

TO: CLAY PEARSON  
FROM: CINDY UGLOW *pwa for CJP*  
SUBJECT: LAKE BOARD RESOLUTION - DRAFT  
DATE: DECEMBER 30, 2008

## MEMORANDUM

*TD: Mayoer + CC  
Re: Lake Board  
Item Scheduled  
for Jan 12<sup>th</sup>  
PA*

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Attached is the draft for City of Novi's Lake Board Resolution for discussion and possible consideration during the special City Council meeting scheduled for Monday, January 12. To assist the process, comments/questions in advance are welcome.

I have notified both Greg Izsler and Tom Harvey that they will have 10 minutes each to state their positions at the above meeting with audience comments to follow for 3 minutes each. At this point City Council will discuss possible formation of a Lake Board and the Resolution including editing of same.

cc: Pam Antil  
Tom Schultz  
Debbie Aubry

**STATE OF MICHIGAN**  
**COUNTY OF OAKLAND**

**CITY OF NOVI**

**A RESOLUTION TO ESTABLISH A LAKE BOARD  
IN ACCORDANCE WITH PART 309, INLAND LAKE  
IMPROVEMENTS, OF THE NATURAL RESOURCES  
AND ENVIRONMENTAL PROTECTION ACT**

**RESOLUTION NO: \_\_\_\_\_**

**RECITALS:**

WHEREAS, Walled Lake is a public inland lake located in the City of Novi and the City of Walled Lake in Oakland County, Michigan; and

WHEREAS, Walled Lake is a valuable natural resource that provides swimming, boating, fishing, and other recreational opportunities to area residents; and

WHEREAS, nuisance growth of aquatic plants is inhibiting recreational use and enjoyment of Walled Lake; and

WHEREAS, the establishment of a lake board for Walled Lake pursuant to Part 309, Inland Lake Improvements, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended (hereinafter referred to as Part 309), is essential to the effective management of Walled Lake;

WHEREAS, according to a petition submitted to the City, a majority of effected property owners are in favor of creation of a Lake Board; and

WHEREAS, a public informational meeting concerning the formation of a Lake Board and the potential resulting assessments on effected property owners has been held in the City of Novi.

WHEREAS, the City notified affected property owners of the aforementioned public informational meeting by direct mailing and publication.

NOW, THEREFORE, under the authority of and subject to the provisions of Part 309,

**IT IS HEREBY RESOLVED:**

1. The City of Novi does hereby create a lake board for Walled Lake upon its own motion pursuant to Section 30902 of Part 309, for the purpose of controlling the nuisance growth of invasive aquatic plants in Walled Lake.

2. The Walled Lake Improvement Board shall initiate proceedings in accordance with Part 309 to implement a program to control nuisance growth of invasive aquatic plants in Walled Lake.

3. The Walled Lake Improvement Board shall determine the scope of the project to control nuisance growth of invasive aquatic plants in Walled Lake and shall establish a special assessment district, including within the special assessment district all parcels of land which will be benefited by the project.

4. Pursuant to Section 30903 of Part 309, the Walled Lake Improvement Board shall consist of the following:

- a) A member of the Oakland County Board of Commissioners appointed by the chairperson of the county board of commissioners;
- b) A representative of the City of Novi;
- c) A representative of the City of Walled Lake;
- d) The Oakland County Water Resources Commissioner or his designee;
- e) A member elected by the members of the lake board at the first meeting of the lake board. Only a person who has an interest in a land contract or a record interest in the title to land that abuts Walled Lake is eligible to be elected to serve in this capacity.

5. That the City of Novi shall hold a public hearing no later than the first available date after January 1, 2014 on the proposed dissolution of the Walled Lake Improvement Board as set forth in MCL §324.30929(a).

AYES:  
NAYS:  
ABSTENTION:  
ABSENT:

**CERTIFICATION**

It is hereby certified that the foregoing Resolution was adopted by the Novi City Council, Oakland County, Michigan, at a meeting duly called and held on the \_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF NOVI

BY: \_\_\_\_\_  
Maryanne Cornelius, Clerk

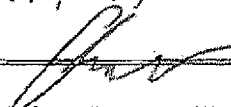
# MEMORANDUM

30903 Northwestern Highway  
P.O. Box 3040  
Farmington Hills, MI 48333-  
3040  
Tel: 248-851-9500  
Fax: 248-851-2158  
www.secrestwardle.com

Mark S. Roberts  
Direct: 248-539-2815  
mroberts@secrestwardle.com

TO: Cindy Uglow  
FROM: Mark Roberts  
DATE: December 19, 2008  
RE: Walled Lake Lake Board Issues  
File No. 55142 NOV

12/23/08  
To Mayor and City  
Council Members

Background for AUC discussion  


The Novi City Council has scheduled a special meeting for Monday, January 12, 2009 to discuss a request by residents and others to form a lake board for Walled Lake. The purpose of this memorandum is to provide some background on lake boards and to address some of the concerns and questions that have been raised on the issue over the last couple of months. The format notes the questions or arguments posed and then gives the City's response.

## ISSUE NO. 1. SUFFICIENCY OF THE LAKE BOARD PETITION

**A. Is the Petition Language Appropriate or Sufficient? Concern:** The petition improperly suggested to the residents that the lake board would be restricted upon formation to addressing only "nuisance growth" of lake plants but there is no authority to create a lake board that would be so restricted. Additionally, the petition suggested to the residents that the lake board projects would specifically target invasive, exotic species but there is no reason to believe that the concern is limited to the single invasive species and not one of the seven native species.

**B. Are the Petition Signatures Sufficient? Concern:** The submitted petition does not represent more than 50% of the lakefront property owners. Additionally, the 12 back lot signatures on the petition represent only about 10% of the back lot properties. Finally, the entire process has ignored the inclusion of back lot property owners.

### Response:

Walled Lake, as a public access lake, does *not* require a petition signed by two-thirds of the freeholders of property abutting the lake as required for formation of

a lake board on a private lake. A lake board may be formed on a public access lake by action of the City *without a petition*. While the Lake Area Homeowners Association attempted to gauge the level of interest in a lake board by requesting a petition, the requested petition was for informational purposes only. Therefore, even if the petition itself was technically defective for purposes of formation by petition, or some signatures contained in the petition are questioned for one reason or another, the petition itself has no legal effect in any event, and the City would retain the authority to go forward despite such alleged flaws. The City Council can consider the alleged defects in the petition process as a gauge on the level of interest to form a lake board, but it has the authority to establish a lake board even without any petition whatsoever. (It should be noted that the informational petition is similar to the way the City often proceeds in forming a special assessment district.)

## **ISSUE NO. 2. THE BENEFIT OF FORMING A LAKE BOARD**

**Should the Two Cities Just Do the Needed Improvements ? Concern:** The Cities of Walled Lake and Novi should not form another governmental agency with undefined authority to make improvements to Walled Lake but should undertake the improvements at the City level.

### **Response:**

While it is true the two cities may have authority to make some improvements to Walled Lake, these improvements would probably be made pursuant to a special assessment district formed in a manner similar to the lake board assessments. However, because Walled Lake is in *two* cities, the ability to equitably distribute the expense of lake improvements is hampered. By establishing a lake board, a single agency is established to provide a process and means to address proposed projects for the entire lake. Both cities have input into any proposed project and the owners of property abutting the lake have direct representation on the board, since their representative is a board member by statute. The lake board process actually provides the lakefront property owners with *greater* control over proposed projects than is permitted using the city government structure.

Additionally, the lake board process requires a complete engineering study of the entire lake to evaluate its present condition and potential concerns. While there is an initial expense with this report, it establishes a baseline to evaluate potential improvement projects. This tool will be available to the lake board but no such study would be required if the projects are undertaken by the city governments (although some form of study would likely be used).

The lake board procedures allow additional control over potential lake board projects and input regarding proposed projects is limited to those property owners

on the lake or possibly with lake access. Thus, the community at large has no input into potential projects which the lakefront property owners would likely bear the majority of the expense if the project is pursued.

**ISSUE NO. 3. THE SCOPE OF PROJECTS TO BE UNDERTAKEN BY THE LAKE BOARD IS UNRESTRICTED**

**Can the Scope of the Lake Board's Activities be Limited? Concern:** Although the lake board is being considered as a method for controlling aquatic plants, it has been said that the City cannot limit the authority of the lake board.

**Response:**

The cities' legal counsel has provided an opinion that the city may not absolutely limit the authority of the lake board in the resolution to establish the board. This does not mean, however, that the lake board authority is unlimited. The lake board authority is provided by statute (attached) and is limited to projects for the protection of the public health, welfare, and safety and the conservation of natural resources of this state, or to preserve property values around Walled Lake. The lake board may provide for the improvement of Walled Lake, or adjacent wetlands, and may take steps necessary to remove or properly dispose of undesirable accumulated materials from the bottom of the lake or wetland by dredging, ditching, digging, or other related work.

The lake board's authority to undertake these projects is further limited by the permit requirements under the Michigan Department of Environmental Quality. The lake board is not exempt from these permit requirements and must apply for and obtain permits before commencing any work desired. Furthermore, the lake board has a homeowner representative sitting on the board as well as representatives from both the City of Walled Lake and the City of Novi. Any project considered requires a public hearing prior to determining to proceed with a project at which time input from the most affected property owners, those included in the lake board district, will be considered.

Finally, improvements to the lake are further limited by the engineering study which provides an expert analysis of the lake and recommends potential projects. Thus, the level of control over lake board action is multi-layered and provides for greater input by the property owners most affected by the proposed improvements.

**ISSUE NO. 4. THE LAKE AREA HOMEOWNERS ASSOCIATION (LAHA) DOES NOT REPRESENT THE MAJORITY OF LAKEFRONT PROPERTY OWNERS ON WALLED LAKE**

**What is the Status or Relevance of the Lake Area Homeowners Association?**

**Concern:** Concern has been raised over the influence of the organization referred to as LAHA as it might not actually represent the majority of property owners on Walled Lake. Its input, therefore, should not be considered to reflect the majority view of the property owners on Walled Lake.

**Response:**

While the organization known as LAHA was an early proponent of the lake board formation, as noted above, the lake board may be formed by the City on its own. LAHA, therefore, has had no formal role in the actual lake board consideration by the City. This organization has been consulted from time to time as it has been the only organization that has approached the City. If there is another organization representing a majority of the lakefront property owners that should be consulted, this organization should come forward.

The only formal role of an organization composed of and representing the majority of lakefront property owners on Walled Lake in the lake board process is to submit three names to the lake board for consideration as the homeowner representative on the lake board. If LAHA intends to submit three names to the lake board for consideration for the homeowner representative position, it will be necessary for it to demonstrate that it is an organization that meets the statutory requirements. (See Section 30903.) If the lake board receives proposed candidates for the position of homeowner representative to the lake board from a qualifying organization, it must select one of the candidates for this position. If the lake board does not receive a list of three candidates from a qualifying organization, however, the lake board may select any person who has an interest in a land contract or a record interest in the title to a piece or parcel of land that abuts Walled Lake for the position of homeowner representative on the lake board.

**ISSUE NO. 5. RESOLUTION LANGUAGE RELATING TO THE AUTHORITY TO THE LAKE BOARD?**

**Should the City's Resolution State Some Limitations on the City's Intent in Forming the Board? Concern:** If the City determines to establish a lake board, its resolution should limit the lake board's duration and authority as much as possible.

**Response:**

As noted above, it is the opinion of legal counsel that the lake board's authority is limited by statute and may not be limited by the City resolution to establish the lake board. The resolution, however, can certainly specify (e.g., in a preamble)

the reason a lake board is being formed (to control aquatic weeds on Walled Lake) and will thus express the intent behind the lake board formation as a reference. Additionally, the resolution to establish the lake board is at this point intended to include the scheduling of a hearing date to consider dissolution of the lake board following a five-year period (see Issue # 8). Given the City's expression of intent regarding the projects to be undertaken by the lake board, the controls placed upon lake board authority by statute and by homeowner representation on the Board, and the prescheduled dissolution hearing, the resolution will influence lake board actions taken under the statutory authority.

#### **ISSUE NO. 6. INCLUSION OF SHAWOOD LAKE**

**Should Shawood Lake be Included in the Lake Board? Concern:** Shawood Lake and Walled Lake share a common control structure and the waters from Shawood Lake flow into Walled Lake, therefore, Shawood Lake should be considered a part of Walled Lake lake board.

**Response:**

Walled Lake and Shawood Lake are two distinct lakes and cannot be combined for purposes of the lake board. While sharing some characteristics, each lake should be considered on its own specific characteristics. The engineering study required by the lake board process will evaluate Walled Lake only, and make specific recommendations regarding possible improvements that may be undertaken. A separate lake board may be established to govern Shawood Lake.

#### **ISSUE NO. 7. ASSESSMENT OF PUBLIC PROPERTIES**

**Should the Public Properties Fronting the Lake be Assessed? Concern:** The cities own properties abutting Walled Lake. Will these properties be included in the assessment?

**Response:**

Section 30921 of the Inland Lake Improvement Act provides as follows:

Section 30921. The governing body of any department of the state or any of its political subdivisions, municipalities, school districts, townships, or counties, whose lands are exempt by law, *may by resolution agree to pay* the special assessments against the lands, in which case the assessment, including all the installments of the assessment, shall be a valid claim against the local unit of government. (Emphasis added.)



The question is a policy question for the two cities to address and decide.

#### **ISSUE NO. 8. DISSOLUTION OF THE LAKE BOARD?**

**Can the Lake Board be Dissolved? Concern:** If the lake board is formed, it will continue in perpetuity.

**Response:**

Section 30929 of the Inland Lake Improvement Act provides for the dissolution of the lake board. A petition of two-thirds of the freeholders owning land abutting Walled Lake may petition for the dissolution of the lake board, or, the cities may hold their own public hearing to consider the dissolution of the lake board, if formed. As earlier noted, the City of Novi resolution to form the lake board further at this point provides a date five years from the formation to consider dissolution of the lake board. While the dissolution may be considered earlier if a petition is submitted to the city by two-thirds of the freeholders owning land abutting Walled Lake, it will at the very least be considered in five years. If dissolved, all outstanding indebtedness and expenses of the lake board must be paid in full.

