

Austin Lake Riparian Board of Directors

Minutes from Meeting Held August 12, 2009

Present: John Crago, Kirk Wolf, Jim Pearson, Don Mordas, Brian Johnson, Brett Grossman, Seth Gien, Gary Hahn, Norm Young (News/Website Editor).

Absent: Larry Pio (with notice and excuse).

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

Resignation of Wes Carpenter From Board of Directors

The first order of business was an announcement that Wes Carpenter has resigned from the Board due to personal reasons. As such, Gary Hahn, former alternate, has become an active member of the Board. The Board will need to decide whether to name or appoint an alternate board member in his stead.

Approval of Minutes from May 27, 2009 Meeting

The minutes from the May 27, 2009 were approved unanimously by the Board.

Treasurer's Report

The Treasurer's Report, previously circulated via e-mail by Larry Pio, was approved unanimously by the Board. The sole expenditure was \$56.82 relating to changes and improvements made to the Board's website.

Voluntary Donation Fund

The Treasurer's Report indicates that there was approximately \$200.00 (of about \$4,000.00 total in the Board's bank account) which had been donated to the Board voluntarily by residents of Austin Lake. It has been suggested that the Riparian Board seek the input of lake residents for potential uses of these funds, perhaps through the use of the website. Similar to the previous meeting, the Board agreed to table any further conversation in this regard until a specific need for these funds is identified.

Website

Website Editor Norm Young confirmed that the website domain austinlakeportage.com had been obtained is now home to the Board's website. The former website austinlakeriparians.org is also still active, however, it will not be renewed.

Later on in the meeting it was confirmed that the minutes for the meetings of the Board of Directors will be posted on the Board's website. Minutes from upcoming meetings of the Governmental Lake Board (GLB) will also be posted on the website.

There was also discussion concerning the posting of an objective, fact based description of GLBs for use on the website. After further discussion, the Board decided the following language and information will be utilized:

Austin Lake has a Governmental Lake Board. A Governmental Lake Board (or GLB) is a legal entity which is designed to act on behalf of the lake property owners (note: The Austin Lake Riparian board is not a GLB). The GLB consists of County and City representatives and must have at least one lake property owner.

Austin Lake's GLB was established by Portage City Council. Possible lake projects are referred by the Portage City Council to the GLB for evaluation and possible implementation. The GLB can request property assessments to pay for the projects. The GLB must follow Michigan regulations which are spelled out in **Chapter 324** of the "Natural Resources and Environmental Protection Act."

Austin Lake's Governmental Lake Board (GLB) consists of Don Mordas (Austin Lake Resident), Ed Sackley (Portage City Council), Elizabeth Campbell (Portage City Council), John Zull (Kalamazoo County Commission) and Patricia Crowley (Drain Commissioner).

Don Mordas, Austin Lake Resident, can be reached at 269-484-4419 or [**donald.m.mordas@pfizer.com**](mailto:donald.m.mordas@pfizer.com)

Later on in the meeting, there was further discussion on how to update the language concerning the status of the aeration project on the website. Jim Pearson presented some proposed language in this regard. After further discussion, the following language was agreed upon for publication on the website:

In December of 2008, an Aeration Project petition was circulated and approved by South Bay residences. Of 133 Riparian properties, 74 (55%) signed in support, 25 (19%) declined to sign and 34 (26%) could not be reached.

On January 27, 2009 the petition was presented to the Portage City Council for their approval, but was withdrawn due to technical reasons.

The Portage City Council reactivated Austin Lake's Governmental Lake Board (see tab to left) so on August 12, 2009 the Riparian Board voted to re-submit the aeration proposal to the city council in hopes it will be referred to the GLB.

Other miscellaneous items concerning the website were discussed. For example, it was suggested that the board in conjunction with Norm Young look into ways to make the site more interactive (e.g. question/answer items or a generic email for question submission). It was agreed that the Board members' e-mail addresses would be posted on the website for resident contact purposes.

Norm Young agreed that he would look into other ways to make the site more interactive in this regard. On Mr. Young's suggestion, the Board agreed that the amount of water output from Pfizer into Austin Lake would be relevant information to put on the website. The website will also be used to announce future dates and times of Board meetings to inform the residents of same.

GLB Update

Don Mordas provided the Board an update on the activities of the GLB. The existing GLB was apparently very impressed with all three (3) of the candidates nominated by the Board (see May 27, 2009 Minutes for more information) and selected Don as the lake resident member of the GLB. It was suggested that Don's contact information be posted on the website so that residents can contact him with GLB related questions/concerns. As further background, Ed Sackley, Jr., Portage City Councilman and Mayor Pro-Tem, was named as Chairman of the GLB and Elizabeth Campbell, Portage City Councilwoman, was named Secretary.

