



# Magician Lake Improvement Association

July 25, 2010

Minutes of the Magician Lake Improvement Association's Annual Meeting, July 16, 2011

The meeting was held at Silver Creek Township hall and was called to order by President Jim Sullivan at 9:05 AM EDT with the pledge to the flag. There were 51 members in attendance according to the sign in sheet and 2 guests. Board members present were Vice President, Craig McCoy, Treasurer, Dick Morey, Secretary, Bill Boehnlein, Cynthia Polk Muller, Jim Dudley and Kay Dukesherer. The guests were Jennifer Jones of Lakeshore Environmental and Cass County Undersheriff Rick Behnke

A motion from the floor was made to approve the minutes of the annual meeting from July 17, 2010 as posted to the MLIA web site. The motion was seconded and, following a vote, the motion passed.

Dick Morey then presented the association budget which is attached.

Following this, a motion was made to accept the budget as presented and the motion was seconded. A vote was taken and the motion passed.

The next topic on the agenda was the election of two board member positions that had finished their 3 year term. These positions are those held by Dick Morey and Kay Dukesherer. Both individuals indicated their willingness to stay on the board and, following a request for any further nominations with no response, the nominations were closed. Dick and Kay return to their positions on the board for another 3 year term. Jim Sullivan noted that there currently was one additional vacant opening for a board member and asked if there was anyone interested in serving on the board. Member Nick Barnes was the lone volunteer and Jim closed the nominations and welcomed Nick to the board.

Dick Morey then gave a summary of the EWM treatment recently applied to the Silver Creek portion of the lake and channels. He reported that the treatment went well and there would be a follow up survey to determine the effectiveness of this treatment. He stated the next application should take place in late May to early June of 2012. Dick then introduced Jennifer Jones of Lakeshore Environmental. Jennifer showed a map of Magician marked with the locations of EWM. She stated there would be a follow up survey in early August of this year and again in the spring of 2012. She went on to emphasize the need for continued control even after it appears to be eradicated. She also stated that if the treatment wasn't as effective as expected, she would test to see if this may be a hybrid strain of EWM and, if so, they would increase the dosage. Several questions from the floor followed. One concerned the statement about not using lake water to water ornamentals for at least 2 weeks. Jennifer explained that 2 weeks was more than enough; especially where our water is moving. If it were stagnant, the 2 weeks was a better guide. Another question concerned the selection of the day of the week for application and suggested that early in the week would be better. Jennifer explained that the applicator has a full schedule and weather makes it even more difficult so we have to take what's available but weekends will be avoided. The effects on fishing were the next question. Jennifer explained that we have plenty of native vegetation and eliminating the EWM will actually improve fishing by allowing growth of good pond weeds. Another attendee questioned if the creek flow had any effect on the treatment. Jennifer explained that the chemicals are granular and are absorbed into the roots of the EWM within a very short period of time. The effect of not treating the Keeler Township portion of the lake was the next question. Jennifer responded that it does have a detrimental

effect. Among other things, boat traffic will disperse the EWM still growing untreated from the Keeler portion to the treated portion that will result in new growth. Dick Morey interjected that the objection letter from Don Blackmond is still preventing this portion from being treated but there is a bill in the Michigan House to change the ability to do this. But he stated that getting a bill passed will take time. He further stated that there is an individual heading up an effort to pay for this treatment through individual and he suggested anyone interested see him after the meeting.

During the EWM discussions, some attendees had concerns over algae seen in various areas of the lake. After some discussion about types of algae, Dick Morey volunteered to gather samples and have them tested. Dick also noted that the Riparian Magazine received quarterly as part of the MLIA membership has various articles concerning invasive plants and other species.

Dick Morey then asked if there was any more interested in signing up to get a new aerial photo of Magician. He stated that he needed at least 15 to make it cost effective and he has 13 signed up thus far.

Jim Sullivan then addressed the topic of bubblers used in the winter around permanent type piers. Jim introduced Don Blackmond to relate a personal experience he had while still a practicing lawyer. Don then related a case he had been working on before he retired that concerned a manmade structure that was deemed to be the cause of 3 children falling through the ice on Lake of the Four Seasons. One child died, one suffered permanent brain damage and the third suffered severe mental trauma. He stated that he had retired before the case was finally settled; he learned that the family was eventually awarded \$13 million in damages because the manmade structure interfered with the natural state. He cautioned that bubblers may be considered in the same category but noted that there is currently no legislation to prevent them from being used. Craig McCoy then asked about the bubbler the Keeler Township has at the east end of the lake at the fire lane. Don stated that he may check with the DNR but it would require a state statute to restrict bubblers.