#### **ISSUE NO. 9. ASSESSMENT PROCESS**

**What is the Assessment Process? Concern:** The process is unclear, or unfair.

Once formed, the lake board decides at the outset scope of the project(s) for the improvement of the lake. This includes a tentative determination of a special assessment district to fund the proposed improvement project. Once the proposed project is determined, the lake board requests proposals from qualified professional engineering firms to prepare the engineering study for the project. The lake board then schedules another meeting to consider the proposals and select an engineer.

Once the engineering firm is selected, the lake board must wait for their report to be presented by the firm. A copy of the Engineering Report is furnished to each member of the lake board. Within sixty (60) days after the receipt of the reports, the chair of the lake board holds a meeting to review the reports and determine the practicability of the project. This is a public hearing and notice must be published twice in a newspaper of general circulation in each local unit of government to be effected (the City of Novi and the City of Walled Lake). The first publication must be at least 20 days prior to the time of the hearing.

At this hearing, the lake board considers public comment on the proposed project and makes its final determination of practicability within ten (10) days after the

hearing. The determination of the hearing that more information is needed may delay the ten-day period until the information requested is received. Once the additional information is received, the lake board must immediately make its determination on practicability.

The resolution determining practicability must be published once in a newspaper of general circulation in each local unit of government effected. The resolution should also direct the local assessors to prepare a proposed assessment roll for the funding of the project. When the proposed assessment roll has been completed, each assessing official certifies that the roll has been made pursuant to the resolution of the lake board and that in making the assessment roll he or she has, according to the his or her best judgment, conformed in all respects to the direction contained in the resolution and the statutes of the state.

Once the assessment roll has been reported to the lake board by the assessing officials for the local units of government and filed in the office of the Clerk of each local unit of government, the lake board appoints a date and time when it will meet and review the assessment roll and hear any objection to the assessment roll.

Notice of the public hearing is published twice prior to the hearing in a newspaper of general circulation in each local unit of government effected, the first publication to be at least ten days before the hearing. The proposed rolls must also be filed for public review in the City Clerk's office for each local unit of government. Notice of the public hearing on the proposed assessment roll must also be given to each owner of or party in interest in property to be assessed whose name appears on the last local tax assessment records by mailing by first class mail addressed to that owner or party at the address shown on the tax records at least ten days before the date of the hearing. The notice of the hearing must include a statement that appearance and protests at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the state Tax Tribunal and must further describe the manner in which an appearance and protest must be made.

Following the close of the public hearing, (which may be adjourned from time to time without further notice), the lake board may confirm the special assessment roll as reported to it or as amended or corrected by it or may refer back to the assessing officials for revision, or may annul it and direct a new roll to be made. After the special assessment roll has been confirmed, the Clerk of each local unit of government shall endorse on the assessment roll the date of the confirmation. After confirmation, the special assessment roll and all assessments contained therein shall be final and conclusive unless attached in a court of competent jurisdiction within 30 days after notice of confirmation has been published in the same manner as the notice of hearing.

Upon confirmation of the assessment roll, the lake board should establish a due date for the first installment under the special assessment. The lake board should also provide for the assessments being made over a period of time, typically, once annual payments spread over five years.

Also when the special assessment roll is confirmed, the lake board directs the assessments made on the roll to be collected. The City Clerks for both Walled Lake and Novi shall then deliver to their respective Treasurers the special assessment roll with their warrant attached commanding the Treasurer to collect the assessments in the roll in accordance with the directions of the lake board. This warrant must further require the Treasurers on the September 1st, following the date when any assessment or any part of an assessment has 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 assessment, and the amount of the delinquency, including accrued interest and penalties computed to September 1 of the year.

Upon receipt of the special assessment roll warrant, the Treasurer shall collect the amounts assessed as they become due. If the Treasurer reports any delinquencies, the lake board shall certify the delinquencies to the assessing officials to each local unit of government, who shall reassess on the annual tax roll of the local unit of government of that year in a column headed, "Special Assessments" the delinquent sum, with interest and penalties, to September 1 of that year and an additional penalty of 6% of the total amount. The delinquencies are then collected according to the statutes relating to taxes and each local unit of government.

Parameter	City of Novi	City of Walled Lake	Total
Walled Lake Frontage (feet)	17,561	6,229	23,790
Walled Lake Frontage (miles)	3.33	1.18	4.51
Freeholder Property Owners Abutting Walled Lake	392	178	570
Value of Properties Abutting Walled Lake	\$25,965,680	\$9,122,140	\$35,067,820

- cc. Rob Hayes, City Engineer
- Pamela Antil, Assistant City Manager
- Glenn Lemmon, City Assessor
- Thomas Schultz, City Attorney

## Frequently Asked Questions from Oakland County's Web Site

### What is a normal lake level?

Part 307 defines a normal level as "...the level or levels of the water of an inland lake that provide the most benefit to the public; that best protect the public health, safety and welfare; that best preserve the natural resources of the state; and that best preserve and protect the value of the property around the lake." The normal level is not defined as the highest level attainable for a lake. A feasibility study is conducted to determine the normal level. A sample of the items the study takes into account are: Historical lake levels and seasonal fluctuations, location of septic tanks, sea walls, docks and other physical features, downstream impacts, fisheries and wildlife habitat protection and watershed hydrology.

### What lakes have a normal level?

The following lakes have a legally established normal level. This means there is a court order stating the normal level of the lake and designating the Water Resources Commissioner as the delegated authority to maintain the level.

Bevins	Orchard
Big	Cedar Island
Bunny Run	Cedar
Bush	Cemetery & Dollar
Cass	Clear
Commerce	Otter
Crystal	Oxbow
Dawson	Pontiac
Mill Pond	Schoolhouse
Duck	Scott
Fox	Silver
Greens	Squaw
Huff	Sylvan
Indianwood	Tan
Lakeville	Tipsico
Lester	Union
Long (Commerce)	Upper Silver
Long (Oxford)	Upper Straits
Loon	Van Norman
Lotus	Walled & Shawood
Louise	Watkins
Lower Straits	Waumegah
Maceday	White
Mickelson	Williams
Middle Straits	Woodhull
Mowhawk	Wormer
Oakland	

### How is a normal level established?

A petition signed by 2/3 of the lakefront property owners (land actually abutting the lake, not backlot owners) must be submitted to the County Board of Commissioners. The Board will initiate action to

determine the normal level of the lake. Usually this action is the preparation of a preliminary feasibility study by a licensed professional engineer. The Board may require a cash payment from the petitioners to cover the cost of the study or \$10,000.00, whichever is less.

**Why doesn't the Water Resources Commissioner maintain my lake?**

Not every lake in Oakland County has a legally established normal lake level. The Water Resources Commissioner only has jurisdiction when a normal level has been established by the court.

**What is a lake level control structure?**

A control structure is an artificial barrier used to regulate the level of the lake. The structure can be a dam, a weir, a pipe or any other such type barrier. The level of a lake can also be controlled by using an augmentation well or pump to put additional water into a lake or a pump can be used to lower a lake level.

**Who pays for the lake level operation and maintenance?**

A special assessment district is established by the Circuit Court for each lake level control structure. The property owners who benefit from the lake level are assessed for the cost of constructing, operating and maintaining the structure. These property owners may be lakefront owners or backlot property owners with lake access.

**What does the lake level technician do?**

There are two lake level technicians and each is assigned particular lakes to monitor. Their duties are year-round and they are on call 24-hours a day to respond to emergency conditions. The level of each lake is regulated by making adjustments to the structures as weather conditions dictate. Lake water level readings are recorded by the Technicians. Every effort is made to maintain the established normal level. Graphs of the recorded water level readings for each lake level control structure are available from the Oakland County Water Resources Commissioner's Office. The Technicians perform routine inspections and indicate the maintenance needs of each structure. Regular inspection ensures that the structures are in good operating condition and also permits scheduled maintenance and repairs. The Technicians also operate the augmentation wells as needed.

**Our lake wants a normal level, how do we get started?**

You may contact the Water Resources Commissioner's Office at 248-858-0958 or by email at [lakelevel@oakgov.com](mailto:lakelevel@oakgov.com) to obtain an information packet. The State's website also provides valuable information about lake management. Follow the links for Environmental Programs, Geological Land Management, Dam Safety.

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**

Act 451 of 1994

Part 309

**INLAND LAKE IMPROVEMENTS****324.30901 Definitions.**

Sec. 30901.

As used in this part:

(a) "Benefit" or "benefits" means advantages resulting from a project to public corporations, the inhabitants of public corporations, the inhabitants of this state, and property within public corporations. Benefit includes benefits that result from elimination of pollution and elimination of flood damage, elimination of water conditions that jeopardize the public health or safety; increase of the value or use of lands and property arising from improving a lake or lakes as a result of the lake project and the improvement or development of a lake for conservation of fish and wildlife and the use, improvement, or development of a lake for fishing, wildlife, boating, swimming, or any other recreational, agricultural, or conservation uses.

(b) "Inland lake" means a public inland lake or a private inland lake.

(c) "Interested person" means a person who has a record interest in the title to, right of ingress to, or reversionary right to a piece or parcel of land that would be affected by a permanent change in the bottomland of a natural or artificial, public or private inland lake, or adjacent wetland. In all cases, whether having such an interest or not, the department is an interested person.

(d) "Local governing body" means the legislative body of a local unit of government.

(e) "Preliminary costs" includes costs of the engineering feasibility report, economic study, estimate of total cost, and cost of setting up the assessment district.

(f) "Private inland lake" means an inland lake other than a public inland lake.

(g) "Public inland lake" means a lake that is accessible to the public by publicly owned lands or highways contiguous to publicly owned lands or by the bed of a stream, except the Great Lakes and connecting waters.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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**324.30902 Petition for improvement of lake or wetland; local governing bodies' powers; lake boards.**

## Sec. 30902.

(1) The local governing body of any local unit of government in which the whole or any part of the waters of any public inland lake is situated, upon its own motion or by petition of 2/3 of the freeholders owning lands abutting the lake, for the protection of the public health, welfare, and safety and the conservation of the natural resources of this state, or to preserve property values around a lake, may provide for the improvement of a lake, or adjacent wetland, and may take steps necessary to remove and properly dispose of undesirable accumulated materials from the bottom of the lake or wetland by dredging, ditching, digging, or other related work.

(2) Upon receipt of the petition or upon its own motion, the local governing body within 60 days shall set up a lake board as provided in section 30903 that shall proceed with the necessary steps for improving the lake or to void the proposed project.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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**324.30903 Lake board; composition; election of chairperson, treasurer, and secretary; quorum; concurrence of majority required; technical data; recommendations.**

## Sec. 30903.

(1) The lake board shall consist of all of the following:

(a) A member of the county board of commissioners appointed by the chairperson of the county board of commissioners of each county affected by the lake improvement project; 1 representative of each local unit of government, other than a county, affected by the project, or, if there is only 1 such local unit of government, 2 representatives of that local unit of government, appointed by the legislative body of the local unit of government; and the county drain commissioner or his or her designee, or a member of the county road commission in counties not having a drain commissioner.

(b) A member elected by the members of the lake board serving pursuant to subdivision (a) at the first meeting of the board or at any time a vacancy exists under this subdivision. Only a person who has an interest in a land contract or a record interest in the title to a piece or parcel of land that abuts the lake to be improved is eligible to be elected and to serve under this subdivision. An organization composed of and representing the majority of lakefront property owners on the affected lake may submit up to 3 names to the board, from which the board shall make its selection. The terms served by this member shall be 4 years in length.

(2) The lake board shall elect a chairperson, treasurer, and secretary. The secretary shall attend meetings of the lake board and shall keep a record of the proceedings and perform other duties delegated by the lake board. A majority of the members of the lake board constitutes a quorum. The concurrence of a majority in any matter within the duties of the board is required for the determination of a matter.

(3) The department, upon request of the lake board, shall provide whatever technical data it has available

and make recommendations in the interests of conservation.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 522, Eff. Mar. 1, 2005  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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**324.30904 Initiation of action by freeholders.**

Sec. 30904.

Action may be initiated under section 30902 relating to any private inland lake only upon petition of 2/3 of the freeholders owning lands abutting the lake.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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**324.30905 Preliminary costs; revolving funds; assessments.**

Sec. 30905.

The county board of commissioners may provide for a revolving fund to pay for the preliminary costs of improvement projects within the county. The preliminary costs shall be assessed to the property owners in the assessment district by the lake board after notice of the hearing is given pursuant to Act No. 162 of the Public Acts of 1962, being sections 211.741 to 211.746 of the Michigan Compiled Laws, and shall be repaid to the fund where the project is not finally constructed.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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**324.30906 Institution of proceedings for lake improvement; conflicts with local ordinances and charters.**

Sec. 30906.

(1) Whenever a local governing body, in accordance with section 30902, considers it expedient to have a lake improved, it, by resolution, shall direct the lake board to institute proceedings as prescribed in this



part.

(2) When the waters of any inland lake are situated in 2 or more local units of government, the improvement of the lake may be determined jointly in the same manner as provided in this part, if the local governing bodies of all local units of government involved determine it to be expedient in accordance with section 30902 and, by resolution, direct the lake board to institute proceedings as prescribed in this part. Where local ordinances and charters conflict, this part shall govern.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995  
Popular Name: Act 451  
Popular Name: NREPA

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### **324.30907 Lake improvement; initiation by department.**

Sec. 30907.

If the department considers it expedient, in accordance with section 30902, to have a lake dredged or improved, the department may petition the local governing body or governing bodies in which the lake is located for an improvement of the lake. The department may also join with the local governing body of any local unit of government in instituting proceedings for improvements as set forth in this part.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995  
Popular Name: Act 451  
Popular Name: NREPA

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### **324.30908 Lake board; determination of scope of project; establishment of special assessment districts; ministerial duties.**

Sec. 30908.