Don Mordas said that the first GLB meeting he attended was essentially to address "housekeeping" details. Now that the GLB has been formed and convened, it awaits a project for its consideration. A project for potential submission would be the aeration project for the South Bay (see details/action below). No other projects (e.g. dredging, weed control) are on the "horizon" at this time.

The next GLB meeting will take place once the City Council refers it a project for its consideration.

Aeration Project

The next order of discussion concerned the proposed aeration project in the South Bay. Essentially, the project is "on hold" pending its consideration by the GLB. No action has been taken on this project because the petition to the City Council was withdrawn so that the GLB could be convened as this type of project, and its subsequent approval, disapproval and scope, will now be under GLB jurisdiction.

Don Mordas reiterated that vendors had been considered for the project prior to learning that this project would need to be submitted to the GLB. Board members indicated their hope that the work done by the Austin Lake Riparian Board and the residents of the South Bay would be put to use by the GLB as it considers this Project. Don also indicated that he had visited Sherman and Willow Lakes and the aeration projects in those lakes seemed to be having positive results.

The Board then discussed about whether or not the aeration project should be submitted by the Board as whole to the City Council. In other words, the Board discussed whether or not it would be

endorsing the aeration project as a cause worthy of consideration by the GLB. The factual events giving rise to the aeration project and its current status was discussed (including the petition circulated to 134 property owners in the South Bay). After further discussion, Brian Johnson proposed that the Board (as a whole) present the aeration project to the City Council for consideration by the GLB. With the exception of Mr. Giem, all members agreed that the aeration project should be presented to the City Council by the Board, and it was agreed that this would be done at an upcoming meeting of the Council. By a vote of 7-1 it was agreed that members of the Board would present the aeration project to the City Council for consideration by the GLB as soon as possible.

There was a great deal of discussion as to how to present the aeration project to the City Council for referral, consideration and possible implementation by the GLB. It was decided that Jim Pearson would contact Brian Bowling (Portage Assistant City Manager) and/or Jim Hudson (City Clerk) for input on how best to present the aeration project to the City Council. John Crago also suggested contacting the Long Lake GLB to determine how, in the past, various projects were submitted for its consideration.

Zebra Mussels

Lake residents have continued to note the presence of zebra mussels in the Lake. The Board will continue to monitor this situation with no further action at this time.

Concerns Related to Giem Property and Dam Area

At the May 27, 2009 meeting the Board asked Seth Giem to present language to be included on the website and/or newsletter concerning respectable use of the lake in front of or on his property. Mr. Giem did not present any such language, indicating that many of the issues he previously experienced in this regard were now being observed in front of the Higgins Property located to the Southwest of his land.

Upon further discussion, it was decided that the Board would include a generic statement concerning general respect for the property of others. Norm Young mentioned that such a statement was used a few years back in the newsletter and that perhaps it would be appropriate to reuse at this time. The Board agreed with this suggestion.

Increasing Interest in the Board and Board Activity

Kirk Wolf suggested that the Board look into ways to get additional lake property owners involved in the Board or at least the various issues being addressed by the Board. The website and newsletter will continue to be utilized for informational purposes. Additionally, Mr. Wolf suggested the Board set up a committee to attempt to orchestrate some future social events. These events would be opportunities for the Board members to interact with other residents and apprise them of ongoing activities.

The Board agreed that Kirk Wolf should contact lake resident Dani Kinder to see if she has interest in spearheading a “social committee” for these purposes. The Board collectively agreed that additional efforts to involve as many lake residents as possible should be a priority going forward.

Riparian Board Pontoon Trailer at Right-Way-Rental

Proceeds from the trailer rental through Right-Way-Rental were received. The Board reiterated its hope and request that lake residents utilize this trailer as the revenue from its rental are utilized to fund the Board.

The Board also discussed that it was important to have Right-Way-Rental promoting use of this trailer to the lake residents. The Board has historically published a Right-Way-Rental advertisement in its newsletter in exchange for this business relationship. Brett Grossman will follow-up with Mr. Gary Vermeulen of Right-Way-Rental to make that the pontoon trailer is being promoted for use for lake residents.

Next Meeting

Upon presentation of the aeration project to the City Council, the Board members anticipate the next meeting of the Board will take place prior to the GLB’s consideration of this project. The date and time will be posted on the website.

Adjournment

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Brett Grossman
Secretary