

# **Gull Lake Sewer & Water Authority**

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## **MINUTES OF THE AUGUST 27, 2009 REGULAR BOARD MEETING**

Authority Board Meeting

1:00 P.M.

**CALL TO ORDER/ ROLL CALL:** Chairman Bither called the meeting to order at 1:00 p.m. Commissioners present were Jeff Bither, Jackie Light, Jim Stoneburner and Wes Kahler. All present. Also present were Director Rich Pierson, Office Manager Anne Richmond and Engineer Tom Wheat. Guest Darrell Swanson attended to present a proposal for the office addition.

**REVIEW AND SET THE AGENDA:** Pierson added two items to the agenda under Old Business: the outstanding \$300 owed by Dick Engel and a discussion on the sale of the Van. Stoneburner made the motion to accept the agenda as amended. Motion was seconded by Kahler. **Motion carried; all ayes.**

**MINUTES OF THE JULY 28, 2009 REGULAR AND CLOSED SESSION BOARD MEETING:** A motion was made by Light and seconded by Stoneburner to accept the regular and closed meeting minutes as presented. **Motion carried; all ayes.**

**HEAR THOSE PRESENT (Non-Agenda Items):** None present.

### **CORRESPONDENCE:**

To: Walls – Gull Lake Inn 13.44 to 4.0 units

Mr. & Mrs. Walls were informed that effective immediately, based upon water meter measurements, GLSWA would lower their sewer usage bill from 13.44 to 4.0 units. This account will be reviewed again late in the fall and again in the spring of 2010 for any further adjustments or retroactive credits that may be warranted.

To: Brooklodge Conference Center Meter read issues

The main water meter that registers the daily water consumption for the Brooklodge facility has failed. It is important that we accurately record the amount of water discharged down the public sewer as the Village of Augusta invoices us for the flow + pumping costs. Until the meter is repaired by MSU, GLSWA will need to base the "usage" on some other relevant factor such as occupancy. Mr. James Brand, General Manager of Brooklodge, was asked to provide a summary of guests + staff per day or week for 2008 and the 1<sup>st</sup> quarter of 2009 upon which we can equate the occupancy to the meter records to extrapolate an amount we can then use to pay the Village of Augusta our fair share.

To: Gull Lake Ministries                      New Facility

A meeting with Mr. Daniel Wallace, Executive Director of the Gull Lake Ministries, was requested to review sewer usage and capital charges based on the tear down of existing cottages and construction of new facilities. A visit on August 19 confirmed that we are currently billing them the correct amount for the existing facilities. The first bill for the new recreation center will be included in their January invoice with the new “units” to be determined based on water usage for Oct/Nov/Dec.

To: Thomas King                                      Letter from Rob Thall

Attorney Thall informed Thomas King of Kreis, Enderle, Hudgins & Borsos, P.C., that Gull Lake Sewer & Water Authority will acquiesce to his position that the delinquent sewer construction lien may not be foreclosed at tax sale in a manner that primes the Chemical Bank mortgage and that it will require some time to work out the mechanics of ensuring that to the extent not paid, the sewer construction lien is not foreclosed at tax sale over the prior existing bank mortgage. On August 20, 2009 payment of \$68,819.34 was made to Kalamazoo County for the amount received of \$59,327.02 and an additional \$9,492.32 in penalties and interest. Pierson e-mailed Kalamazoo County Commissioner Dave Maturen with his concern that the penalties and interest are very steep in this special situation that a government entity is paying it back. *Pierson to also inform County Commissioner Jeff Heppler of this situation and determine if the amount paid for penalties and interest can be reduced.*

To: Rosenberger                                      Meeting

A meeting was scheduled with Mr. Rich Rosenberger on August 25, 2009 per his June 21, 2009 letter requesting a meeting to discuss the invoices and connection fees for the Havens of Richland (Richland Condominiums). See discussion under New Business, Discussion on Connection Fees.

To: Michigan Electric Transmission              Proposed Driveway

A letter was written to Ms. Kim Savage of the Michigan Electric Transmission Company (METC) to formally request permission to put a driveway under the transmission wires. According to Consumers Energy, we are required, as an “initiating user” to ask METC to approve our use of the proposed driveway easement off of 37<sup>th</sup> Street as a “Compatible Use”. *Pierson to follow-up on this in the near future.*

To: Renz Sump Pump                                      Thanks and close issue

Mr. & Mrs. Renz made the necessary adjustment to their sump pump discharge and e-mailed the pictures to GLSWA. There was a notable difference downstream in the gallons pumped. We responded by thanking them for their prompt and professional action and advised them that we consider the matter closed as it relates to their residence.

Discussion on other sump pumps: Pierson noted that GLSWA continues to take action to identify and correct sump pump connections to the public sewer as the extra water in the sewer system will cost our agency approximately \$100,000 (20%

increase) in additional treatment charges this fiscal year. Pierson working with Ken Sparks to develop a letter that will be sent to Contractors, Homebuilders, Plumbers and B-Dry Systems reminding them that the local Sewer Ordinance prohibits storm water/groundwater of any type from entering the public sewer system and enlisting their help to identify and correct any known violations. *Pierson to finalize the letter with Sparks and send out, allowing the Authority Board the flexibility to determine when and where "amnesty" will be granted if known violations are not promptly corrected.* Engineer Wheat suggested Pierson may want to share his work in this regard with the City of Kalamazoo as they also have this problem.

