



Magician Lake Improvement Association

07/12/06

Minutes of the MLIA Annual Meeting July 8, 2006

The meeting was held at the Silver Creek Township Hall and called to order by President Kay Dukesherer at 9:03 AM EDT. Other board members present were Dick Morey, Treasurer, Dick Stauffer, Director and Secretary Bill Boehnlein. 34 people attended the meeting according to the sign in sheet.

Bill Boehnlein read the minutes of the previous annual meeting of July 9, 2005. Dick Stauffer then motioned for acceptance of the minutes, Dick Morey seconded and the minutes were approved as read.

Kay Dukesherer noted that Bill Saunders has submitted a letter of resignation citing job duties. The board accepted his resignation. Charlotte Poole has offered to become a Director of the association board and was accepted by the board members present. Charlotte was present at this meeting. Kay also reported that the current board is up for re-election in 2007 and any one interested in any of the positions should keep this in mind. This election will take place on the first Saturday following July 4, 2007

Dick Morey then read the Treasurer's and Budget Report. The report read as follows:

Opening Balances 1/1/06			\$4,437
Account Balance 7/9/06			\$3,258
Income	210 Renewals	\$4,200	
	20 New Members	400	
	8 Advertisers X \$80	480	
Total Income			\$5,080
Expenses			
	Recruitment	\$300	
	4 Newsletters	800	
	ML&SA	289	
	Riparian Magazine	1,416	
	ML&SA Conferences Spring and Fall	750	
	DUHS Project	400	
	Monitoring/Water Testing	200	
	MLIA Insurance	1063	
	Training	300	
Total Expenses			\$5,518
Estimated Balance 12/31/06			\$3,999

Kay and Dick both reminded all that membership fees are over due as of this meeting. The current dues remain at \$20 and should be given or sent this week to Dick Morey.

Dick Morey gave a report on the lake water level for Craig McCoy who was absent. Dick distributed copies of Craig's report; a summary of the levels and his actions since the first of the year. Craig received a letter

from the Cass County Drain Commissioner, Jeff Van Bell directing him to not block any of the hole in the board on the dam. When Dick Morey, in Craig's absence, spoke with Jeff, he indicated he would allow a partial blockage for a short period of time to see if it made any appreciable difference. The current level of the lake was 2 inches below the top of the board in the dam. Much discussion ensued about the hole being required by design or added later. Dick Morey stated that he can only do what's allowed by law and directed by the Drain Commissioner. So any issues should be directed to the Drain Commissioner. Kay Dukeshere noted that we get complaints from some owners when the level is too high and different owners when it is low and always refer them to Jeff Van Bell. The Lake Association does not perform this custodianship. Craig McCoy is the custodian.

Next Dick Stauffer introduced Kirk Graham, one of the Cass county Marine Patrolmen. Kirk answered questions from the floor, some of which are summarized here. Kirk also reminded attendees that boat registrations expire in March of the year on the decal so if your decal says 06, it's expired.

Kirk responded to several questions about ages, boating certificate requirements and so on. Since everyone born after December 31, 1978 will be required to have this certificate to operate a PWC, eventually all operators will have to have one. See <http://boat-ed.com/mi/handbook/whomayoperate.htm> for specific details.

One of the questions fielded by Kirk was concerning the legal distance someone should be from rafts, piers, and other items in the water. Kirk related that any watercraft moving a greater than no wake speed must be a minimum of 100 feet from piers, rafts etc., 150 feet from someone towing or being towed and 200 feet from someone diving.

Kirk responded to a question about where a child should sit on a PWC by stating there is no law but common sense should dictate where depending on the size of the child.

Other issues discussed were the speed limit which is 55 mph day or night, operation must be in a counterclockwise direction, towing must stop at one hour after sunset, PWC operation from 8:00 AM until one hour before sunset and that, while legally not a requirement, a PWC being used for towing should have enough seating for the number being towed besides the operator and the spotter.

A question was raised about authorized lighting on boats. Kirk replied that only the red and green and the white marker light are legal for boats in motion and only the white marker for boats moored. Docking lights should be used for only that purpose and not as headlights. Several attendees related of a boat operating late night to early morning using an array of spot lights filling the shoreline with light.

