



Magician Lake Improvement Association

July 22, 2010

Minutes of the Magician Lake Improvement Association's Annual Meeting, July 17, 2010

The meeting was held at Silver Creek Township hall and was called to order by acting president Craig McCoy at 9:00 AM EDT with the pledge to the flag. There were 49 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, Board members Dan Kuruzar, Jim Sullivan and Kay Dukesherer. The guests were Jennifer Jones of Lakeshore Environmental and Bill Kays, Township Assessor for Keller and Silver Creek Townships.

Craig then introduced the members of the board and guest Jennifer Jones. He also noted that past president Charlotte Poole has resigned and he would chair the meeting as acting president. He also thanked Charlotte for her years of dedicated service both as president and previously as a board member.

Kay Dukesherer made a motion to approve the minutes of the annual meeting from July 12, 2009 as posted to the MLIA web site. Ed Miller seconded the motion and, following a vote, the motion passed.

Dick Morey then presented the association budget which attached. s shown below

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

Howard Poole asked if there should be an outside audit of the finances of the association. Other comments included the possibility of having some type of internal audit using other board members. This will be reviewed by the board at their next board meeting. Bill Kays, commented that all monies from the special tax assessment district to treat Eurasian Water Milfoil, if created, would be controlled by the townships and be audited by an independent organization.

Kay Dukesherer commented that there is a pending revision the association bylaws to change the number of directors for the association board from 7 to 9.

Craig then noted that, due to a scheduling conflict, Bill Kays had to leave early and suggested revising the order of the agenda to accommodate this. Bill stated that he could stay for approximately half of the scheduled 2 hours so he was somewhat flexible.

Because of this however, the next topic was the Eurasian Water Milfoil (EWM) found in Magician Lake. Jim Sullivan gave a brief summary of this topic indicating that the Magician Lake Bay Park (MLBP) had first discovered its presence and subsequently did what was necessary to start treating it in their channel. After we, the MLIA board, became aware of this, we had a survey of Magician performed by PLM who also provides treatment services for the presence of EWM. Following this, in order to have a second opinion by someone who does not provide treatment services, we had a second survey performed by Lakeshore Environmental. Both surveys indicated enough presence of EWM for us to pursue the steps necessary to provide treatment. That includes getting sufficient signatures on a petition to be presented to both Keeler and Silver Creek township boards requesting the creating of a special tax assessment to provide the funding

by all riparian property owners for the chemical treatment of this invasive plant. We also selected Lakeshore Environmental to provide the treatment management and, following receipt of 3 sealed independent quotes, selected PLM to provide the treatment.

Some of the discussion included an attendee citing Houghton Lake as an example of what can happen if you ignore treating EWM. They stated that in less than 10 years the weed had canopied over 50% of the lake and 25% was so heavy, it was not navigable. Other comments included a statement that the Michigan Department of Environmental Quality (DEQ) had received approximately 1,500 applications to provide chemical treatment in the last year. Jim Dudley noted that MLBP's first year of treatment was the most significant and probably reduced EWM by more than 50%. Kay asked if they could still see native weeds in the channel and Jim replied that they could. Howard Poole commented that he thought the campaign to gain signatures on these petitions may be misleading and using scare tactics. He further commented that he opposed the use of chemicals and that he saw no evidence of these weeds in the lake. He recommended not signing the petition. Another comment indicated that all properties would be included in this tax assessment district including both the Don Blackmond rentals and the properties along Polk Channel. Cynthia Polk Muller voiced her support for pursuing this treatment even though she would be taxed for each benefit unit along the channel under her name.

Then Jennifer Jones of Lakeshore Environmental gave a brief summary of the life stages of EWM. She noted that it does not vary depending on the lake bottom type except it doesn't do well in very rocky conditions. She said it is not unusual to see a 50% or better reduction in the first 2 years of treatment. She further said that a granular systemic herbicide is planned to be used and applied in calm conditions. Granular media will not drift and quickly settle to the areas intended to be treated. It also absorbs into the bottom quickly. An attendee asked if water temperature affected EWM and Jennifer responded that above 85°F, the growth slows. She also commented the systemic herbicide to be used only treats "dicots" (sp) and less than 5% of the vegetation in Magician are in that classification. When asked what does fall in that classification, she replied that lily pads are the most common and they could be affected.

Dick Morey also noted that a test plot of around 15 acres of weevils will be tried in the area of the cove by Don Blackmond's son's home. This area was chosen because of the natural shoreline.

A question from the floor followed about if the DNR could furnish no wake buoys following application. Jennifer responded that the company performing the application would place the warning buoys out. Additional questions followed concerning how the grains are spread, the frequency of application and if the cost will increase if it's determined more is required the second or subsequent years. Jennifer responded that the applicator uses a calibrated spreader going at a controlled speed. The frequency, she said, will be an annual application but she did note that the MLBP is currently getting 2 applications per year. Dick Morey then stated that the cost is a "not to exceed" cost so it will never be more than the \$177 per year as stated on the petition. He added that it historically reduces significantly after the first year.