The lake board, when instructed by resolution of the local governing body, shall determine the scope of the project and shall establish a special assessment district, including within the special assessment district all parcels of land and local units which will be benefited by the improvement of the lake. The local governing body may delegate to the lake board other ministerial duties including preparation, assembling, and computation of statistical data for use by the board and the superintending, construction, and maintenance of any project under this part, as the local governing body considers necessary.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995  
Popular Name: Act 451  
Popular Name: NREPA

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### **324.30909 Engineering and economic reports; cost estimates.**

Sec. 30909.

(1) The lake board shall retain a licensed professional engineer to prepare an engineering feasibility report, an economic study report, and an estimate of cost. The report shall include, when applicable, recommendations for normal lake levels and the methods for maintaining those levels.

(2) The engineering feasibility report shall include the methods proposed to implement the recommended improvements, such as dredging, removal, disposal, and disposal areas for undesirable materials from the lake. The report shall include an investigation of the groundwater conditions and possible effects on lake levels from removal of bottom materials. A study of existing nutrients and an estimate of possible future conditions shall be included. Estimate of costs of right-of-way shall be included.

(3) The estimate of cost prepared under subsection (1) shall show probable assessments for the project. The economic report shall analyze the existing local tax structure and the effects of the proposed assessments on the local units of government involved. A copy of the report shall be furnished to each member of the lake board.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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### **324.30910 Review of reports by board; determinations of practicability; public hearings; notice; determination.**

Sec. 30910.

Within 60 days after his or her receipt of the reports, the chairperson shall hold a meeting of the lake board to review the reports required under section 30909 and to determine the practicability of the project. The hearing shall be public, and notice of the hearing shall be published twice in a newspaper of general circulation in each local unit of government to be affected. The first publication shall be not less than 20 days prior to the time of the hearing. The board shall determine the practicability of the project within 10 days after the hearing unless it is determined at the hearing that more information is needed before the determination can be made. Immediately upon receipt of the additional information, the board shall make its determination.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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### **324.30911 County contributions toward costs of improvement.**

Sec. 30911.

The county board of commissioners may provide up to 25% of the cost of a lake improvement project on any public inland lake.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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### **324.30912 Approval of plans and cost estimates; sufficiency of petition; resolution; publication; assessment roll.**

Sec. 30912.

If the lake board passes a resolution in which it determines the project to be practicable, the lake board shall determine to proceed with the project, shall approve the plans and estimate of costs as originally presented or as revised, corrected, amended, or changed, and shall determine the sufficiency of the petition for the improvement. The resolution shall be published once in a newspaper of general circulation in each local unit of government to be affected. After the resolution has been published, the sufficiency of the petition shall not be subject to attack except in an action brought in a court of competent jurisdiction within 30 days after publication. The lake board, after finally accepting the special assessment district, shall prepare an assessment roll based upon the benefits to be derived from the proposed lake improvement, and the lake board shall direct the assessing official of each local unit of government to be affected to join in making an assessment roll in which shall be entered and described all the parcels of land to be assessed, with the names of the respective owners of the parcels of land, if known, and the total amount to be assessed against each parcel of land and against each local unit of government to be affected, which amount shall be such relative portion of the whole sum to be levied against all parcels of land and local units of government in the special assessment district as the benefit to such parcel of land and local unit of government bears to the total benefit to all parcels of land and local units of government in the special assessment district. When the assessment roll has been completed, each assessing official shall affix to the assessment roll his or her certificate stating that it was made pursuant to a resolution of the lake board adopted on a specified date, and that in making the assessment roll he or she has, according to his or her best judgment, conformed in all respects to the directions contained in the resolution and the statutes of the state.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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### **324.30913 Report of assessment to lake board; review; notice and hearing; confirmation.**

Sec. 30913.

The assessment roll shall be reported to the lake board by the assessing official of the local unit or units of government initiating the proceeding and filed in the office of the clerk of each local unit of government to be affected. Before confirming the assessment roll, the lake board shall appoint a time and place when it will meet and review the assessment roll and hear any objections to the assessment roll, and shall publish notice of the hearing and the filing of the assessment roll twice prior to the hearing in a newspaper of general circulation in each local unit of government to be affected, the first publication to be at least 10 days before the hearing. Notice of the hearing shall also be given in accordance with Act No. 162 of the Public Acts of 1962, being sections 211.741 to 211.746 of the Michigan Compiled Laws. The hearing may be adjourned from time to time without further notice. Any person or local unit of government objecting to the assessment roll shall file his or her objection in writing with the chairperson before the close of the hearing or within such further time period as the lake board may grant. After the hearing, the lake board may confirm the special assessment roll as reported to it or as amended or corrected by it, may refer it back to the assessing officials for revision, or may annul it and direct a new roll to be made. When a special assessment roll has been confirmed, the clerk of each local unit of government shall endorse on the assessment roll the date of the confirmation. After confirmation, the special assessment roll and all assessments on the assessment roll shall be final and conclusive unless attacked in a court of competent jurisdiction within 30 days after notice of confirmation has been published in the same manner as the notice of hearing.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995  
Popular Name: Act 451  
Popular Name: NREPA

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### **324.30914 Special assessments; installments; interest; penalties.**

Sec. 30914.

Upon the confirmation of the assessment roll, the lake board may provide that the assessments be payable in 1 or more approximately equal annual installments, not exceeding 30. The amount of each installment, if more than 1, need not be extended upon the special assessment roll until after confirmation. The first installment of a special assessment shall be due on or before such time after confirmation as the board shall establish, and the several subsequent installments shall be due at intervals of 12 months from the due date of the first installment or from such other date as the board shall establish. All unpaid installments, prior to their transfer to the tax roll of each local unit of government involved, shall bear interest, payable annually on each installment due date, at a rate to be set by the board, not exceeding 6% per annum, from such date as established by the board. Future due installments of an assessment against a parcel of land may be paid to the treasurer of each local unit of government at any time in full, with interest accrued to the due date of the next installment. If any installment of a special assessment is not paid when due, then it shall be considered to be delinquent and there shall be collected on the installment, in addition to interest as above provided, a penalty at the rate

of 1/2 of 1% for each month or fraction of a month that it remains unpaid before being reported to the township board for reassessment upon the tax roll.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995

**Popular Name:** Act 451

**Popular Name:** NREPA

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### **324.30915 Special assessments; liens.**

Sec. 30915.

All special assessments contained in any special assessment roll, including any part of the special assessment payment that is deferred, constitute a lien, from the date of confirmation of the roll, upon the respective parcels of land assessed. The lien shall be of the same character and effect as the lien created for taxes in each local unit of government and shall include accrued interest and penalties. A judgment, decree, or any act of the board vacating a special assessment does not destroy or impair the lien upon the premises assessed for the amount of the assessment as may be equitably charged against the premises, or as by a regular mode of proceeding might be lawfully assessed on the premises.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995

**Popular Name:** Act 451

**Popular Name:** NREPA

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### **324.30916 Special assessments; collections.**

Sec. 30916.

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.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995

**Popular Name:** Act 451

**Popular Name:** NREPA

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### **324.30917 Delinquent assessments; reassessment.**

Sec. 30917.

If the treasurer reports as delinquent any assessment or part of an assessment, the lake board shall certify the delinquency to the assessing official of each local unit of government, who shall reassess, on the annual tax roll of the local unit of government of that year, in a column headed "special assessments", the delinquent sum, with interest and penalties to September 1 of that year, and an additional penalty of 6% of the total amount. Thereafter, the statutes relating to taxes shall be applicable to the reassessments in each local unit of government.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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### **324.30918 Division of land parcels; uncollected assessment apportioned.**

Sec. 30918.

If any parcel of land is divided after a special assessment on the land has been confirmed and before the collection of the assessment, the lake board may require the assessment official to apportion the uncollected amounts between the divisions of the parcel of land, and the report of the apportionment when confirmed by the lake board shall be conclusive upon all parties. If the interested parties do not agree in writing to the apportionment, then, before confirmation, notice of hearing shall be given to all the interested parties, either by personal service or by publication as provided in the case of an original assessment roll.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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### **324.30919 Additional special assessments.**

Sec. 30919.

If the assessments in any special assessment roll prove insufficient for any reason, including the noncollection of the assessment, to pay for the improvement for which they were made or to pay the principal and interest on the bonds issued in anticipation of the collection of the assessment, then the

lake board shall make additional pro rata assessments to supply the deficiency, but the total amount assessed against any parcel of land shall not exceed the value of the benefits received from the improvement.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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### **324.30920 Special assessments; invalidity and new assessments.**

#### **Sec. 30920.**

Whenever, in the opinion of the lake board, any special assessment is invalid by reason of irregularities or informalities in the proceedings, or if any court of competent jurisdiction adjudges such assessment illegal, the lake board, whether the improvement has been made or not and whether any part of the assessment has been paid or not, may proceed from the last step at which the proceedings were legal and cause a new assessment to be made for the same purpose for which the former assessment was made. All proceedings on that reassessment and for the collection of the assessment shall be conducted in the same manner as provided for the original assessment. Whenever an assessment or any part of an assessment levied upon any premises has been set aside, if the assessment or part of an assessment has been paid and not refunded, the payment shall be applied upon the reassessment.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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### **324.30921 Special assessments; exempt lands.**

#### **Sec. 30921.**

The governing body of any department of the state or any of its political subdivisions, municipalities, school districts, townships, or counties, whose lands are exempt by law, may by resolution agree to pay the special assessments against the lands, in which case the assessment, including all the installments of the assessment, shall be a valid claim against the local unit of government.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995  
**Popular Name:** Act 451  
**Popular Name:** NREPA

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**324.30922 Borrowing; issuance of lake level orders and bonds.**

## Sec. 30922.

The lake board may borrow money and issue lake level orders or the bonds of the special assessment district in anticipation of the collection of special assessments to defray the cost of any improvement made under this part after the special assessment roll has been confirmed. The bonds or lake level orders shall not exceed the amount of the special assessments in anticipation of the collection of which they are issued. Collections on special assessments to the extent pledged for the payment of bonds or lake level orders shall be set aside in a special fund for the payment of the bonds or lake level orders. The issuance of special assessments bonds or lake level orders shall be governed by the general laws of this state applicable to the issuance of special assessments bonds or lake level orders and in accordance with the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. Bonds or lake level orders may be issued in anticipation of the collection of special assessments levied in respect to 2 or more public improvements, but no special assessment district shall be compelled to pay the obligation of any other special assessment district. The local governing body may pledge the full faith and credit of a local unit of government for the prompt payment of the principal of and interest on the bonds or lake level orders as they become due. The pledge of full faith and credit of the local unit of government shall be included within the total limitation prescribed by the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. Bonds and lake level orders issued under this part shall be executed by the chairperson and secretary of the lake board, and the interest coupons to be attached to the bonds and orders shall be executed by the officials causing their facsimile signatures to be affixed to the bonds and orders.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995 ;-- Am. 2002, Act 218, Imd. Eff. Apr. 29, 2002

**Popular Name:** Act 451

**Popular Name:** NREPA

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**324.30923 Condemnation; commencement and conduct of proceedings.**

## Sec. 30923.

Whenever the lake board determines by proper resolution that it is necessary to condemn private property for the purpose of this part, the condemnation proceedings shall be commenced and conducted in accordance with Act No. 149 of the Public Acts of 1911, being sections 213.21 to 213.25 of the Michigan Compiled Laws.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995

**Popular Name:** Act 451

**Popular Name:** NREPA

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**324.30924 Gifts and grants-in-aid; acceptance by lake board; contract or agreement.**



## Sec. 30924.

(1) The lake board may receive and accept gifts or grants-in-aid for the purpose of implementing this part.

(2) The lake board may contract or make agreement with the federal government or any agency of the federal government whereby the federal government will pay the whole or any part of the costs of a project or will perform all or any part of the work connected with the project. The contract or agreement may include any specific terms required by act of congress or federal regulation as a condition for the participation of the federal government.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995

**Popular Name:** Act 451

**Popular Name:** NREPA

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**324.30925 Gifts and grants-in-aid; acceptance by department.**

## Sec. 30925.

The department in carrying out the purposes of this part may receive and accept, on behalf of the state, gifts and grants-in-aid.

**History:** Add. 1995, Act 59, Imd. Eff. May 24, 1995

**Popular Name:** Act 451

**Popular Name:** NREPA

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**324.30926 Advertising for bids; letting of contracts; work relief project.**

## Sec. 30926.

(1) Except as provided in subsection (2), the chairperson of the lake board shall advertise for bids. A contract shall be let to the lowest bidder giving adequate security for the performance of the contract, but the lake board shall reserve the right to reject any and all bids.

(2) The lake board may let a contract with a local, incorporated, nonprofit homeowner association, the membership of which is open on a nondiscriminatory basis to all residents within the geographic area to be assessed or serviced, without advertising for public bids. The homeowner association shall give adequate security for the performance of the contract.

(3) The local governing body may improve a lake as a work relief project pursuant to applicable provisions of law.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995

Popular Name: Act 451

Popular Name: NREPA

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**324.30927 Costs of projects; computation; expenditures; representation by attorney.**

**Sec. 30927.**

(1) Within 10 days after the letting of contracts or, in case of an appeal, immediately after the appeal has been decided, the lake board shall make a computation of the entire cost of a project under this part that includes all preliminary costs and engineering and inspection costs incurred and all of the following:

- (a) The fees and expenses of special commissioners.
- (b) The contracts for dredging or other work to be done on the project.
- (c) The estimated cost of an appeal if the apportionment made by the lake board is not sustained.
- (d) The estimated cost of inspection.
- (e) The cost of publishing all notices required.
- (f) All costs of the circuit court.
- (g) Any legal expenses incurred in connection with the project, including litigation expenses, the costs of any judgments or orders entered against the lake board or special assessment district, and attorney fees.
- (h) Fees for any permits required in connection with the project.
- (i) Interest on bonds for the first year, if bonds are to be issued.
- (j) Any other costs necessary for the administration of lake board proceedings, including, but not limited to, compensation of the members of the lake board, record compilation and retention, and state, county, or local government professional staff services.

(2) In addition to the amounts computed under subsection (1), the lake board may add not less than 10% or more than 15% of the gross sum to cover contingent expenses, including additional necessary hydrological studies by the department. The sum of the amounts computed under subsection (1) plus the amount added under this subsection is considered to be the cost of the lake improvement project.

