

DRAFT

Austin Lake Riparian Board of Directors

Minutes from Meeting Held September 21, 2010

Present: Kirk Wolf, Don Mordas, Brian Johnson, John Crago, Jim Pearson (via teleconference), Win Larsen, Brett Grossman, Seth Giem, Gary Hahn, and Larry Pio.

Also present: Dani Kinder and Bob Hutchins.

Absent: None

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

Approval of Minutes from June 16, 2010 Meeting

The minutes from the June 16, 2010 meeting were approved by the Board.

Treasurer's Report

The Treasurer's Report (attached hereto) was circulated by Larry Pio. The report was approved unanimously by the Board. The report indicates the Board received \$728.01 in proceeds from the pontoon trailer rental through Right Way Rental. This is down a total of \$1.00 from last year. The Board's bank account shows a current balance of \$5,472.14

Website Discussion

Discussion was had regarding advertising on the Board's website (austinlineportage.com) as a potential revenue source. Discussion was had about offering businesses that previously advertised in the annual newsletter "first crack" at buying virtual ads on the website. Other lake related businesses were discussed. The Board informally discussed potential prices for the ads.

Kirk Wolf indicated he would talk to Norm Young about how many advertisements could be placed on the website and, further, would ask Norm to formulate a "plan" for design of these advertisements.

Social Committee Report

The Social Committee sponsored a lake party and boat parade on Saturday, September 3, 2010. The Boat Parade raised approximately \$1,2000.00 for Pretty Lake Camp.

The Board discussed potential social events for the fall and winter. An additional lake-based Breakfast was mentioned. The Board discussed renting the City of Portage's facility in the park off Osterhout (Schrier Park). The facility is heated with tables and chairs and may be an ideal place to

host a winter or “cabin fever” social gathering of lake residents. This will be considered by the Board on a later date.

GLB Report

Don Mordas provided a status report on recent Governmental Lake Board (GLB) meetings and action items vis-a-vis the south bay aeration project. After the initial solicitation of engineering firms to spearhead the engineering feasibility study for the proposed project, two firms - Kaiser Associates and Lakeshore Environmental - were selected to be interviewed by the GLB.

At the August 2010 meeting, the GLB interviewed representatives from both firms. After some discussion GLB Member Elizabeth Campbell proposed having both firms prepare studies as to the feasibility of reducing muck and “improving lake quality for residents of the south bay and other areas of Austin Lake.” Ms. Campbell indicated she made this motion because both firms “presented differing perspectives” on the project. After additional discussion, the GLB voted 3 in favor (Campbell, Zull and Sackley) to 2 against (Mordas and Crowley) to retain both firms to undertake a study. This was the last notable activity of the GLB.

The Riparian Board then discussed payment for these studies. It is anticipated the Lakeshore Environmental study will cost approximately \$10,000.00-\$15,000.00 and the Kaiser Associates study will cost \$5,000.00-\$10,000.00. Don indicated that GLB member Patricia Crowley had asked the Kalamazoo County Commissioners for access to a revolving fund in the amount of \$30,000.00 to pay for these engineering studies. The money would be borrowed from the County and eventually be repaid by the GLB through assessments on riparian properties. A copy of the Loan Agreement between the GLB and the County is now available on austinflakeportage.com

At this point in the meeting, lake resident Bob Hutchins voiced opposition to the actions of the GLB and the eventual use of riparian owners’ tax money to pay for the studies detailed above. A lengthy discussion ensued about how the GLB intended to assess properties differentially for these costs. Don indicated that the GLB had not made any determinations on how properties would be assessed in conjunction with the costs associated with the environmental studies (or the project at large). Discussion was had about how, in accordance with the applicable law, properties should be taxed based on the “perceived benefit” of this project.

There was further discussion about the potential success for this Project versus the lack of success in past muck reduction projects. Don indicated the GLB was commissioning the above-referenced studies to determine if this project is cost beneficial or feasible in light of these historical results.

Board members indicated their belief that it was important for the GLB to arrive at a “formula” for this differential assessment sooner rather than later. Don indicated that before this formula was determined, there would be a public hearing to discuss the assessments and the GLB’s bases for same. It is the GLB’s intent to receive the studies by both engineering firms before the scope, cost and anticipated benefits of the project could be appreciated for purposes of beginning the assessment

process.

The lengthy discussion concluded with other board members underscoring the importance of keeping riparians informed as to the dates and actions of the GLB. All minutes of past GLB meetings would be placed on the website in the near future and, likewise, future GLB meeting dates will also be announced in advance.

Tax Identification Number for Austin Lake Riparian Board

Treasurer Larry Pio indicated that the Board has a tax reporting requirement in association with its non-profit status. Historically the Board has not filed yearly tax returns as the Board does not have a tax identification number.

The Board approved authorizing Larry to obtain a tax identification number (also known as an EIN) from the Internal Revenue Service to comply with any future reporting requirements.

Public Access Issues

The Board discussed the fact that there is some identifiable decay on the erosion logs at the access site. The DNR indicated that these would be replaced.

The Board discussed whether it would be beneficial to have waste containers at the public access site. After additional discussion, the Board decided that it would inquire as to the price for various sized waste containers. The Board also recognized that the City or MDNRE may have to approve of the placement of waste containers.

The Board previously discussed placement of a sign at the Public Access regarding ongoing issues with fisherman casting upon docked boats. Please see minutes from June 16, 2010 meeting for details. Gary Hahn contacted A-1 Signs and received a quote for 3' x 5' aluminum sign (\$235.00) and a 4' x 6' aluminum sign (\$349.00) which would be placed at the access site and state something to the effect of: FISHERMAN: PLEASE BE COURTEOUS WHEN CASTING NEAR DOCKED BOATS.

The Board than unanimously voted to ask the County if they would be willing to post the sign at the access.

Open Forum

The Board again discussed the usefulness of a reusable banner for social events, the Annual Meeting and other public gatherings. The banner or flag would simply state "AUSTIN LAKE RIPARIANS". The Board felt that this would be a prudent investment since the banner/flag could always be reused. Gary and/or Kirk will look into the cost of producing same when checking into the signage for the public access.

Discussion was had regarding a potential Lakeview Park courtesy dock. Inquiries had been made about the placement of a dock for boats to moor while utilizing the park. The City has responded to this request in the past and has given several reasons for not allowing the dock: 1) liability; 2) ADA issues; 3) lack of MDNRE approval; 4) shallow water; 5) concerns over the potential number of boats which could be moored at this location.

The Board discussed the ongoing problem of people swimming toward the center of the lake. The Board felt that it may be prudent to advise against this (for obvious reasons) on the website and in the next newsletter.

The Board also discussed prudent means to remind people that the speed limit for roads around the lake is 25mph.

The Board reaffirmed that its meetings are “open meetings” for all lake residents. A change in location for future meetings (recent meetings have all been held at a Board Member’s home) may be in order depending on attendance or interest by other lake residents.

Adjournment

The meeting was adjourned around 8:31pm.

Respectfully submitted,

Brett Grossman
Secretary

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