

Austin Lake Riparian Board

2010 Annual Meeting - May 17, 2010 @ 7:00pm

Present: Kirk Wolf, Don Mordas, Brett Grossman, Larry Pio, John Crago, Jim Pearson, Brian Johnson, Seth Giem, Gary Hahn, Norm Young (Website/Newsletter editor) and Dani Kinder (Social Committee Chair) and other lake residents, most of which are listed on a sign-in sheet attached as **Exhibit A**.

Absent: All board members were present.

The meeting was called to order at approximately 7:00 p.m. by Board President, Kirk Wolf.

Introduction of Board Member, Other Positions and Guests

Kirk Wolf introduced all members of the Board as well as Norm Young and Dani Kinder. John Zull (County Commissioner), Ed Sackley (Portage City Counsel), Elizabeth Campbell (Portage City Counsel) and Pat Crowley (Kalamazoo County Drain Commissioner) were recognized guests.

President's Report

Kirk Wolf gave his report which focused on the changes and attempted improvements the Board has made over the past year. The 2009-2010 Board installed three new officers and four new board members.

Kirk summarized the difference in practical function between the Riparian Board and the former Governmental Lake Board (GLB) in terms of project scope and ability to address certain issues.

Improvements to the website and change of website address were discussed. The Board and Norm Young have made a conscientious effort to post relevant information pertaining to Austin Lake and the minutes/actions of both the Riparian Board and the GLB.

Kirk noted the formation of the social committee and stressed the importance of lake residents attending and assisting in such events.

Treasurer's Report

The Treasurer's Report (attached hereto as **Exhibit B**) was posted and outlined by Larry Pio. The voluntary donors to the Lake Fund were announced and recognized by Larry. The Board's bank account shows a current balance of \$5,201.56.

Social Committee Report

Dani Kinder indicated that two events are being planned by the Social Committee for this summer. First, there will be a gathering of lake residents and friends at Lakeview Park on Saturday, June 5, 2010. The event will feature food, drink and kids games. A volleyball tournament may also take place depending on level of interest. Additional details will be forthcoming on the website.

A second event is being planned for the late morning of Saturday, July 31, 2010. This will be a brunch on the lake and more details regarding this event will be provided on the website.

It was also noted that “Austin Lake” has a Facebook page and lake residents with Facebook accounts were encouraged to “friend” the page for additional Social Committee updates.

Website & Newsletter Report

Norm Young noted that the website address was now austinlakeportage.com and reiterated the Board’s efforts to increase website content. He noted that minutes of meetings, contact information and other legal background can be found on the site.

Lake residents who did not receive The Austin Lake Riparian newsletter should let Norm know so that they receive next year’s edition.

Old Business

Weed Control Report

Gary Hahn provided an update on efforts to control purple loosestrife. In the past the Board has purchased “beetle plants” in an effort to mitigate the spread and control this invasive species. Again, this year, the Board approved the purchase of ten (10) beetle plants for this purpose. Unfortunately the usual source for purchase of the plants indicated that there was difficulty in hatching the beetles to maturity. It appears that the Board will be unable to purchase any plants this year.

This issue will be revisited next year. It was also noted that the City of Portage is experimenting with utilizing the beetles this year and, if possible, perhaps the Board’s efforts could be co-mingled with the City’s efforts in the future.

Eurasian milfoil has also been reportedly seen in Austin Lake. Given the cost of controlling milfoil, any action concerning this would need to be referred to the GLB for scope and cost consideration.

Pfizer Discharge Rate

It appears that Pfizer discharges between one (1) million and seven (7) million gallons of water into Austin Lake per day. Kirk indicated that this amount (based on Pfizer production) is a mere fraction of what Austin Lake receives with significant rainfall.

Residents were urged to consult the United States water data website (link found at austinflakeportage.com) with other questions pertaining to water level. This site is updated regularly and shows the current water level on any given date.

Boat Launch Renovations

Approximately \$200,000.00 was spent to make improvements to the public boat launch, including the pavement of the parking lot and incorporating ADA compliance measures. Contact information for the DNR officials overseeing the boat launch and Lake were posted. Kirk indicated that the Secretary of State was instituting a new \$10.00 optional fee for access to state parks which will presumably include the public boat launch as well. In other words, if this fee is paid, then those same folks utilizing the boat launch would not need to pay the daily or yearly access fee. Those who do not pay the \$10.00 optional fee may still need to pay a fee to access the launch.

