

MINUTES
LAKE CHARTER TOWNSHIP
UTILITY BOARD MEETING

August 7, 2007

12:00 NOON

CALL TO ORDER

The meeting called to order by Supervisor John Gast at 12:00 p.m.

ROLL CALL

Board members present were John Gast, Supervisor; Gloria Payne, Clerk; Betty Korcek, Treasurer, Trustees Terry Eichler, William "Bill" Geukes; James Stine, Jr., and Tom Carson.

OTHERS PRESENT

John Wilemin, Fishbeck, Thompson, Carr and Huber

Stewart Beach, Water Plant Superintendent

Craig Howard, Miller-Davis

Bill Blossom, Harbor Country Wireless

APPROVAL OF MINUTES

It was moved by Korcek seconded by Geukes to approve the minutes of the July 3, 2007 utility board meeting. All ayes, motion carried.

APPROVAL OF AGENDA

Supervisor Gast asked to add two items to the agenda. It was moved by Eichler seconded by Korcek to add two items to the agenda. All ayes, motion carried.

COMMUNICATIONS

None.

APPROVAL OF BILLS

Membrane System Preliminary Design

Supervisor Gast presented to board members engineering invoice #177455 from Fishbeck, Thompson, Carr and Huber for the Lake Township membrane system construction design for the period June 16, 2007 through July 13, 2007 in the amount of \$8,993.00. It was moved by Korcek seconded by Eichler to approve payment of engineering invoice #177455 from Fishbeck, Thompson, Carr and Huber for the Lake Township membrane system construction design for the period June 16, 2007 through July 13, 2007 in the amount of \$8,993.00. All ayes, motion carried.

Supervisor Gast also presented to board members engineering invoice #175082 from Fishbeck, Thompson, Carr and Huber for the Lake Township membrane system final design. This was a bill that was overlooked for the period of April 21, 2007 through May 18, 2007, in the amount of \$59,908.97. It was moved by Geukes, seconded by Korcek to approve payment of engineering invoice #175082 from Fishbeck, Thompson, Carr and Huber for the Lake Township membrane system final design for the period of April 21, 2007 through May 18, 2007 in the amount of \$59,908.97. All ayes, motion carried.

Final Tank Design Engineering

Supervisor Gast presented to board members the engineering invoice #177458 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank construction design for the period June 16, 2007 through July 13, 2007 in the amount of \$1,906.02. It was moved by Stine seconded by Korcek to approve payment of engineering invoice #177458 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank construction design for the period June 16, 2007 through July 13, 2007 in the amount of \$1,906.02. All ayes, motion carried.

Supervisor Gast presented to board members engineering invoice #175085 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank construction design. This was a bill that was overlooked for the period of April 21, 2007 through May 18, 2007, in the amount of 20,423.00. It was moved by Eichler, seconded by Payne to approve payment of engineering invoice #175085 from Fishbeck, Thompson, Carr and Huber for the Lake Township 1.0 million gallon tank construction design for the period of April 21, 2007 through May 18, 2007 in the amount of \$20,423.00. All ayes, motion carried.

Lake Charter Township Water Plant System Master Plan

Supervisor Gast presented to board members engineering invoice #175081 from Fishbeck, Thompson, Carr and Huber for the Lake Charter Township Water Plant System Master Plan. This was a bill that was overlooked for the period of April 21, 2007 through May 18, 2007, in the amount of \$1,298.01. It was moved by Korcek, seconded by Geukes to approve payment of engineering invoice #175081 from Fishbeck, Thompson, Carr and Huber for the Lake Township Lake Charter Township Water Plant System Master Plan for the period of April 21, 2007 through May 18, 2007 in the amount of \$1,298.01. All ayes, motion carried.

AGENDA ITEMS

Update on Tank and Micro-Filtration

Supervisor Gast turned the floor over to John Wilemin of Fishbeck, Thompson, Carr and Huber. He reported that the 1.0 million gallon storage tank has been put into service. Fourteen items remain for Miller Davis to finalize, such as guarantees, the warranty's and consent of sureties. Two coats of the outside sealer have been applied, grass restoration will be completed after Labor Day, and lastly, extend the rocks by the reservoir to avoid washouts.