(3) A lake board shall not expend money for improvements, services, or other purposes unless the lake board has adopted an annual budget.

(4) A lake board may retain an attorney to advise the lake board in the proper performance of its duties. The attorney shall represent the lake board in actions brought by or against the lake board.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995 ;-- Am. 2004, Act 522, Eff. Mar. 1, 2005  
Popular Name: Act 451  
Popular Name: NREPA

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**324.30928 Intervention by department.**

Sec. 30928.

Whenever a public inland lake is to be improved, the department may intervene for the protection and conservation of the natural resources of the state.

History: Add. 1995, Act 59, Imd. Eff. May 24, 1995  
Popular Name: Act 451  
Popular Name: NREPA

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**324.30929 Lake board for public inland lake; dissolution.**

Sec. 30929.

A lake board for a public inland lake is dissolved if all of the following requirements are met:

- (a) The governing body of each local unit of government in which all or part of the lake is located holds a public hearing on the proposed dissolution, determines that the lake board is no longer necessary for the improvement of the lake because the reasons for the establishment of the lake board no longer exist, and approves the dissolution of the lake board. The governing body of each local unit of government in which all or part of the lake is located may hold the public hearing on the dissolution of the lake board on its own initiative. The governing body of each local unit of government in which all or part of the lake is located shall hold a public hearing on the dissolution of the lake board upon petition of 2/3 of the freeholders owning land abutting the lake. Notice of the public hearing shall be published twice in a newspaper of general circulation in each local unit of government in which all or part of the lake is located. The first notice shall be published not less than 10 days before the date of the hearing.
- (b) All outstanding indebtedness and expenses of the lake board are paid in full.
- (c) Any excess funds of the lake board are refunded based on the last approved special assessment roll. However, if the amount of excess funds is de minimis, the excess funds shall be distributed to the local units of government in which all or part of the lake is located, apportioned based on the amounts assessed against each local unit of government and lands in that local unit on the last approved special assessment roll.
- (d) The lake board determines that it is no longer necessary for the improvement of the lake, because the reasons for its establishment no longer exist, and adopts an order approving its dissolution.

History: Add. 2004, Act 522, Eff. Mar. 1, 2005  
Popular Name: Act 451  
Popular Name: NREPA

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## Pearson, Clay

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**From:** greg.iszler@lahalifestyle.com  
**Sent:** Sunday, December 21, 2008 9:39 PM  
**To:** Landry, David; Capello, Kim; Gatt, Bob; Margolis, Terry; Mutch, Andrew; Crawford, Kathy; Staudt, Dave  
**Cc:** dhultgren@prismis.com; jduneske@hotmail.com; dave@theddgroup.com; lazjeffr@msu.edu; mickiji@sbcglobal.net; jerryanderson50@comcast.net; Pearson, Clay; Uglow, Cindy  
**Subject:** Walled Lake, Lake Board Resolution--Timeline Review & Request for Support

Dear Novi City Council Members,

During the past few City Council meetings, you have heard people expressing support and opposition to the formation of a Lake Improvement Board for Walled Lake. As some of the people who have been working on this project, we would like to provide you with **additional background information, plea for a timely review of the proposal (we are still awaiting a date for consideration from the council), and urge your support for the formation of a lake board.** We appreciate the time and attention you are giving to this matter and know that you want to make a rational, informed decision.

This is not the first time that an effort has been taken to form a Lake Board, and we trust that we have learned from that experience. About five years ago, an effort was conducted to form a Lake Board. It failed, in large part, because the wording of the resolution was very broad. At that time, many people believed that the Board might have too much authority. Precisely for that reason, we have worded both the petition and the proposed resolution to state that the sole purpose of the Lake Board will be to control exotic invasive plant growth (non-native plant species). The wording of the current petition and the proposed resolution were presented to both the Novi and the Walled Lake City Councils for review prior to circulation.

What follows is a summary of our efforts and findings:

- In January of 2008, the Lake Area Homeowners Association formed a committee to look into the issue of how to effectively and legally treat the growing problem of exotic invasive plant growth in Walled Lake. Experts (professional lake consultants) were solicited for their evaluation of the situation on Walled Lake. They identified the most problematic invasive plant species in Walled Lake is Eurasian Watermilfoil. Its presence has been documented going back to 1969 when a study of the lake was conducted for the City of Novi (Stormwater Sediment and Aquatic Plant Study). The problem has grown increasingly worse since that time.
- This committee spent a great deal of time looking into alternatives. The two most pertinent issues are:
  - How to raise the money to treat the weeds.
  - How to legally treat the weeds in a systemic fashion (treating the whole lake) rather than multiple piece-meal efforts. There needs to be a legal entity with jurisdiction to do so.
- The committee met with people who conduct lake studies and who do the treatment of lakes in the surrounding areas regarding available alternatives, the process, and estimated costs of treating the weeds.
- The alternatives boil down to these:
  - Have the two City Governments take on the project themselves. Representatives from both Walled Lake and the City of Novi made it clear to the committee that this was not a viable option. The cities did not have the money nor the inclination to fund the project themselves.
  - Form a Lake Improvement Board under the State of Michigan Statute designed specifically for this

purpose, as has been done for 48 other lakes in Oakland County. If there were a more expedient or cost-effective method to treat the lake weeds, we would welcome it. There is simply is not. Those in opposition to formation of a Lake Board agree that the invasive weeds are a problem, yet (over the years) they have offered no other viable way of dealing with them.

- There are two ways to form a Lake Board--by a vote of the City Council(s) on their own initiative; or by a 2/3 vote of those owning property abutting the lake. In preliminary discussions with the Mayor of Walled Lake and the Novi City Manager, we proposed the former option which was agreeable to them, but they also wanted a sign of significant homeowner support. It was decided that a sign of significant homeowner support would be 51%. Upon submission of the petitions, a vote would be taken by the City Councils. We were directed to the City Clerk for an official listing of lakefront properties in Novi upon which to base our petition drive and our signature target. We used this Novi-provided list as the basis for our efforts.
- Once a Lake Board is formed, the first major task is to commission a study of the lake to determine the scope of the project, the cost of the project, and make recommendations to the Board regarding Special Assessment District composition and cost sharing. Thus, there is a dilemma. Until the Lake Board is formed, the study can not be done (unless the Cities chose to take it on themselves) and questions regarding approach and costs remain unanswered. However, the process provides for public hearings on both the scope of the project and on the special assessments themselves. A summary chart outlining the process and other additional information will be provided to you as part of your City Council preparation materials.
- From our discussions with experts who conduct lake studies and provide treatment, we have projected that a worst case scenario would be a cost to lakefront owners of \$180 - \$240 per year over the initial project period estimated to be 5 years. This information was shared with homeowners during the petition drive via a Fact Sheet, talking points reviewed with petitioners, and the promotion of the LAHA website. After that initial project period, additional public hearings would be held for a follow-up maintenance project.
- In late August 2008, a petition drive was launched.
  - The wording of the petitions was reviewed in advance by the attorneys for the cities to ensure it was acceptable. The cities encouraged our group to proceed with the revised wording that the attorney recommended.
  - When we launched the petition drive, we held a public meeting for lake residents that was announced via neighborhood signs, email, and an update on our website
  - We also armed all of the petitioners with an FAQ sheet and a copy of the actual Resolution wording.
  - We kept our public-facing website updated with all of the information we had gathered and answers to any additional questions that came up during the course of the drive.
  - Within 6 weeks, the signatures were gathered and were presented to each City Council in October and a request was made to have the Resolution considered on the next City Council agendas.
- Following the petition drive, representatives followed up with City of Novi representatives on two occasions to ensure that the signatures provided were acceptable and that no further additions, corrections, or revisions would be required. We were assured that no further action on our part with respect to the signatures was required.
- Prior to adding the Lake Board resolution to City Council agendas, the City of Novi requested an informational meeting be first held. Our petition drive representatives helped organize that meeting for the city. Upon its conclusion we asked that the Resolution be considered on the next City Council agendas.
- The Walled Lake City Council passed the resolution to form a Lake Board at its meeting on November 3, 2008. In a spirit of collaboration and not wanting to foist its will on the City of Novi, the resolution was passed contingent on the City of Novi passing a similar resolution. In their deliberations, Walled Lake City Council members acknowledged that certain questions remain unanswered. They further acknowledged that these questions could only be answered by taking this first critical step--passing the resolution to form a Lake Improvement Board.

- While we anticipated that a vote on the resolution would be forthcoming from the Novi City Council, it has not yet been put on the Novi City Council agenda. We understand that it will be taken up at a session in January but have not heard back on our requests for a specific date.

It is not often that residents petition their local government to undertake a project knowing that it will increase their taxes. A majority of your Walled Lake lakefront residents are requesting that this project be undertaken and that they are willing to pay for their share of it.

**We urge you to request that the resolution be brought to a vote as soon as possible and humbly request your support for the resolution.**

You will be receiving a packet of information prior to the time that the Novi City Council takes up this matter. In the meantime, here are a couple links to provide you with additional information.

- Link to the Lake Area Homeowners Association website containing further information about this initiative. <http://www.lahalifestyle.com/>
- Link to the Oakland County Water Resources Commission website for an entire manual on Lake Improvement Boards. [http://www.oakgov.com/drain/standards\\_specs/](http://www.oakgov.com/drain/standards_specs/)

If you have any questions about this issue, please feel free to contact:

Greg Iszler

621 South Lake Drive

Novi, MI 48377

[greg.iszler@lahalifestyle.com](mailto:greg.iszler@lahalifestyle.com)

David Hultgren

116 Arvida Street

Walled Lake, MI 48390

[dhultgren@prismis.com](mailto:dhultgren@prismis.com)

John Duneske

357 South Lake Drive

Novi, MI 48377

[Jduneske@hotmail.com](mailto:Jduneske@hotmail.com)

Dave and Maria Dismondy

1185 West Lake Drive

Novi, MI 48377

[dave@thedddgroup.com](mailto:dave@thedddgroup.com)

Jennifer and Jeffrey Laz

135 Eubank Street

Novi MI, 48377

[lazjeffr@msu.edu](mailto:lazjeffr@msu.edu)

Brian & Micki Larimer

159 Pickford

Novi, MI 48377

[mickijl@sbcglobal.net](mailto:mickijl@sbcglobal.net)

Jerry Anderson

127 S. Pontiac Trail

Walled Lake, MI 48390

[jerryanderson50@comcast.net](mailto:jerryanderson50@comcast.net)

Thank you for your continued support for this hard fought effort.



Supplemental Information  
Provided by LAHA

**Advance Packet for City Council  
from the Lakes Area Homeowners  
Association**

**for Lake Board Resolution Consideration  
Novi City Council meeting  
Monday, January 12**

Dear Novi City Council Members,

During the past few City Council meetings, you have heard people expressing support and opposition to the formation of a Lake Improvement Board for Walled Lake. As some of the people who have been working on this project, we would like **to provide you with additional background information, plea for a timely review of the proposal (we are still awaiting a date for consideration from the council), and urge your support for the formation of a lake board.** We appreciate the time and attention you are giving to this matter and know that you want to make a rational, informed decision.

This is not the first time that an effort has been taken to form a Lake Board, and we trust that we have learned from that experience. About five years ago, an effort was conducted to form a Lake Board. It failed, in large part, because the wording of the resolution was very broad. At that time, many people believed that the Board might have too much authority. Precisely for that reason, we have worded both the petition and the proposed resolution to state that the sole purpose of the Lake Board will be to control exotic invasive plant growth (non-native plant species). The wording of the current petition and the proposed resolution were presented to both the Novi and the Walled Lake City Councils for review prior to circulation.

What follows is a summary of our efforts and findings:

- In January of 2008, the Lake Area Homeowners Association formed a committee to look into the issue of how to effectively and legally treat the growing problem of exotic invasive plant growth in Walled Lake. Experts (professional lake consultants) were solicited for their evaluation of the situation on Walled Lake. They identified the most problematic invasive plant species in Walled Lake is Eurasian Watermilfoil. Its presence has been documented going back to 1999 when a study of the lake was conducted for the City of Novi (Stormwater Sediment and Aquatic Plant Study). The problem has grown increasingly worse since that time.
- This committee spent a great deal of time looking into alternatives. The two most pertinent issues are:
  1. How to raise the money to treat the weeds.
  2. How to legally treat the weeds in a systemic fashion (treating the whole lake) rather than multiple piece-meal efforts. There needs to be a legal entity with jurisdiction to do so.
- The committee met with people who conduct lake studies and who do the

treatment of lakes in the surrounding areas regarding available alternatives, the process, and estimated costs of treating the weeds.

- The alternatives boil down to these:
  1. Have the two City Governments take on the project themselves. Representatives from both Walled Lake and the City of Novi made it clear to the committee that this was not a viable option. The cities did not have the money nor the inclination to fund the project themselves.
  2. Form a Lake Improvement Board under the State of Michigan Statute designed specifically for this purpose, as has been done for 48 other lakes in Oakland County. If there were a more expedient or cost-effective method to treat the lake weeds, we would welcome it. There is simply is not. Those in opposition to formation of a Lake Board agree that the invasive weeds are a problem, yet (over the years) they have offered no other viable way of dealing with them.
  
- There are two ways to form a Lake Board—by a vote of the City Council(s) on their own initiative; or by a 2/3 vote of those owning property abutting the lake. In preliminary discussions with the Mayor of Walled Lake and the Novi City Manager, we proposed the former option which was agreeable to them, but they also wanted a sign of significant homeowner support. It was decided that a sign of significant homeowner support would be 51%. Upon submission of the petitions, a vote would be taken by the City Councils. We were directed to the City Clerk for an official listing of lakefront properties in Novi upon which to base our petition drive and our signature target. We used this Novi-provided list as the basis for our efforts.
  
- Once a Lake Board is formed, the first major task is to commission a study of the lake to determine the scope of the project, the cost of the project, and make recommendations to the Board regarding Special Assessment District composition and cost sharing. Thus, there is a dilemma. Until the Lake Board is formed, the study can not be done (unless the Cities chose to take it on themselves) and questions regarding approach and costs remain unanswered. However, the process provides for public hearings on both the scope of the project and on the special assessments themselves. A summary chart outlining the process and other additional information will be provided to you as part of your City Council preparation materials.
  
