in the engineering study recommendations, no specific herbicide has been selected by the Walled Lake Improvement Board. This will be determined at the time a contractor is hired to apply the herbicides as part of the bid package. Regardless of the type of chemical selected, it will be a chemical approved by the Michigan Department of Natural Resources & Environment.

Are the herbicides harmful?

It is important to note that herbicide application is controlled by, and requires a permit from the Michigan Department of Natural Resources and Environment (MDNRE), formerly Michigan Department of Environmental Quality. The aquatic herbicides that are permitted by the MDNRE are registered by the United States Environmental Protection Agency and the Michigan Department of Agriculture. They also undergo toxicological review by the MDNRE. If the herbicides are applied according to label instructions and permit requirements, these chemicals should pose no danger to public health and the environment. Please refer to the MDNRE [website](#) on Permitting Information for the Chemical Treatment of Aquatic Nuisance Plants for additional information on this topic.

What happens if the actual cost of the contract exceeds the total amount assessed for the contract?

The possibility of contract overages is addressed in [MCL 324.30919](#). If the assessments prove insufficient to pay for the improvement project the Walled Lake Improvement Board shall make additional assessments to supply the deficiency. Similarly, if the actual contract costs are significantly less than the cost estimate supplied by the engineering study the Walled Lake Improvement Board may adjust the assessments down in keeping with its adoption of the budget, which is to be adopted within 10 days of awarding the contracts.