Miller Davis Pay Request #5

Supervisor Gast brought before board members pay request #5 from Miller Davis for construction of the 1.0 million gallon storage tank in the amount of \$86,014.00. John Wilemin of Fishbeck, Thompson, Carr and Huber concurs with this pay request #5. There remains a retainage of \$83,303.00. It was moved by Eichler seconded by Stine to approve payment #5 to Miller Davis of \$86,014.00 for construction of the 1.0 million gallon storage tank. (Let the record reflect that Trustee Geukes left the meeting at 12:20 p.m.) Six ayes, motion carried.

Letter from Miller Davis - Liquidated Damages

Supervisor Gast turned the floor over to Craig Howard of Miller-Davis who asked board members to refer to the letter respectfully requesting the township to not charge Miller-Davis for liquidated damages. Throughout the project every effort was made to expedite construction without delays. One thousand hours of overtime was paid to Miller-Davis employees to maintain the schedule. The activities were completed out of sequence and ahead of schedule to help ease the transition and water demand when the new tank was brought into service. There has been no additional request for payment for job site and main office overhead expended for additional time on the project and lastly a cement pour was performed for the cemetery which was not charged as well.

After discussion, it was moved by Eichler seconded by Stine to approve a change order to extend the contract to July 15, 2007 and forego charging Miller-Davis for liquidated

damages. (Let the record reflect that Trustee Geukes returned to the meeting at 12:22 p.m.) All ayes, motion carried.

Peerless Midwest Invoice for #1 Low Service Pump

Supervisor Gast turned the floor over to Stewart Beach, Lake Charter Township's Water Plant Superintendent who brought before board members invoice #21966 from Peerless Midwest, Inc., in the amount of \$19,001.26. This expenditure was previously approved by the Township board, however, at a cost of approximately \$15,000.00. This is a main service pump at the pumping station and the unit had not been overhauled for 14 years. The unit has now been restored to like new condition. Trustee Stine expressed his discontent with contractors, or vendors in general, who indicate a certain price and then ultimately the cost is higher.

After discussion, it was moved by Payne seconded by Geukes to approve invoice #21966 from Peerless Midwest, Inc., in the amount of \$19,001.26 for repair and overhaul of #1 low service pump at the Lake Charter Township pumping station. All ayes, motion carried.

Michigan Department of Transportation Performance Resolution for Governmental Bodies

Supervisor Gast brought to board members a Performance Resolution required by the Michigan Department of Transportation for purposes of issuing a municipal utility an individual permit for the use of state trunkline rights of way. Supervisor Gast asked to forego reading the resolution. This permit is required for the work in the right of way of I-94 for the next phase of replacement of the water line. It was moved by Geukes seconded by Korcek to approve the Michigan Department of Transportation Performance Resolution. All ayes, motion carried.

PUBLIC COMMENT

Bill Blossom, General Manager of Harbor Country Wireless was present and asked board members to allow him to place his wireless broadband service on the Lake Charter Township Water tower. He currently has his equipment on the water towers in Baroda, Three Oaks and Sawyer.

Clerk Payne indicated that due to the fact that Comcast is not available throughout the township, it would be nice to be able to offer residents another vendor.

Trustee Eichler asked if he could check with the gas pipeline to see if he could put his equipment there. Mr. Blossom indicated that they see him as a competitor. Mr. Blossom asked Nextel if he could go on their tower, however, they wanted him to pay \$1,500.00 for an engineering study.

Supervisor Gast indicated that he had been advised by Lake Charter Township attorney Scott Dienes to not allow permission for this equipment to be placed on the water tower.

Trustee Carson responded that Mr. Dienes works for Lake Township, not the other way around.

Superintendent Beach asked how the wire would be installed, Mr. Blossom responded that the wire would be encased in conduit interiorly up to the top. Mr. Blossom would supply free wireless internet service to the Lake Charter Township Water Plant. It would take approximately 2-3 months for installation.

It was moved by Payne seconded by Stine to allow Bill Blossom of Harbor Country Wireless to place his wireless broadband equipment on the Lake Charter Township Water Plant water tower. The written contract will be reviewed by Lake Charter Township attorney Scott Dienes. All ayes, motion carried.

NEXT MEETING

September 11, 2007 at 12:00 Noon.

ADJOURNMENT

It was moved by Payne seconded by Korcek to adjourn the meeting. Meeting adjourned at 12:56 p.m. All ayes, motion carried.

Dated: _____

Gloria A. Payne, Clerk

Dated: _____

John Gast, Supervisor