- From our discussions with experts who conduct lake studies and provide treatment, we have projected that a worst case scenario would be a cost to lakefront owners of \$180 - \$240 per year over the initial project period

estimated to be 5 years. This information was shared with homeowners during the petition drive via a Fact Sheet, talking points reviewed with petitioners, and the promotion of the LAHA website. After that initial project period, additional public hearings would be held for a follow-up maintenance project.

- In late August 2008, a petition drive was launched.
  1. The wording of the petitions was reviewed in advance by the attorneys for the cities to ensure it was acceptable. The cities encouraged our group to proceed with the revised wording that the attorney recommended.
  2. When we launched the petition drive, we held a public meeting for lake residents that was announced via neighborhood signs, email, and an update on our website
  3. We also armed all of the petitioners with an FAQ sheet and a copy of the actual Resolution wording.
  4. We kept our public-facing website updated with all of the information we had gathered and answers to any additional questions that came up during the course of the drive.
  5. Within 6 weeks, the signatures were gathered and were presented to each City Council in October and a request was made to have the Resolution considered on the next City Council agendas.
  
- Following the petition drive, representatives followed up with City of Novi representatives on two occasions to ensure that the signatures provided were acceptable and that no further additions, corrections, or revisions would be required. We were assured that no further action on our part with respect to the signatures was required.
  
- Prior to adding the Lake Board resolution to City Council agendas, the City of Novi requested an informational meeting be first held. Our petition drive representatives helped organize that meeting for the city. Upon its conclusion we asked that the Resolution be considered on the next City Council agendas.
  
- The Walled Lake City Council passed the resolution to form a Lake Board at its meeting on November 3, 2008. In a spirit of collaboration and not wanting to foist its will on the City of Novi, the resolution was passed contingent on the City of Novi passing a similar resolution. In their deliberations, Walled Lake City Council members acknowledged that certain questions remain unanswered. They further acknowledged that these questions could only be answered by taking this first critical step--passing the resolution to form a Lake Improvement Board.

It is not often that residents petition their local government to undertake a project

knowing that it will increase their taxes. A majority of your Walled Lake lakefront residents are requesting that this project be undertaken and that they are willing to pay for their share of it.

**We urge you to request that the resolution be brought to a vote as soon as possible and humbly request your support for the resolution.**

The attached packet of information is intended to provide you with some additional reference and perspective on both the issue and the process. We hope you find it helpful in formulating your decision.

Sincerely,

Greg Iszler

David Hultgren

John Duneske

Dave and Maria Dismondy

Jennifer and Jeffrey Laz

Brian and Micki Larimer

Jerry Anderson

attachments:

Exhibit A – Weed Photos, Walled Lake, Summer 2008

Exhibit B – Weed Removal Attempts, Walled Lake, Summer 2008

Exhibit C – Additional Weed Photos, Walled Lake, Summer 2008

Exhibit D – Chronological Summary of Lake Board Procedures

Exhibit E – 2008 Listing of Lake Improvement Boards in Oakland County

Exhibit F – An Additional Legal Opinion

Exhibit G – Screen Captures from the LAHA Website

Exhibit H – Addressing Misinformation Regarding Signatures



## EXHIBIT A: Weed Photos – Walled Lake, Summer, 2008

- The weed problem identified in a city study in 1998 has gotten progressively worse.
- These images reflect the seriousness of the situation just at the shoreline. The problem heavily impacts the safety and enjoyment out on the lake as well.





## EXHIBIT B: Weed Removal Attempts – Walled Lake, Summer, 2008

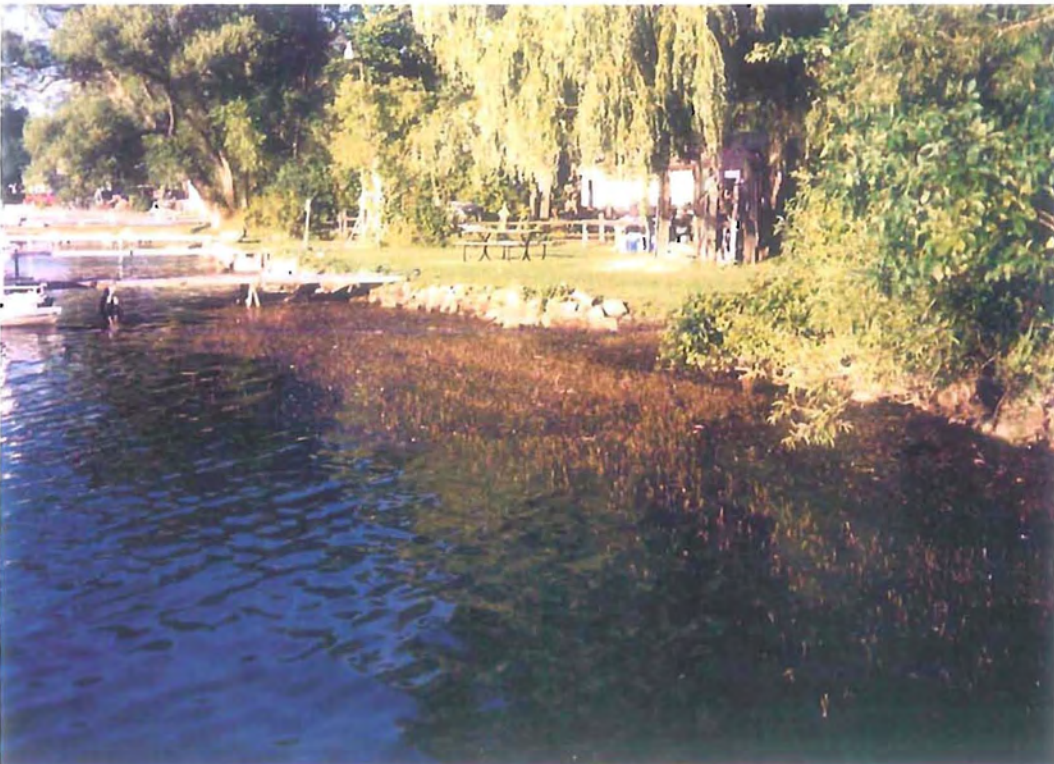
- Image 1 represents just one week of removal at one lakefront property.
- Shoreline de-weeded at one property will simply be re-seeded by weeds out in the lake and from neighboring property. This weed is invasive and re-roots aggressively.
- Wet weeds cannot be bagged.
- Drying weeds in the summer rot and emit a sewage-like odor – a significant detractor for those visiting or house-shopping in the area and concerned about water quality.





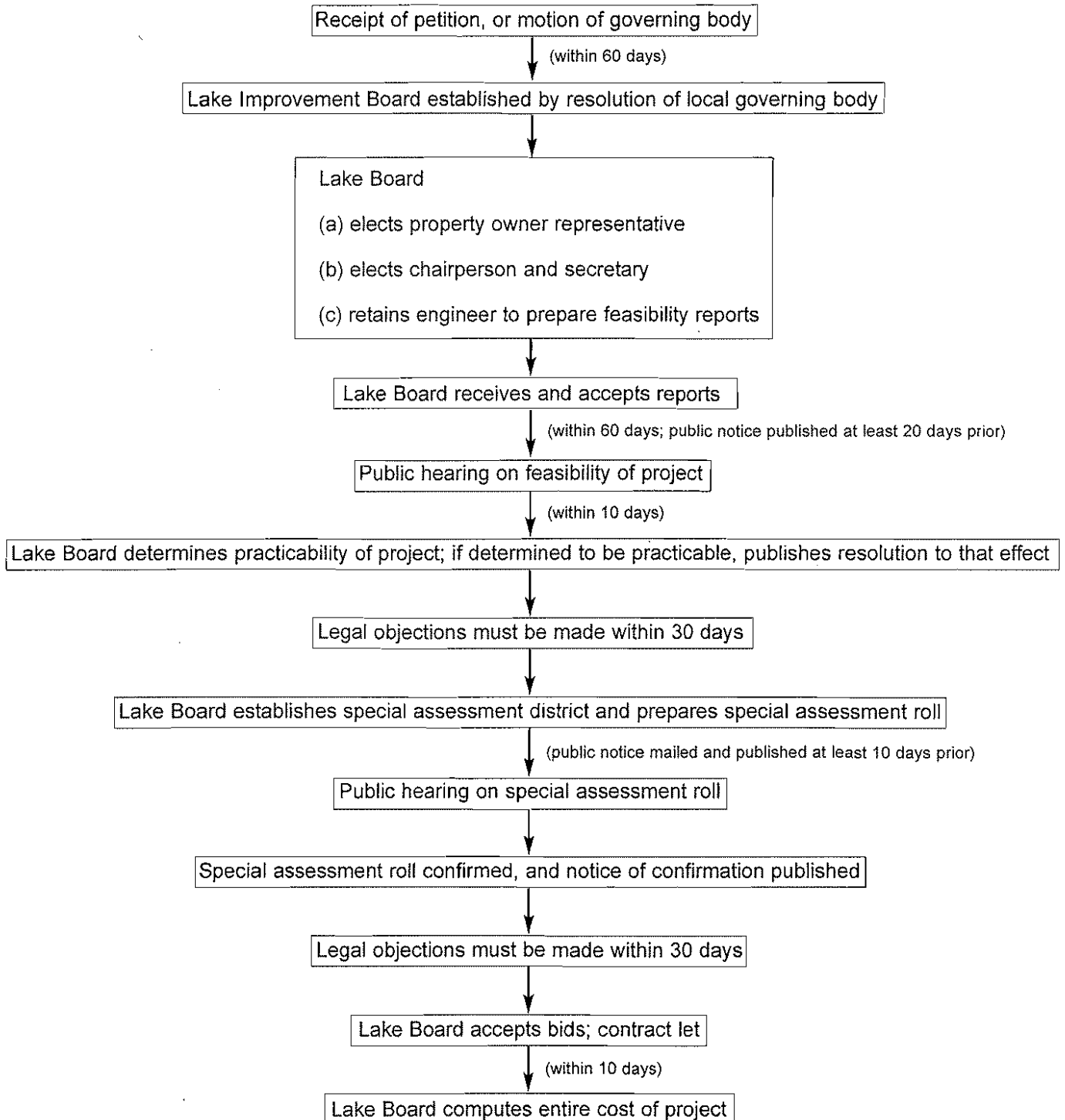
## EXHIBIT C: Additional Weed Photos – Walled Lake, Summer, 2008

- The problem is too widespread for property owners to address individually.
- Lake Boards are THE mechanism that the State of Michigan has in place for this type of situation. In addition, it prevents increasingly frustrated homeowners from taking it upon themselves to “treat” their lakefront in unsafe ways.



# EXHIBIT D: Chronological Summary of Lake Board Procedures

## Chronological Summary of Lake Board Procedures



## EXHIBIT E: 2008 Listing of Lake Improvement Boards in Oakland County

- There are 48 Lake Improvement Boards in Oakland County.
- Some of the larger lakes do not have Lake Boards because they do not – currently - have an invasive weed issue.



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## Lake Improvement Boards

The Drain Commissioner, or his designee, is a member of the State-Designated Lake Improvement Boards in Oakland County. Upcoming meeting dates, times and locations are available by contacting our office at 248-858-0958 and listed below:

### Upcoming Meetings:

A meeting of the Lake Improvement Board for **Scott Lake** will be held on Wednesday, May 7, 2008 at 4 p.m. at the Office of the Oakland County Drain Commissioner, 2nd Floor Conference Room, One Public Works Dr., Bldg 95 West, Waterford, Michigan.

A meeting of the Lake Improvement Board for **White Lake** will be held on Thursday, May 15, 2008 at 4 p.m. at the Highland Township Auditorium, 205 N. John Street, Highland, Michigan.

[Lake Level Control](#)

[Lake Improvement Board Manual](#) (file size 19MB)

### Lake Improvement Boards in Oakland County

There are over 1,400 lakes in Oakland County. The management of the lakes can happen under a number of different methods. The most common method is through local homeowner's associations. Visit the Michigan Department of Environmental Quality Inland Lakes website ([www.michigan.gov/deq](http://www.michigan.gov/deq)) and/or the Michigan Department of Natural Resources ([www.michigan.gov/dnr](http://www.michigan.gov/dnr)) for lake information across Michigan.

If the homeowners petition their local unit of government to undertake management of their lake under the provisions of Part 309 of Act 451 of 1994, as amended, Inland Lake Improvements, a Lake Improvement Board is established through that local government unit. In compliance with the statute, the Lake Improvement Board will consist of a member of the County Board of Commissioners, 2 representatives appointed by the local unit of government (if more than one unit of government is involved, then one representative from each is required), a representative of the County Drain Commissioner, and a resident riparian of the lake elected by the other members of the Lake Improvement Board.

Within Oakland County 48 Lake Improvement Boards have been established to address relevant lake improvement issues, including the oversight of aquatic weed control programs, nuisance control and other educational activities.

The following Lakes are part of this program:

Addison Twp.

- Lakeville Lake

Bloomfield Twp.

- Forest Lake
- Gilbert Lake
- Island Lake
- Lower Long Lake
- Meadow Lake
- Orange Lake
- Upper Long Lake

- Wabeek Lake

Brandon Twp.

- Lake Louise

Highland Twp.

- Charlick Lake
- Duck Lake
- Gourd Lake
- Highland Lake
- Kellogg Lake
- Murray Lake
- Taggett Lake
- Tomahawk Lake
- White Lake
- Woodruff Lake

Holly Twp.

- Bush Lake

Independence Twp.

- Clarkston Mill Pond
- Van Norman Lake
- Walters Lake

Oakland Twp.

- Cranberry Lake

Orion Twp.

- Indianwood Lake

Rose Twp.

- Tipsico Lake

Springfield Twp.

- Big Lake
- Dixie Lake
- Susin Lake
- Waumegah Lake

Troy

- Lake Charnwood

Waterford Twp.

- Eagle Lake
- Huntoon Lake
- Lake Oakland
- Pontiac Lake
- Rainbow Lake
- Schoolhouse Lake
- Scott Lake
- Watkins Lake

West Bloomfield Twp.