To: Financing policy                      No more Connection Fee Contracts  
Due to recent issues dealing with the foreclosure of homes and the security of liens on those homes, effective immediately, GLSWA will no longer be able to finance any portion of the Connection Fees for new sewer or water connections.

To: Norm's Electric                      Generator Maintenance Costs  
Terry Vliek of Norm's Electric Motor Repair was asked to provide an average cost per generator estimate for twice per year service including annual fluid charges. Pierson noted that Norm's labor rate was \$65 per hour but that no estimate amount of time had been given. (see additional discussion below)

To: 30<sup>th</sup> Street                      Ground Water Elevation  
Several homeowners have contacted GLSWA believing that the 30<sup>th</sup> Street North public sewer project (or the Engelwood housing project) has resulted in higher groundwater elevations. A letter was sent to 30<sup>th</sup> Street Homeowners (addresses 7802 through 8271) to inform them that the recent rise in groundwater elevation throughout the County is unrelated to public sewer projects (or development projects), and is due to natural cyclical influences, torrential rainstorms and the high snow melts we have had. For example, according to documentation obtained from the Health Department, in May 2009, water levels from a well at Eastern Hills Golf Course were up 4 feet +/- from their June 2008 levels.

## **PROJECT UPDATE:**

30<sup>th</sup> Street South                      On-going

## **NEW BUSINESS**

Generator Contract                      Discussion  
The current 5-year semi-annual Planned Equipment Maintenance contract with Cummins Bridgeway for the 19 stationary and 4 portable generators has expired. A new 5-year proposal has been submitted by Cummins Bridgeway. For years 1 and 2, the pricing remains the same. There is a 2% increase in year 3 and year 5. An hourly quote had been received from Norm's Electric Motor Repair but was as of yet

incomplete. The Board requested additional information to make a decision at the October 1, 2009 meeting. Since maintenance is normally done in October, *GLSWA will request Cummins Bridgeway to tentatively schedule us on their service list with the understanding that the Board will not make a final decision until October 1, 2009.*

#### Pfizer Farms

#### New Building

We have received word from the Township that Pfizer is planning a new cattle study building at the Gull Road complex. *Pierson to evaluate the proposed building and determine its impact on the overall wastewater discharge volumes and whether or not connection charges would be due for the impact, if any. Jackie Light provided a set of plans for the building for Pierson's review.*

#### Certify Delinquent Accounts

#### Action Item

A motion was made by Stoneburner and seconded by Kahler to certify the delinquent accounts as presented to the respective municipal delinquent tax roll. **Motion carried; all ayes.** Prior to the motion, Pierson noted we had 'accelerated' the contracted Connection Fee amount due from a commercial account in Richland Township, as our contract permits.

#### Driveway Maintenance Request

#### Lift Station #18

GLSWA uses a private road to access our Lift Station #18. Al Gemrich has asked if GLSWA would be willing to participate in the road maintenance. We are waiting for additional information from him with respect to their planned improvements.

#### Discussion on Connection Fees

#### Rosenberger

A meeting was held with Mr. Rich Rosenberger and his attorney Jeffrey Swenarton on August 25, 2009. Authority Board Members Jeff Bither and Jackie Light, Director Rich Pierson, Attorney Ken Sparks, Office Manager Anne Richmond, and Engineer Tom Wheat were also in attendance. Mr. Rosenberger had requested a meeting to discuss the invoices and connection fees for the Havens of Richland (Richland Condominiums) in his June 21, 2009 letter to GLSWA. Attorney Jeffrey Swenarton will provide in writing to Attorney Sparks Mr. Rosenberger's position on connection fees as expressed in the meeting. *Attorney Sparks will then meet with Pierson and Richmond to evaluate and formulate a draft response to share with the full Authority Board.*

#### Proposed IT upgrade

#### Server, Web and Peripherals

Pierson shared an IT upgrade quote from I.T. Right with the Board. *Pierson to follow up with I.T. Right on exactly what is included in the quote and will share this information with the Board when authorization is requested next month.*

#### Office Addition

#### Preparation of plans/specs for bidding

Darrell Swanson, a contractor/designer who is associated with Statler Builders and Frank Mason & Associates Architects, presented a proposal to prepare a formal set of drawings with specifications for the proposed new office addition. These would be inclusive enough to obtain qualified bids. The Board discussed the pros and cons of



A motion was made by Kahler and seconded by Light to authorize repayment of \$300 to the purchaser of our Van for work that had to be done on the brakes. **Motion carried; all ayes.**

#### **FINANCIAL REVIEW/ PAY BILLS**

A motion was made by Kahler and seconded by Stoneburner to file the financial reports as presented, approve the standard bills paid, and pay the Prein & Newhof bills as presented. **Motion carried; all ayes.**

#### **CLOSING COMMENTS**

ADJOURN. NEXT MEETING OCTOBER 1, 2009 at 1:00 p.m. unless otherwise notified. The October 22, 2009 meeting was also changed to October 29, 2009. Chairman Bither adjourned the meeting at 3:05 p.m.

Submitted for approval

  
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Jacqueline Light – Secretary