Craig McCoy then gave an update of the current lake level stating it was as of that morning, .12 of a foot above the summer level set by court order. That's 1.2 inches. Craig also reported on rainfall measured at his rain gauges at various times over the summer. He also stated he has checked the level approximately 10 times so far this summer. He noted that the summer level is 763 feet above sea level set by court order and the winter level is one foot below that or 762 feet above sea level. He also noted that, if there were any issues, the Cass County Water Resource Commissioner, Bruce Campbell should be contacted. A question from one of the attendees asked why the board couldn't be put in at the start of the season or April 1<sup>st</sup> and removed at the end, October 1<sup>st</sup>. After some discussion, Craig noted that this is not going to be done as the court order could very well be violated if that were done.

A potential 4<sup>th</sup> of July boat parade was discussed. It was not known who organized the one this year but this is not an association sponsored function; mostly because of liability issues. But it was suggested that, if any member(s) wish to organize one, we would publish the information in our newsletter and on our web site.

Kay Dukesherer then reported on some information concerning the DNR. First she stated that Magician had been stocked with over 21,000 walleye fingerlings this year. She also reported that no permit is required any longer to hold a fishing tournament that will have less than 50 boats. She also noted that the coming weekend, she learned of a tournament that will be held and 30 boats were scheduled to be there.

Kay then introduced Cass County Undersheriff Rick Behnke. Rick gave a very informative presentation of what's available on the internet about crime in our area. One can go to [www.crimereports.com](http://www.crimereports.com) and learn about what recent crimes have been reported in any specified area. There is also information available at

[www.ccsso.info](http://www.ccsso.info) which is the Cass County Sheriff's Office web site. There you can view recent crimes, see the location of registered sex offenders and even anonymously provide information concerning a crime or suspicious activity. Rick then reported on the Marine Patrol Division's statistics for 2010 and 2011 through the end of June. These statistics included information from the Van Buren County Sheriff's activity on Magician as well. Rick's presentation as well as these statistics was given as a handout to all attendees. The statistics alone will be posted on the association's web site at [www.magician-lake.org](http://www.magician-lake.org). Rick commented about the interpretation for the availability of personal flotation devices and stated that their current position is that they can be stowed but you must have one of the appropriate sizes for everyone on board and a throw able besides and children of a certain age and younger must wear one. The amount of coverage for Magician was questioned and Rick responded that Cass County has 160 lakes and 550 square miles and the Marine Patrol is only a part time function and with additional budget cuts, the amount of time available is substantially reduced. He did note that Magician and Diamond receive by far the greatest amount of coverage. He also noted that the response time for a call to the Cass County Sherriff's dispatch, on average is 20 minutes. When questioned about the amount of warnings given to the amount of tickets, Rick responded that they try to use some reasonable judgment. They will usually issue a warning if there's only a single violation during a stop but issue a ticket for multiple violations. HE did say that a single violation of the 100 foot or no wake rule and reckless operation are a few of the violations that will likely be issued for a single offense. He also noted that, since the marine patrol is part time, any ticket written requires the patrolman to take time off their full time job to be at court to address the ticket. He also noted that none of the revenue from the tickets goes to the Sheriff's office. It all goes to the County Library.

Jim Sullivan then commented that Jennifer Jones of Lakeshore Environmental commented to him about where Magician stands compared to the over 500 lakes she has dealt with. Jennifer stated that, in her opinion, Magician is in the top 5 to 10% of the best lakes she's dealt with. This also prompted Jim to than Dick Morey for all his efforts in water testing our lake over the years.

One of the attendees asked if anyone knew what could be done to restrain or prevent the Canada geese from filling their yard with excrement. Jennifer Jones responded that different areas require different strategies. Dick Morey commented that providing some type of natural line of site blockage like ornamental grasses between where the geese tend to come and the lake itself is a deterrent. Jennifer also said that stringing something reflective, like CD's will also deter them from coming on land. It was noted and reinforced by Rick Behnke that shooting a gun, even just for the noise to scare them is considered a careless discharge of a fire arm and not allowed.

A final question from the floor was concerning the status of the Crooked Lakes augmentation efforts. Kay Dukesherer reported that the court ruled that they could proceed with augmentation. They haven't actually pumped any water yet since the levels have been high enough to not require any augmentation.

A motion for adjournment came from the floor as did a second and the motion passed. The meeting adjourned at 10:59 AM

Respectfully submitted,

Bill Boehlein  
Secretary Magician Lake Improvement Association

MAGICIAN LAKE IMPROVEMENT ASSOCIATION

BUDGET 2011 & TREASURER'S REPORT

OPENING BALANCE – 1/1/11		\$1,853
INCOME:		
205 Renewals	\$5,125	
15 New	375	
Reimbursement TAD Expenses	5,677	
5 Advertisers	400	11,577
TOTAL INCOME		\$13,430
EXPENSES:		
Water Testing	194	
MLSA Dues	250	
Riparian Magazine	1,864	
MLSA- Conferences	150	
Officers Insurance	771	
Signs	108	
MLIA Decals	233	
4 Newsletters	850	
TOTAL EXPENSES		\$4,420
ESTIMATED CLOSING BALANCE – 12/31/11		\$9,010