- Blue Heron Pond
- Duck Lake Pond

White Lake Twp.

- Cedar Island Lake (Stopke Bay)
- Grass Lake
- Lake Neva
- Lake Ona
- Round Lake

Wolverine Lake

- Wolverine Lake

For more information please contact 248-858-0958 to speak to our staff representative.

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## EXHIBIT F: An Additional Legal Opinion

- Courtesy of The Michigan Riparian and lake property legal expert Clifford H. Bloom, Esq., of Law, Weathers & Richardson, Grand Rapids.
- “Officials in some townships, however, are reluctant to [approve special assessment districts for aquatic weed control], citing concerns...Yet, most of the time, these concerns are baseless.”
- “...while some property owners may oppose the special assessment district, township officials should be mindful that the benefits of the public improvement often outweigh the cost...”



## Free lake weed treatment?

By Clifford H. Bloom, Esq.  
Law, Weathers & Richardson, P.C.  
800 Bridgewater Pl • 333 Bridge St NW  
Grand Rapids, Michigan 49504-5320



Very few lake associations in Michigan can compel lakefront property owners (or others who use the lake involved) to contribute funds to pay for aquatic weed control, whether done by chemical treatments, mechanical harvesting, or other means. A voluntary lake association simply cannot force its members (or even non-members) to contribute money for aquatic weed treatments.

The only exceptions involve "strong" lake associations created by binding deed restrictions (which give the association, implicitly or expressly, the power to levy mandatory dues or assessments for aquatic weed control) or properly created statutory summer resort associations (which are actually quite rare). Accordingly, a significant number of lake associations have lobbied their local municipality (either a township, city, or village) to impose a governmental special assessment district around the lake involved to provide funding for aquatic weed control.

Municipalities (particularly Michigan townships) have broad authority to create special assessment districts for a variety of public improvement projects, including aquatic weed control. Once a special assessment district has been properly established, the cost of the public improvement is allocated to the properties in the district that benefit from the improvement, and the costs are placed on the property tax roll. Unlike dues for aquatic weed treatment that may be imposed by lake associations (which are almost always voluntary), the payment of special assessments are mandatory.

Although there is no practical way of ascertaining how many special assessment districts have been created in Michigan for the purpose of aquatic weed control, it is likely that over one hundred townships have created such districts.

The most commonly utilized statute for creating special assessment districts in townships, for the purpose of aquatic weed control, is MCL 41.721 et seq. The special assessment process is usually initiated by interested property owners submitting a petition to the township. When presented with a petition signed by a majority of the affected property owners, most township boards will ap-

Although there is no practical way of ascertaining how many special assessment districts have been created in Michigan for the purpose of aquatic weed control, it is likely that over one hundred townships have created such districts.

prove the requested special assessment district for aquatic weed treatment. Officials in some townships, however, are reluctant to do so, citing concerns about increased paperwork, costs to the township, potential for liability, and upsetting landowners who oppose a special assessment district. Yet most of the time, these concerns are baseless.

All of the reasonable costs for setting up and administering a special assessment district, including the attorney fees and engineering fees required to set up the district initially, can be included in the assessments, which are paid by the property owners in the district. While setting up and administering a special assessment district involves a certain amount of paperwork for township officials, any additional administrative costs incurred by the township can be added to the special assessment tax roll. The township's potential for liability is minimal given that municipalities are generally protected by governmental immunity.

Finally, while some property owners may oppose the special assessment district, township officials should be mindful that the benefits of the public improvement often outweigh the cost to these

property owners and that the concerns of those opposed may not be sufficient to prevent the formation of a special assessment district, particularly where a sizeable majority of the affected property owners favor the district.

If the governing body of a municipality appears reluctant to create a special assessment district for aquatic weed control purposes (even though a majority of affected landowners support such a district), then perhaps that municipality should be reminded of MCL 41.418.

That statute authorizes a municipality to pay for aquatic weed control in public lakes out of the general fund in cases where a special assessment district is not utilized. Although the statute does not require the municipality to pay for aquatic weed control, it eliminates the excuse by some municipalities involved that they cannot utilize general taxpayer dollars for that purpose.

With this statute in mind, those who favor the creation of a special assessment district can stress to the municipality involved that they are not requesting payment from the general fund for aquatic weed control, but are willing to submit to a special assessment for that purpose.

If the municipality remains reluctant to create the special assessment district for aquatic weed control, it can be argued that the municipality should step in and spend general taxpayer funds for that purpose under MCLA 41.418.

## EXHIBIT G: Screen Captures from the LAHA Website

- In addition to flyers delivered door-to-door announcing special LAHA meetings, emails sent to residents who signed up at events for information, signs announcing meetings posted around the lake, 2 special (and open) meetings during the summer to discuss the weed issue, 20+ volunteers armed with FAQ sheets going door-to-door for the petition drive, the association also maintained and directed all interested parties to an informational website. Some excerpts from that site are included in the following pages.
- Our emphasis all along has been exhaustive research, a commitment to accuracy, and full transparency.

# LAHA Lifestyle - Oct/Nov/Dec 2008



Subscribe  
Get Widget

Welcome to the official site for the Lakes Area Homeowners Association - Shawwood Lake and Walled Lake, Michigan.

## Lake Board Petition Drive Information

For a list of Frequently Asked Questions, copies of the petitions currently being circulated, and the draft of the resolution, please [CLICK HERE](#).

## Find a Particular Subject

- lake board (2)
- lake board petition (5)
- lake board resolution (2)
- Meeting minutes (2)
- members (1)

Sunday, November 2, 2008

## End of the Year Association Update

I hope everyone enjoyed a wonderful summer around our lakes.

Thanks to you, LAHA has had a terrific resurgence this year with nearly 80 members, a successful social event at Bayside in August, and considerable progress with a Walled Lake volunteer group on addressing that lake's growing invasive weed problem. Please check out our website, [lahalifestyle.com](http://lahalifestyle.com), for the latest updates on how that initiative is progressing.

For a quick start to 2009, we will have our first association meeting in January to begin mapping out our calendar for the year. Among the items we will be addressing: illegal mooring, 2 social events during the season (vs. 1 this year), and ideas for an even more successful membership drive for 2010. Please let us know how if you have any interest in assisting with any of those upcoming initiatives.

In the meantime, enjoy the holidays and keep your emails, comments,

# LAHA Petition Documents

Tuesday, August 26, 2008

## Frequently Asked Questions

### RE: Treatment of Invasive Weeds in Walled Lake

#### What are you planning to do?

The petition drive is to demonstrate sufficient support for the City Councils of Novi and Walled Lake to adopt a resolution to establish a lake improvement board with a very narrow mission: the treatment of "invasive, exotic plants" (not mooring, or access, or geese, etc.).

#### Hasn't this been tried before?

Yes. The petition drive fell short of obtaining the number of signatures required—in large part because the scope of that proposed lake board was much broader. To avoid the same result and allow the quality of the lake to worsen further, the lake improvement board will only have the power to eradicate the "invasive, exotic plants."

#### Why is this necessary?

The growth of non-native weeds in Walled Lake is becoming worse each year—especially a weed called Eurapian Watermilfoil. These weeds cause problems for boaters, swimmers, and property owners who constantly rake weeds from the shoreline. The situation also detracts from the value of the Walled Lake area and its residential properties. Since the cities are not in a position to take on the project themselves, the only viable option to fund a project and to legally treat the lake is to form a lake improvement board. By having a very specific focus, we can gain the support needed to address this critical problem.

#### Where and How? What areas will be affected?

Environmentally-approved chemical treatment appears to be the most feasible. The chemicals have been used in many other Michigan lakes (are explicitly approved by the DEQ) and have shown no negative impacts on human, animal, fish or other native aquatic plants.

#### When will this happen and when might the weeds be treated?

As soon as the two City Councils pass the resolution, the Lake Board will be established. The make up of the Lake Board will be one representative each from the City of Novi, the City of Walled Lake, Oakland County Drain Commissioner, Oakland County Commissioner and a lake property owner. Participating government officials may receive a meeting stipend for attending the infrequent sessions of the Lake Board. The best time to treat the weeds is in the Spring. If all moves forward quickly, treatment may be possible next Spring - 2009. The weed treatment project consists of 3 components: A "conditions" study by an engineering firm selected by the Lake Board, initial treatment of the lake, and subsequent annual treatments. The project generally lasts for five years.

#### Who will treat the Lake?

After the Lake Board has been established, the Board will obtain quotes and competitive bids for doing the engineering study and treatment.

#### How much might this cost me?

An intentionally conservative estimate is that waterfront properties could be assessed between \$180-240 per year (approximately \$15-20/month). Backlot properties, if included, would be assessed substantially less. The total cost of the proposed project would come from the engineering study and must be approved by the lake board. Two public hearings would be held—one on project feasibility and the other on the assessments. Our hope is that the study and

## Petition Drive

Copies of the Walled Lake and Novi petitions are included below. Please complete the appropriate city petition and mail to: LAHA, P.O. Box 12, Walled Lake, MI 48390

If you have any questions that are not answered in the FAQ section to the left, please email us at [greg.lesler@lahallifestyle.com](mailto:greg.lesler@lahallifestyle.com). We will respond within 48 hours.

Thank you in advance for your support.

## Walled Lake Petition

PETITION TO ESTABLISH A LAKE BOARD for the sole purpose of controlling nuisance growth of invasive, exotic plants in Walled Lake

PURSUANT TO PART 309, INLAND LAKE IMPROVEMENTS OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, PUBLIC ACT 451 OF 1994, AS AMENDED

We, the undersigned being owners of property abutting Walled Lake, located in the City of Walled Lake and the City of Novi, in Oakland County, Michigan do hereby request the City of Walled Lake to provide for the improvement of its portion of Walled Lake by establishing (with LAHA, the City of Novi and Oakland County) a Lake Board for the purpose of controlling nuisance growth of invasive, exotic plants as authorized by Part 309, Inland Lake Improvements, of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended. We acknowledge that the Lake Board may create a Special Assessment District and levy assessments to pay for the cost of the program.

SIGNATURE(S) OF PROPERTY OWNER(S) OF RECORD(Both must sign if property is owned jointly; please sign and print name)

Signature



Welcome to the official site for the Lakes Area Homeowners Association - Shawwood Lake and Walled Lake, Michigan.

### Lake Board Petition Drive Information

For a list of Frequently Asked Questions, copies of the petitions currently being circulated, and the draft of the resolution, please [CLICK HERE](#).

### Find a Particular Subject

- lake board (2)
- lake board petition (6)
- lake board resolution (2)
- Meeting minutes (2)
- members (1)
- membership drive (4)
- new officers (1)
- opportunities to volunteer (2)
- parks and rec (1)
- planning (1)
- police (1)
- president's letter (2)
- Shawwood Lake (1)
- social event (2)
- website (1)
- weeds (1)

### Around the Lake

Thanks goes out to Paul Olsen for this month's colorful sunset.

Send in your Shawwood and Walled Lake area lifestyle photos to [greg.iszler@lahallifestyle.com](mailto:greg.iszler@lahallifestyle.com) and we'll post them in the online gallery.

WE ARE LOOKING FOR A NEW HOME PAGE PHOTO FOR NEXT MONTH. PLEASE SUBMIT YOUR FAVORITE LAKE PHOTO TO [GREG.ISZLER@LAHALIFESTYLE.COM](mailto:GREG.ISZLER@LAHALIFESTYLE.COM).

### Upcoming Events

JANUARY - First LAHA meeting of 2009. Date and time forthcoming. (Have a great remainder of 2008!)

### Begin Benefiting Today By Becoming A Member

So why is an association necessary and why is it important for me to participate?

1. Fight to preserve lake quality and the value of your property.
2. Monitor zoning activity to lobby to protect the integrity of the entire lakes area.

Showing posts with label lake board. [Show all posts](#)

Thursday, August 14, 2008

### Lake Board Petition Presented to the Novi and Walled Lake City Councils

On Monday, August 4 at the Walled Lake City Council meeting and on Monday, August 11 at the Novi City Council meeting, LAHA representatives submitted petition drafts for the establishment of a Lake Board for Walled Lake. Both Councils encouraged LAHA to proceed with the petitions, as presented. (Copies of the petitions and a draft of the Resolution may be found in the "Find a Particular Subject" section links at the top left of the association website.)

Posted by Contact Information 0 comments  
Labels: lake board, lake board petition, lake board resolution

Wednesday, July 30, 2008

### Weed Remediation Update

The LAHA Legislative Committee has been looking into the lake situation.

- Currently talking with a consulting and engineering company that specializes in these kind of projects
- Second opinion will also be gathered in the next 4-6 weeks

Consultant recommended that the Walled Lake and Shawwood Lake initiatives be put on separate but equal paths:

- Walled Lake and Shawwood Lake are different bio-scapes: Different stages in their lives, different aquatic plants, different treatments, one city
- No current volunteers from Shawwood Lake for the Legislative Committee or to drive the weed remediation initiative
- Member residents of Shawwood encouraged to volunteer for the committee
- Volunteers solicited during meeting (no representatives have yet stepped forward)
- Board reached out to attendees with connections to Shawwood Lake residents to encourage more participation
- LAHA Board desires to get Shawwood Lake momentum going as soon as possible, in parallel with the Walled Lake push

Weed Remediation Options for Walled Lake:

- Environmentally-approved chemical treatment option being reviewed
- Consists of 3 components: Conditions study, initial treatment, and subsequent annual treatments
- Cost: approximately \$14,000 for the study, \$68,000 for Year 1, \$23,000 for subsequent years
- Weed harvesting explored: Annual cost is similar to annual treatment above, the invasive weed in Walled Lake (milfoil) is reported to reseed aggressively when harvested (committee volunteers to confirm this report)
- Seeding the lake with weed-eating insects suggested as another possible option (committee volunteers to research and report back)
- Novi weed pick-up: Novi elected to privatize all city services (that's why there is no garbage pickup); to do weed pick up over the long-term would require another city contract (not budgeted) - As a short-term solution, the City of Novi will revisit the investment required to provide such a service

Framing the issue for Walled Lake:

- No longer a key stormwater basin for Novi: Primary growth in the last two decades for the City of Novi has occurred south of Walled Lake; considerable drainage improvements have been gained from those new developments easing the reliance on some previous stormwater basins (including Walled Lake); the core density for Novi is now south of the Walled Lake area; Meadowbrook and Village Oaks lake deterioration were creating flooding issues in streets and other neighborhoods - Infrastructure damage and potential liability that had to be addressed (dredging of those lakes represented the city's first investment in those lakes in 20 years)
- Cities do not own the lakes (the State of Michigan is technically responsible but economically unable to address all of the state's lake maintenance)
- Events on the lake: Currently funded, primarily, by a private businessman in the city of Walled Lake; represents a considerable marketing expense that elevates the profile of the city and enhances the value of its properties and businesses (Novi's only event is a parks and rec event - the triathlon)
- There is no legal obligation for cities to maintain the lake
- There is no budget available (especially now as city revenues are under even more pressure)
- Even if LAHA was able to privately finance the treatment, we have no legal grounds to treat the lake

3. Uncover your priority maintenance and safety issues and pursue them with the cities of Walled Lake and Novi.
4. Provide more powerful, coordinated representation at monthly City Council proceedings in both cities.
5. Create opportunities for neighbors to get to know each other better, making the entire area safer, friendlier, and more enjoyable.