Bill Kays then explained the process that has and will take place to create the special tax assessment. He related that there were 394 identified properties in Silver Creek and 86 in Keeler that would be included. The decision was made to specify one unit as a parcel with a dwelling and a vacant lot as ½ of a unit. Once the petitions are presented and verified by the townships, 2 public hearings are held. At each of those, there's the opportunity for anyone to appeal. The meetings are 30 days apart he stated. He further related that, in order for this tax to get on the 2010 taxes, the petitions should be completed before the townships August meetings. Following a question concerning Rainbow Park, Bill replied that there's been no decision yet as to whether it will be considered one unit or multiples. He also stated that no public or commercial

properties will be taxed and noted that the only commercial property may be Midway Marine which had just recently opened again.

Some of the general discussion concerned how this is transmitted and Jennifer Jones said that, while the most likely may be from boats coming from infected lakes and not being cleaned, it can also be transmitted from birds and even wind.

Don Blackmond had a previous commitment and had to leave the meeting early but thanked the association for all their information and consideration. He also expressed his reservations about chemically treating the lake. Howard Pool added his reservations and suggested not signing the petition.

John Dukesherer asked what percentage can be spread through propellers cutting into the weed. Jennifer replied that 50 to 75% can be spread through that.

Other comments included not being able to close the public access as it would be against state law. She added that other surrounding states like Indiana, Ohio and Illinois fund treatment of the lakes but Michigan currently does not. She added that there is a plan in the works to do so but no definite estimate for completion.

Dick Morey then thanked all the volunteers for their help in the petition drive. He added that over 80% of people who have been contacted have signed. He said that approximately 55% have been contacted but there is still much to do.

Another question from the floor was that if Silver Creek had sufficient signatures but Keeler did not, would that kill the program. Jennifer responded that the township boards really don't need the petitions. It just shows them that there's support there for the program. A follow up question was how long the treatment is planned to be applied. Dick Morey replied that the special tax assessment is being requested for 5 years.

Ed Miller then reported on a new DNR Access permit that will be required starting October 1, 2010. The cost will be \$10 for residents and \$29 for non-residents. It must be displayed on any vehicle using the public access. Fines can be \$100 if a non-registered vehicle is found using the access. A resident can get this when they renew their license plates and non-residents and residents alike can get one at most places where you purchase fishing licenses.

Election of board members was the next topic. Craig McCoy related that all current board members have indicated their willingness to continue serving. Two nominations subsequently followed from the floor. Jim Pereault nominated Jim Dudley and Hilda Reiter nominated Cynthia Polk Muller. It was noted that the current by-laws only allow for 7 board members and with the two new nominees that would be 8 counting the 6 incumbents. While there is a pending by-law change to make it 9, Kay Dukesherer stated she would step down until the by-law amendment passed to allow the new candidates to serve. A motion from the floor and second was received to close the nominations and the motion passed.

Craig McCoy then gave a brief report concerning the water level of the lake. He gave a few rainfall statistics for the last few months and concluded that it is currently 763.1 as of that morning. That is 1.2 inches over the summer level. He further stated that the board is not in yet but could possibly be in if the level drops 0.1 to 0.2 feet below the summer level.

A question was then asked about the Crooked Lakes augmentation project. It was stated that there's been no court decision yet on the appeal.

The attendees were then asked by Dick Morey about the membership decals that were given to paid up members the last few years. Following some discussion, Ed Lannigan made a motion to continue to provide them, Cynthia Muller seconded the motion, and the motion passed.

Bill Boehnlein then motioned for adjournment Ed Miller seconded and the motion passed. The meeting adjourned at 11:00 PM

Respectfully submitted,

Bill Boehnlein
Secretary Magician Lake Improvement Association

Att:

Attachment to the minutes of the MLIA July 17, 2010 Annual Meeting

MAGICIAN LAKE IMPROVEMENT ASSOCIATION

BUDGET 2010

<u>OPENING BALANCE – 10-16-09</u>		\$6,296
INCOME:		
200 Renewals	\$5,000	
30 New Members	750	
5 Advertisers x \$80	400	\$6,150
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<u>BALANCE FORWARD/ 2009 INCOME</u>		<u>\$12,446</u>
EXPENSES		
4 News Letters	1,100	
MLSA/MWA Membership	350	
Riparian Magazine	1,784	
Michigan Lake/Stream Conferences	750	
Lake Monitoring/Water Testing	200	
Well Hearing	85	
MLIA Insurance	903	
Training	100	
Postage/Misc	100	
Lake Survey/Mapping/EWM Meeting/ Communications	4,252	
<u>TOTAL EXPENSES</u>		<u>\$9,624</u>
<u>ESTIMATED BALANCE 12/31/09</u>		<u>\$2,822</u>