Kirk also discussed the current laws on drinking alcohol on boats and, while it isn't illegal yet, he strongly suggested anyone operating a watercraft not consume any before or during operation. He also stated that right now Michigan's operating under the influence (OUI) law sets the limit at 0.10 for boat operation but they can still ticket some one for operating impaired at 0.08 and he fully expects that very soon, OUI will be reduced to 0.08 as well.

In closing, Kirk related that Cass's Marine Patrol Division provides coverage for over 90 lakes during the season with 5 deputies and 1 full time Marine Patrolman so extensive coverage of any lake is impossible. He did state that Magician is the second busiest lake in the county and coverage is provided accordingly. Kirk did state that an individual can call in a complaint; especially if you have the registration number of the suspected violator. However, it may be necessary for the individual to sign the complaint since the patrolman was not there to witness the incident.

The board and all attendees thanked Kirk for his time at the meeting as well as their efforts to keep our waters safe. For full information regarding Michigan's water safety rules, contact the Cass or Van Buren County sheriff's office or visit <http://boat-ed.com/mi/handbook/>

Some discussion followed about the availability of no phosphate fertilizers. Kay stated the Dick Judd of Judd's lumber was investigating a source and would carry it if he can get a reliable supplier. Eau Claire Fruit Exchange carries one brand. One of the attendees stated that Home Depot carries an organic fertilizer called Lawn Restore and there's also a commercial product called Nature Safe. Kay also indicated that the algae bloom will be occurring shortly and should tell us how well we are doing at keeping the lake phosphate free. Charlotte added that another factor affecting the algae bloom may be the presence of zebra mussels. Several others felt there was an increase of muscles this year.

Dick Morey then gave a summary of the water quality program he oversees. He stated that the last Secchi disk reading (water clarity) was at 13 feet. In the early spring it's usually 25 feet or better. Last year it was very poor, around 4 feet by the end of the summer season. Dick also takes phosphorus reading and a bi-weekly dissolved oxygen sample. He reported that we still have no confirmed findings of Eurasian milfoil and we should be grateful we've avoided it thus far.

Kay asked if anyone was present from the east end where there was such a problem with leaf buildup last year. No one from that area was present so there was no report. We had put a notice in the newsletter and sent notification to lawn services asking them to avoid putting leaves and grass in the lake.

New Business

An issue was brought up concerning Cass County sheriff patrols and their response to incidents. One attendee reported his boat trailer had been set on fire with an accelerant used. He is located on the northwest end of the lake. He reported that several calls to the sheriff's office as a follow up to this incident have gone unanswered. He did thank volunteer fire departments for their efforts to keep the fire in check and prevent other structures from being consumed.

A question was raised about what to do about "blighted" property. Kay indicated that you should contact the township that the property is located in.

An attendee asked what percentage of the lake property owners are members of this association. Dick Morey related that our membership had peaked at close to 250 members. His estimate was that there are around 500 property owners so we have had as much as about 50%. Dick also stated that we will be conducting another membership drive this year. A suggestion was made to send a copy of the association's newsletter to prospective members.

A question was raised about road ends and Dick Stauffer indicated that, unless it's under the control of the township, the only recourse, if there's suspected illegal use, is to get a copy of the deed or dedication of the parcel in question then most likely pursue litigation.

Cynthia Polk Muller reported that the bridge passing over the channel on the south shore commonly called Polk Channel will be replaced soon and it may disrupt navigation in the channel until complete.

Terry Wittorp commented on the MEANDRS (Meeting Ecological and Agricultural Needs in the Dowagiac River System) program. He suggested anyone interested look at the Dodd Park Project. This park is located on Creek Road, five miles NE of Niles, near Sumnerville. The pilot project is near completion.

A question was raised about what fish are stocked in Magician. Kay stated the state is only stocking walleye and that's only about every other year. She will call the DNR.

Bill Boehnlein then motioned for adjournment and was supported by Dick Morey. President, Kay Dukesherer, then called the meeting to adjournment at 10:49 EDT.

Respectfully submitted,

Bill Boehnlein
Secretary Magician Lake Improvement Association