[CLICK HERE TO JOIN.](#)

## Contact Us

As your Association Officers, we encourage you to let us know about any Lakes Area issues or questions that you may have. We also hope you will take the time to periodically comment on our blog postings. Simply click on the pencil icon beneath the posting and share your point of view.

Greg Iszler, President, [greg.iszler@lahallifestyle.com](mailto:greg.iszler@lahallifestyle.com)  
 Jeff Laz, Vice President, [jeff.laz@lahallifestyle.com](mailto:jeff.laz@lahallifestyle.com)  
 Judy Rae, Co-Treasurer, [judy.rae@lahallifestyle.com](mailto:judy.rae@lahallifestyle.com)  
 Nancy Galloway, Co-Treasurer, [nancy.galloway@lahallifestyle.com](mailto:nancy.galloway@lahallifestyle.com)  
 Beth Adams, Secretary, [beth.adams@lahallifestyle.com](mailto:beth.adams@lahallifestyle.com)

## Support Your Local Lake Area Businesses

**BAYSIDE GRILLE** - Beautiful sunsets, 20 plasma TVs, great food and drinks, and a spectacular Sunday brunch.  
**DANCING EYE GALLERY** - An eclectic market for handmade decorative tile, art jewelry, metal sculpture, artisan ceramics and unique gifts for all occasions.  
**JOE'S BIKE SHOP** - Independent bike shop by the water in downtown Walled Lake.  
**SHAG SALON** - Established in 2004, Shag Salon is a historical space located in Walled Lake's downtown waterfront community.  
 MORE...

## Blog Archive

- ▼ 2008 (18)
  - ▼ November (2)
    - [End of the Year Association Update](#)
    - [Petition Drive Update](#)
  - August (7)
  - July (4)
  - May (1)
  - April (2)
  - February (2)

Lake Board again under consideration - the differences:

- Narrowly scoped mission - sole focus is on invasive, aquatic plants (not mooring, or access, or geese, etc.)
- Based on "benefit", measured in units: lakefront owner, lakefront separated by street, backlot, businesses, municipalities would all be assessed a percentage of a unit based on benefit
- Two ways to set up: 2/3rds approval of all lakefront and backlot owners or City Council resolution (we will be pursuing the latter)

Legally, the long-term oversight of a Lake Board can not be explicitly limited, HOWEVER:

- Expansion in this case is highly unlikely given the Board composition of a City of Walled Lake representative, a City of Novi representative, Oakland County representation, and a lake property owner representative - all would have to agree
- In the consultant's experience, only two Lake Boards in Michigan expanded their scope - out of more than 100 that have been formed (neither case dealt with the additional complexity of dual-city representation)
- The Board would need to clear public hearings to proceed with an expansion of powers

Informal conversations in mid-July with city officials

- Willingness to help in any way they can: information and guidance
- Willingness to take on their fair share of the burden in a Special Assessment District (TBD by the Lake Board) - Study determines/recommends assessments with city data
- Willingness to provide their support in setting up the Lake Board upon 51% of lakefront and backlot owners signing a petition resolving to the cities to set up the Lake Board

Estimated cost:

- Assuming 500 homes (conservative)
- \$200 for the first year and study (approximately \$17/month during the first year)
- \$100 for subsequent years (approximately \$8/month)
- Actual recommendations on assessments will be determined during the upfront study

Timing

- Petitions submitted for approval
- Petition drive
- City Councils pass resolutions to form the Lake Board
- Lake Board begins to meet; selects an Engineering Firm to conduct the study
- Testing begins (by September)
- Study completed (this fall and winter)
- Assessments determined
- First treatments begin (Spring '09 - best case scenario)

LAHA Review of Petition Resolution for the City Councils of Walled Lake and Novi

- Draft petition resolution shared with attending LAHA members at meeting on July 22nd
- 95% of attending members voted in support of the Petition resolution
- Petition resolution to be presented to each City Council during early August City Council meetings

Questions and Further Discussion

- LAHA is eager to provide as much transparency throughout this process as possible
- Please forward any questions or concerns to the LAHA officers at the email addresses provided at <http://www.lahallifestyle.com/>
- Use the website to initiate additional conversation among members

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 Labels: lake board, weeds

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## Valuable Links

- [City of Walled Lake - Council Meeting Notes, Council Calendar, and Official Website](#)
- [City of Novi - Official Website](#)

## EXHIBIT H: Addressing Misinformation Regarding Signatures

- During a recent Council meeting, a concerned resident raised a number of issues that, in their opinion, invalidated the effort of these last eight months. Many of these (such as backlots, the wording of the petition, Lake Board scope, and property listings) were parameters carefully reviewed and established by the City and its attorneys.
- One claim focused on the validity of the signatures we submitted to Council. This was particularly disconcerting given how precise we have tried to be in following the guidelines set out for us by the cities of Walled Lake and Novi.
- On further review, we found that of the 21 signatures this resident sought to have invalidated (because they reflected addresses outside of Novi or properties not on Walled Lake), 17 of them are on record with the City of Novi as Walled Lake lakefront property. [The remaining 4 are properties in the city limits on the lake not reflected on the current list.]
- We continue to stand by our petition submission and its demonstration of a “strong show of support of lakefront property owners” as requested by the City of Novi.

[Exhibit note: Signed properties that were incorrectly claimed by the concerned resident to be outside of the city limits or bordering a different lake are noted in the attached City of Novi-provided list with an asterisk.]

**City of Novi Property Owners With Direct Frontage on Walled Lake**

Prepared on July 21, 2008

City of Novi Department of Information Technology, Geographic Information Services

KEYPIN	OWNNAME1	OWNERADD	
1	2202101001	ANDRIS, THEODORE S & ELANE	5108 CORNERS DR
2	2202126005	CLARK, DAVID II	1123 EAST LAKE
3	2202126006	BRAUNSTEIN, ALAN & DEBORAH	1129 EAST LAKE
4	2202126007	TEGLER, FRANCIS TRUST	1133 EAST LAKE
5	2202126008	ARNOT, DARLENE	1141 EAST LAKE
6	2202126009	MARENDA, CHESTER	33625 YORK RIDGE DR
7	2202127001	EROYAN, JOHN & PHYLLIS	1149 EAST LAKE
8	2202151001	MARKOWITZ, HARVEY G	1153 EAST LAKE
9	2202151003	KERN, JOHN L & KIMBERLY A	3099 RIDGEMONT ST
10	2202151004	KERNEN, CAROL	1167 EAST LAKE
11	2202151005	KERNEN, CAROL	1167 EAST LAKE
12	2202151006	MILAZZO, CHARLES A	1171 EAST LAKE
13	2202151008	LAKEVIEW ESTATES, LLC	41050 VINCENTI COURT
14	2202151009	LANGAN, MARY M	30393 BALFOUR CT
15	2202151010	RIDENOUR, MARY & THURMAN	1189 EAST LAKE
16	2202151013	CARPENTER, MARK	1229 EASTLAKE
17	2202151015	ACCESS, SHORE ACRES	EAST LAKE
18	2202151017	CUMMINGS, ROBERT M	PO BOX 250741 1254 EAST LAKE *
19	2202151018	HARRIS, ARTHUR J, TRUST	1256 EAST LAKE
20	2202151019	PALMER, ROGER	1258 EAST LAKE *
21	2202151020	LANGAN, MICHAEL & CORNISH, PATRICIA	1260 EASTLAKE
22	2202151023	ARMSTRONG, BRADLEY	12272 HILLSIDE DR 1280 EAST LAKE *
23	2202151024	KARMO, NOORI & JORJIT	1284 EAST LAKE
24	2202151025	MORIARTY FAMILY TRUST	1286 EAST LAKE
25	2202151026	MURPHY, KYLE & LORI	1288 EAST LAKE *
26	2202151027	PATHE, GERALD G	1292 EAST LAKE *
27	2202151029	CALDWELL, VICTORIA & CHARLES	1296 EAST LAKE
28	2202151030	DISSA, VINCENT	1300 EAST LAKE
29	2202151031	TITSWORTH, RICHARD	1304 EAST LAKE
30	2202151032	TITSWORTH, RICHARD D	1304 EAST LAKE
31	2202151033	RAE, JUDITH L, TRUST	1310 EAST LAKE
32	2202151034	OLSEN, PAUL & MIHUI	1312 EAST LAKE
33	2202151035	NESSER, ERIC D & PATRICIA E	1314 EAST LAKE
34	2202151036	RUBENSTEIN, MARK	1215 HIDDEN LAKE DR
35	2202151037	SMITH, DENNIS & KIMBERLEY	1320 EAST LAKE
36	2202151038	WILSON, GORDON T	1322 EAST LAKE
37	2202151039	SALAMON, ROBERT S	1326 EAST LAKE
38	2202151040	CARPENTER, JOHN & MARY ANN	1021 WILLOW LANE
39	2202151041	MANKVITZ ENTERPRISES, LLC #6	2990 STEEPLE HILL
40	2202151042	MORGAN CREEK ESTATES	42720 MORGAN CREEK COURT
41	2202151043	DEBRINCAT, JOSEPH M	1339 EAST LAKE
42	2202151044	DAUCH, HUBERT TRUST	1345 EAST LAKE
43	2202151045	DAUCH, HUBERT TRUST	1345 EAST LAKE
44	2202151046	KERR, JAMES & JUDITH	1349 EAST LAKE
45	2202151047	SPENCER, BILLY	1231 EASTLAKE
46	2202151048	HUGHES, PATRICIA M.	1241 EASTLAKE
47	2202151049	GROVES, JAMIE & ERIKA	PO BOX 1705 - NANJING
48	2202151051	KERNEN, RANDY J	1209 EAST LAKE
49	2202151052	DEZELL, ALAN	1217 EAST LAKE
50	2202151053	LANGAN, MICHAEL & PATRICIA	1225 EAST LAKE
51	2202151054	SMITH, JOHN WYATT	1227 EASTLAKE
52	2202151055	CONDON, MICHAEL & JODIE	1193 EAST LAKE



53	2202151056	GALLOWAY, DAVID	1197 EAST LAKE DR
54	2202151057	ARMSTRONG, GREGG	1203 EAST LAKE
55	2202326001	SHAOUNI, KRYSTAL	28988 SALEM
56	2202326003	WORLD SAVINGS BANK, FSB	4101 WISEMAN BLVD
57	2202326004	WILLIAMS, KATHERINE	1479 NEPTUNE
58	2202326005	METTE, TONI R & BRUCE C	40052 MILL POND CT
59	2202326006	MATTHEWS, ROBERT & CARMEN	1367 EAST LAKE
60	2202326007	MATTHEWS, ROBERT & CARMEN	1367 EAST LAKE
61	2202326008	LANG, LAWRENCE L	1369 EAST LAKE
62	2202326009	LANG, LAWRENCE L	1369 EAST LAKE
63	2202326010	SLANKSTER, DONALD & MARY	1375 EAST LAKE
64	2202326011	CHACKO, ANITHA	1381 EAST LAKE
65	2202326012	TONEY, OLEN C	1385 EAST LAKE
66	2202326013	ENGLING, CARL & LISA	1389 EAST LAKE
67	2202326014	BOUREN, DAVID M	1391 EAST LAKE
68	2202326015	PETERS, EDDIE	1393 EASTLAKE
69	2202326019	HALL, DAVID A & CAROLYN F	1399 EASTLAKE
70	2202326020	HALL, DAVID A & CAROLYN F	1399 EASTLAKE
71	2202326021	BESHEARS, BRENT & ALPHA	1395 EAST LAKE
72	2202327001	PETERS, EDDIE	1393 EASTLAKE
73	2202327002	PETERS, EDDIE	1393 EASTLAKE
74	2202327003	BRIDSON, DAVID T	1405 EASTLAKE
75	2202327004	SOBOROWSKI, ANDREW R	1407 EAST LAKE
76	2202327008	ERB, ROBERT C TRUST	1415 EAST LAKE
77	2202327009	ERB, ROBERT C TRUST	1415 EASTLAKE
78	2202327010	KOWALSKY, MARK & PAUL D	3509 BARBERRY CIRCLE
79	2202327011	CULLEN, DONALD & PATRICIA	2120 PONTIAC TRAIL
80	2202327012	CULLEN, DONALD J & PATRICIA	2120 PONTIAC TRAIL
81	2202327013	MILANI, NICHOLAS	1505 EAST LAKE
82	2202327014	LEVY, REUBEN	1509 EAST LAKE
83	2202327015	RAPNICKI, MARGARET M	1513 EAST LAKE
84	2202327016	RZEPKA, STANLEY & DELPHINE	1515 EAST LAKE
85	2202327018	LEVY, KIMBERLEE E	1559 PARAMOUNT
86	2202327019	LEVY, KIMBERLEE E	1559 PARAMOUNT
87	2202327020	MATTHES, PHILIP	1533 EAST LAKE
88	2202327021	ALBERS, KENNETH J	1517 EAST LAKE DR
89	2202327022	LEVY, REUBEN & JILL	1509 EAST LAKE
90	2202327023	ROOKE, KELLIE & JEFFREY	1409 EAST LAKE
91	2202351001	CITY OF NOVI	45175 W TEN MILE
92	2202354001	CITY OF NOVI	45175 W TEN MILE
93	2202354002	ADAMS, MARK & ELIZABETH	1721 EAST LAKE
94	2202354006	RILEY, GEORGE K	157 EAST BAY DRIVE
95	2202354009	CITY OF NOVI	45175 W TEN MILE
96	2202354010	CITY OF NOVI	45175 W TEN MILE
97	2202354011	CITY OF NOVI	45175 W TEN MILE
98	2202355001	HONG, KALEFORD & JANET	1739 EAST LAKE
99	2202355002	HONG, KALEFORD & JANET	1739 EAST LAKE
100	2202355003	STATE OF MICHIGAN	
101	2202355004	RILEY, GEORGE K	157 EAST BAY DRIVE
102	2202355005	ALEXANDER, ROBERT & SHARON A	1733 EASTLAKE
103	2202355006	SMUDE, BRADLEY	1729 EAST LAKE
104	2202355007	ARNOLD, OLIVIA D	42720 MORGAN CREEK
105	2202355008	ADAMS, MARK & ELIZABETH	1721 EAST LAKE DR
106	2202355010	KRUTZ, CARL E	1711 EASTLAKE
107	2202355011	KRUTZ, CARL	1711 EASTLAKE
108	2202355012	DECHAPE, MICHEL	1709 EAST LAKE
109	2202355013	SOBCZYK, STEPHEN & ANNE	1705 EAST LAKE