New Business

Austin Lake Governmental Lake Board (GLB) Report

The GLB Report was given by Don Mordas, lake resident and member of both the Riparian Board and the GLB. It was noted that all five (5) members of the GLB were in attendance at the meeting.

Don indicated that the GLB meets every 4-6 weeks. The dates and minutes of past meetings are posted on the website. The function of the GLB to date has been to evaluate and initiate a much-discussed aeration project in the southwest bay of Austin Lake. As of the date of this meeting, the GLB had moved forward with soliciting input and bids from engineering firms who will opine as to the cost, scope and projected outcome of the proposed project. Approximately 5-6 requests for proposals had gone out, 2-3 of which appear to be viable proposals.

Don indicated that the procurement of an engineering study is a requirement of the applicable Michigan law. Ed Sackley then indicated that the next GLB meeting will be to interview the firms providing the more viable engineering proposals. Ed also indicated that much of the information from past proposed lake improvement projects was turned over by Don to City Clerk, Jim Hudson and would be available for review by any selected engineer or the public.

Residents then asked a number of questions about the scope and cost of the project. While some residents support the current course of action other residents voiced an objection or skepticism to the project. Between Don, Ed and the other board members, the following points of clarification were made:

- The GLB is only at the preliminary consideration stages of this project. The firm providing the engineering study has not even been selected. Absolutely no discussion of potential cost to lake residents has been considered or discussed by the GLB at this time because potential cost is unknown.

- Under the law, any cost borne by lake residents will be related to perceived benefit. Therefore, the law allows residents who are more directly affected by the project to be assessed differentially (and presumably higher) than residents less affected by the project. Again, no specifics concerning a potential assessment have been discussed at this time.
- Ed indicated that the GLB is particularly interested in the selected engineer's opinion as to whether or not the proposed remedy has a strong likelihood of success. The GLB is also particularly interested in how long of a duration this project requires for success. In other words, will this project require action for the next 5 years or a substantially longer period of time.
- The GLB is moving slowly and prudently on this project to comply with the applicable law. There is no way that any type of aeration will take place in calendar year 2010.
- GLB meetings are public meetings. Any type of assessment levied by the GLB will be determined at a public hearing. Public comment is allowed at these meetings but they are not meetings to be held in a "town hall" format.

Presentation by Kalamazoo County Drain Commissioner, Pat Crowley

Pat Crowley gave a brief presentation. Pat presented information relating to the usage of phosphorous based fertilizers on lake front properties. A brochure containing this information was made available to attendees.

Pat gave an overview of the interconnectivity of the Austin Lake system. Given the number of lakes involved in the system and the flow of water, it is difficult to predict and maintain lake levels. Lake level in Austin Lake is very dependent on rainfall. The lake level is largely controlled via the Austin Lake Dam (e.g. When water level is high, the dam is opened up; low rainfall or water level should result in the dam being "boarded"). Pat discussed the chain of lakes and that her office needed to be mindful of the other lakes directly impacted by Austin Lake levels.

Residents inquired as to whether or not seawall installation has contributed to the muck or debris problem in Austin Lake. Although Pat believed that sea walls may indeed contribute to these issues, no formal investigation has taken place.

Pat also indicated that no formal decision has taken place with regard to control of the Oakland Weir. The Weir was formally controlled by the Fox Simpson Paper Mill in Vicksburg. Pat is in ongoing discussions with the private property owner where the Weir is located to discuss possible control and management.

Election of Board Members

There were three open positions on the Board as well as an open position for an alternate Board

member. The Board nominated current members Jim Pearson, Gary Hahn and Seth Giem (whose terms were expiring) for re-election. The floor was opened for additional nominations for the board and received two additional names: Win Larsen and Bob Hutchins. Each candidate briefly introduced himself.

Residents then voted on the three positions with the following results:

Win Larsen - 21 votes
Gary Hahn - 19 votes
Jim Pearson - 17 votes
Seth Giem - 11 votes
Bob Hutchins - 10 votes

Therefore, Win, Gary and Jim will assume new terms this year and Seth will serve as an alternate Board member.

Adjournment

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Brett Grossman
Secretary