\*

110	2202355014	BOWMAN, RONALD A & LAURIE L	1703 EASTLAKE	
111	2202355015	BIDWELL, ALBERT	36508 KINGSBURY	
112	2202355016	JARVIS, MICHAEL & BONNIE	1611 EAST LAKE DR	
113	2202355017	JARVIS, MICHAEL L & BONNIE	1611 EASTLAKE	
114	2202355018	FEDRIGO, LARRY	1607 EAST LAKE DR	
115	2202355020	CONSIGLIO, JOACHIM & DELORES	1603 EASTLAKE	
116	2202355021	CORNILLIE, LINDA	1601 EAST LAKE	
117	2202355022	KRUTZ, CARL E	1711 EASTLAKE	
118	2202355023	KRUTZ, CARL E	1711 EASTLAKE	
119	2202355024	SHAYA, CLAMENCE	1653 MARINER	
120	2202355025	DILLON, ROBERT	1605 EASTLAKE	
121	2203129019	DOAN, HONG M & TRAN, XUAN Q	P.O. BOX 9022	
122	2203131001	RICHARDSON, TIMOTHY C	1511 WEST LAKE	
123	2203131002	BARNARD, BRUCE O	1517 WEST LAKE	*
124	2203131003	KOSAIAN, BRIAN	1523 WEST LAKE	*
125	2203131004	ALOE, NED J & JOAN ANN, TRUST	1529 WEST LAKE	
126	2203131005	GARDNER, ROBERT & NANOS, CATHY	1533 WEST LAKE	
127	2203131006	STREHL, JANICE	1537 WEST LAKE	
128	2203131007	ZIARNIK, PATRICK & PAMELA	1601 WEST LAKE	
129	2203131008	HARVEY, THOMAS P & JOYCE	1603 WEST LAKE	
130	2203131009	SEMMA, HAITHAM & MICHLINE	1611 WEST LAKE	
131	2203131010	TESORERO, JAMES & DIANA	1627 WEST LAKE	
132	2203131011	MARSHICK, ROBERT S & LORI J	1631 WEST LAKE	*
133	2203131012	KOZLOWSKI, HENRY & STEPHANIE	1635 WEST LAKE	
134	2203131013	WEINDORF, PAUL & CHRISTIE LEE	1641 WEST LAKE	
135	2203131014	CITY OF NOVI	45175 W TEN MILE	
136	2203131015	WILLIAMS, WENDI TRUST	1651 WEST LAKE	*
137	2203131016	SPACKMAN, CLIVE & STEPHANIE	1653 WEST LAKE	
138	2203131022	PHILLIPS, GARY C	1905 WEST LAKE	
139	2203131023	ROSS, GERALD	1911 WEST LAKE	
140	2203131024	STREET, JAMES & MARY	1915 WEST LAKE	
141	2203131025	SWAN PROPERTIES, LLC	9071 STONEHAUS COURT	
142	2203131026	NEDERLANDER, CAREN	1927 WEST LAKE	
143	2203131027	PENN, KENNETH & LORNA	1929 WEST LAKE	
144	2203131028	FARRINGTON, JAMES R	1931 WEST LAKE	
145	2203131029	KHOURY, HUSAM	1935 WEST LAKE	
146	2203131030	WENDT, ROBERTA	1939 WEST LAKE	
147	2203131031	BACZEWSKI, JUREK	1945 WEST LAKE	
148	2203131032	GNATEK, GREGORY & JULIE, TRUST	1947 WEST LAKE	
149	2203131052	JACOB, OLGA TRUST	1619 WEST LAKE	
150	2203154021	NOVI GROUP NO 2 L L C	32400 TELEGRAPH RD STE 200	
151	2203155001	THOMOPOULOS, JOHN	P.O. BOX 0091	
152	2203155002	JOHNSON, DANIEL C	1953 WEST LAKE	
153	2203155003	PETTERSSON, JOHN J	1957 WEST LAKE	
154	2203155004	CITY OF NOVI	45175 W TEN MILE	
155	2203155005	CITY OF NOVI	45175 W TEN MILE	
156	2203155006	BURKETT, GEORGE	2005 WEST LAKE	
157	2203155007	OLIVER, WILLIAM & STONE, GINA TRUST	2009 WEST LAKE	
158	2203155008	BODRIE, JAMES	2011 WEST LAKE	
159	2203155009	COON, RONALD & LUDEVINA	2012 WEST LAKE	
160	2203155012	KENNEDY, KATHERINE	2023 WEST LAKE	
161	2203155013	ACCESS, J S BLOMFIELD LAKE	4793 IVANHOE AVE	
162	2203155014	BLASHFIELD, DEBRA	2105 WEST LAKE	
163	2203155015	AMERICAN HOME MORTGAGE	4600 REGENT BLVD, STE 200	
164	2203155016	MALLES, NICHOLAS & LORI	2111 WEST LAKE	
165	2203155017	GUDAITIS, MATTHEW	23233 TUCK RD	
166	2203155018	ROSENTHAL, JAN DAVID, TRUST	RESIDES IN CALIFORNIA	

167	2203155019	ROSENTHAL, JAN DAVID, TRUST	RESIDES IN CALIFORNIA
168	2203155020	COON, RONALD	2015 WESTLAKE
169	2203204002	GO, ROBERT A & HOWLETT, LORITA	1175 WEST LAKE
170	2203204003	DISMONDY, GERALDINE	1181 WEST LAKE *
171	2203204004	CURTIS, ROGER L II & SUSAN	1192 WEST LAKE
172	2203204010	HARVEY, THOMAS H & MARY	1195 WEST LAKE
173	2203204011	JONES, JAMES B	7051 OLD HAGGERTY RD
174	2203204012	SULLA, MICHAEL	1259 WEST LAKE
175	2203204013	MCLEAN, LORI	1307 WEST LAKE
176	2203204015	HARVEY, JOHN & WRIGHT, STARLA	1321 WEST LAKE *
177	2203204016	MOY, ARTHUR YOUNG & BARBARA M	1327 WEST LAKE
178	2203204017	JOHNSON, RONALD & ROSEMARIE	22333 TAFT
179	2203204021	SCHLAGER, ERNEST V	1419 WEST LAKE
180	2203204022	OTT, RAYMOND C, TRUST	1425 WEST LAKE *
181	2203204023	HOARE, JAMES & LYDA, MADELANINE	1431 WEST LAKE
182	2203204024	LUCHI, LAWRENCE L	1923 DEER PATH TRL 1501 WEST LAKE *
183	2203204025	LOE, STEVEN G	1507 WEST LAKE
184	2203204030	CITY OF NOVI	45175 W TEN MILE
185	2203204031	BOYER, DAVID	1191 WEST LAKE *
186	2203204032	BOLZ, JAMES & ANNE	1405 WEST LAKE *
187	2203204033	CONDON, MICHAEL	47220 CARTIER DR
188	2203326002	GISSLER, ARTHURE & RUBY J	1311 SOUTH LAKE DR
189	2203326003	GEISSLER, ARTHURE & RUBY	1311 SOUTHLAKE DR
190	2203326004	KORYCKI, MARLENE H, TRUST	4780 E STAGECOACH TRAIL
191	2203326005	WALLED LAKE HOMEOWNERS ASSOC	131 BUFFINGTON
192	2203327002	MANIEWSKI, PATRICIA	1207 SOUTH LAKE DR
193	2203327003	KRUVELIS, ANNA B	1201 SOUTHLAKE DR
194	2203327004	DANOVI, LLC	28535 ORCHARD LAKE RD STE 100
195	2203327005	PLOWMAN, BARTH E & SUSAN M	1255 SOUTH LAKE DR
196	2203327006	BELLER, THOMAS & MARGARET	1235 SOUTH LAKE DR
197	2203328001	BORGER, HILDEGARD	125 HENNING
198	2203328002	DUCHESNEAU, MICHEL & DOROTHY	1191 SOUTH LAKE DR
199	2203328003	KOWAL FAMILY TRUST	3853 GALE DRIVE
200	2203329002	MURPHY, DAVID B & TAMARA K	1107 SOUTH LAKE DR
201	2203329003	THOMAS, JAYME JEAN TRUST	1635 CHURCHILL
202	2203329004	FOGEL, BARRY & SALLY	1101 SOUTH LAKE DR
203	2203330001	MATHIS, EVAN	1099 SOUTH LAKE DR
204	2203330002	FARKAD, MARY	1019 SOUTH LAKE
205	2203330005	IDLEMERE PARK OUTLOT B	
206	2203330006	ANTOUNPOUR, THOMAS & CLAUDINE	1015 SOUTH LAKE DR
207	2203351015	CARLSON, A.NELS & DOLORES	1365 SOUTH LAKE DR
208	2203351016	LIGHT, GRACE & PETER	1351 SOUTH LAKE DR
209	2203351017	LOEFFLER, JAMES & JOANNE	1341 SOUTH LAKE DR
210	2203351038	LILLEY POND HOMEOWNERS PRESIDENT	29805 LILLEY TRAIL
211	2203351039	LILLEY POND HOMEOWNERS PRESIDENT	29805 LILLEY TRAIL
212	2203401003	C J & ASSOC., INC.	PO BOX 130
213	2203401004	C J & ASSOC., INC.	PO BOX 130
214	2203401005	IDLEMERE PARK OUTLOT C	
215	2203401006	HEATH, DOUGLAS & ELIZABETH	905 SOUTH LAKE DR
216	2203402001	MORTGAGE ELECTRONIC REG SYSTEMS	7255 BAYMEADOWS WAY M/S JAVA 2035
217	2203402002	LINDSEY, MARCUS H & PRICE, MICHELLE	811 SOUTH LAKE DR
218	2203402003	KLEIN, MARSHALL L	6960 ORCHARD LK RD STE 305
219	2203402004	IDLEMERE PARK OUTLOT D	
220	2203403001	FISHER, ARNOLD & LORRAINE	7207 CREEKS BEND DR
221	2203403002	IDLEMERE PARK OUTLOT E	
222	2203404006	WALING, ROBERT & KIMBERLY	727 SOUTH LAKE DR
223	2203404007	KRAUS, WILLIAM D & BARBARA D	701 SOUTHLAKE DR

224 2203404008	IDLEMERE PARK OUTLOT F	
225 2203404010	HOENLE, RICHARD & RUTH	721 SOUTH LAKE DR
226 2203404011	WALING, ROBERT & KIMBERLY	727 SOUTHLAKE DR
227 2203404013	LUCAS, KOPY	717 SOUTHLAKE DR
228 2203405007	CITY OF NOVI	45175 W TEN MILE
229 2203405008	ISZLER, GREGORY & ELIZABETH	621 SOUTH LAKE DR
230 2203476001	CITY OF NOVI	45175 W TEN MILE
231 2203476002	CITY OF NOVI	45175 W TEN MILE
232 2203476003	THOMOPOULOS, JOHN & SHELLEY	425 SOUTH LAKE DR
233 2203476004	ZACK, GARY E & MAUREEN R	359 SOUTH LAKE DR
234 2203476005	DUNESKE, JOHN & DONNA	357 SOUTHLAKE DR
235 2203476006	STEPHENSON, RANDY & JANE	3970 VAN AMBURG
236 2203476007	THOMPSON, ROBERT & JUDY	327 SOUTHLAKE DR
237 2203476008	JOHNSTON, RONALD	325 SOUTHLAKE DR
238 2203476009	CZARNECKI, ROBERT & CHRISTINE	323 SOUTH LAKE DR
239 2203476010	WALLED LAKE SHORES PARK	
240 2203476013	KACZMAR, EMIL & HELEN & ELENA	415 LANGE
241 2203476016	CITY OF NOVI	45175 W TEN MILE
242 2203476017	PEMBROKE, THOMAS R	1414 BAYWOOD CIR
243 2203476022	GODLEWSKI, FELIX TRUST	302 SOUTH LAKE DR
244 2203476023	CITY OF NOVI	45175 W TEN MILE
245 2203476024	BORDEN, WILLIAM & IRENE ARPASI	313 SOUTH LAKE DR
246 2203477005	PISHA, JOHN & KAREN	351 SOUTH LAKE DR
247 2203477006	WALDRUP, DEAN R & MARY E	339 SOUTH LAKE DR
248 2203126013	VLK, JAMES & TERESA LYNN VLK	P.O. BOX 46364
249 2203131035	EISLEY, PATRICIA J	1671 HARBOR COVE
250 2203383001	PAUL, LAWRENCE W	1127 SOUTH LAKE DR 100

51% OF 250 = 128