

Lake Victoria Property Owners' Association
Laingsburg, MI 48848
Minutes: October 20, 2009

Board members present: Al Burnie, Clint Hawks, Duane Albright, Scott Danek, Mark Langworthy, Renee Gutzman & Scott Westenberg

Board members not present: Michelle Campbell, Dan Brown

Public present: Duane Ginther, Fire Chief, Bob and Khandi Brown, Paul & RaeAnn Cooper, John White, Meg Dutcher, Paula Burnie, Mick Danek, John Morrison (drain), Mark McEwen, Heather Robinson.

- I. Call to Order and President's Opening Remarks **7:01 pm** SCOTT DANEK, VP
- II. Public Comment

Update from Warren/CAFR: Glen Miller will be out the middle of this week to locate the 4 & 6" pipes and determine the location of the tank for the repairs on Westgate Drive. Paul Hebler will be working on Victoria Shore Dr this week. Les Miller has engineered drawings and will be doing the work. Discussion.

Motion to approve the Westgate Drive dry hydrant as proposed with drawings from CAFR: Al, Second Clint. Passed unanimously.

John White: Security/fishing. Trespassing for non-approved people to access the ice via LVPOA public areas. Can we make it a fine-able event? Towing hasn't worked. Possibly hire a security company to "police" the ice. Last year we had "tip-up town" out there. It is detrimental to our fish population. In three years, we can outfish this lake. We could start with no fish being kept by non-members (alone). The best way is to take it out of someone's pocket.

Khandi Brown: I agree with John completely. It needs to be explained why this is coming out, so people understand what they are discussing. My dues pay for those fish. If the member wants to take guests, they can do everything under MI rules, otherwise, no keeping fish. The unaccompanied guests are stealing our fish.

Bob Brown: Limit number of guests per pass?

Explanation of survey on fish (what will be in it). Then Scott answered, we are still on the honor system. Most people are more honest when a member is present. Enforcement becomes the issue to a point.

Duane: I just want everyone who takes the survey knows "what" we are discussing and who is a member vs who is a guest.

Mick Danek: We have a put n take fishery. The logical way is for those who do the put, do the taking. We need the will to protect our fishery. We are putting as much into fish as we do with other things (7%) and let non-members take our budget for their freezers.

Paul Cooper: The bigger issue is a liability about people who are on the ice who have no business being on our ice. If you are not a member, ice breaks, who was the liability in that case. [The state of Michigan owns the lake – it's access to the lake that is more in question – your guests are using your liability to access the water and it is their responsibility. We will ask our attorney quickly about what this issue is.]

Paula Burnie: On security, if you make a rule, that can't be enforced.

John White: Put aside in our budget, some money to hire a security co to walk around with a clipboard and ask some questions. Maybe \$1000 for starters... show the flag and see what happens. A bonded person that is protected asking their name, who invited them... simple, easy... or have them "on call"... [survey question]

Meg Dutcher: can people be deputized?

Heather Robertson: Harassment from the neighbor behind. We don't know what to do. The county has given us no options (out of their hands). [Sharon Worthington would be a great contact. Clinton County has been very responsive to noise complaints.] He stares at us all times and shines light in our house. I don't feel safe in our home town. This occurs when Nate is not home.

Paul Cooper: We have had issues with this resident too, over dogs,

John Morrison Report on Drain issues: Started with petition on drain to remove water standing behind Mike Chase's house in that LVPOA park. Discussion of how our drain system works within the Alder Creek. They are proposing making drain updates (petitions) that will update some of these drains that need repair before the road work needs to be done.

Al noted that in the early 2000s, the board voted to have the drain commission control ALL our drain easements... we need to look into that to start. The board will need to determine how to best handle branch 10 across peninsula way. In the drain under Jason Rd (branch 13), we hopefully can get the plans ready and bore it before spring, then finish in the spring.

Discussion on adding additional easement along the park on N Victoria Shore and with the land owner. **Al made a motion to use the park for part of an easement (if needed) to for the final drainage here. Second by Clint. Motion passed.**

The dry hydrant and drain on S Victoria Shore project has started. We should be done before our next meeting. Next august will be the assessment petition period for these projects and they will be rolled into each other. The assessment will go on fall taxes in 2010.

There is an area on the south channel where organic matter has settled at the head of the channel. This organic material source will be determined and something worked out. It's floating and not settling in the designated areas. We will try to keep it out of the lake as best we can.

III. Officer Reports

A. Secretary

MICHELLE CAMPBELL

1. Minutes from September

Motion to accept report: Al Second: Renee ___passed

C. Treasurer's Report

CLINT HAWKS

1. September Report

As of September 30, 2009: \$15,768.84 in Operations fund, \$29,452.10 in Assessment Fund

2. Update on payments received, money outstanding. One paid this month.

Outstanding balances:

2008: \$ 4,848.75 on liens from last year

2009: \$ 5,389.70 in unpaid dues/assessments for 2009

\$ 50.00 unpaid towing bill (Nelson)

Total \$10,238.45

3. Those unpaid being turned over to collections. No update on progress.

4. Expense list to be approved for payment

To be paid yet this month:

Mark McEwen	4 hours parks labor	Parks	\$40.00
Ed Cherenka	9 hours most on signage	Parks	\$90.00
State of Michigan	PLM Permits (2010 DEQ)	Water quality	\$1500.00
Tim Arnst	Work at dam/launch	SA NBL	\$500.00
Edgewraps.com	Signage	SA signage	\$235.00
Scott Westenberg	Tractor parts	Parks maintenance	\$5.00

TOTAL:

Motion to pay check requests: _al Second: scott w passed

Motion to accept report: mark Second: al _passed

IV. Committee Reports

A. Building

AL BURNIE

Work continuing on Lon Smith's sunroom and porch. No contact from Brad Byrnes on Victoria Shore. Met with Natalie Elkins about lot on Victoria Shore Dr – we have found a way for her to build without a variance (SWEET!). She will have prints for us to approve at next month's meeting. Prints from Wickwire's for covered porch. It meets our setbacks and we will approve and they can go to the county.

Motion to approve – Scott, Mark – approved.

Met with Paul Madden. Replace patio behind house. Wants to put on deck and new concrete. Motion: Mark, Second: Clint. Approved.

Renee approved report, second Mark. Report Approved.

B. Dam

DUANE ALBRIGHT

Dam Inspection for October 20, 2009

10/19/09 1:14pm Lake level is 790'3"

1. Monthly visual inspection completed. The dam system appears to be intact and operating properly with the exception of the rusted bottom of C2D culvert inlet. No change or visual problems at this time.
2. Tim Arrnst (Worthy Acres) is billing \$500.00 for work he has completed:
 - A. \$120.00 - Mowing of dam this summer.
 - B. \$150.00 - 6x6 Timbers to line the parking area at the north boat launch.
 - C. \$180.00 - Move telephone poles from the association pole barn to the north boat launch and position them.
 - D. \$50.00 - Move gravel from the north boat ramp to fill holes at the end of ramp.
3. Tim Arrnst (Worthy Acres) is quoting \$140.00 for 2-yards of 1" to 6" in size crushed concrete to be placed at the end of both the north and south boat ramps. This would extend the area boat trailers can be driven into the water. It will also help stabilize the area from prop washout when members attempt to power load their boats.

Motion by Renee to approve the \$140 for both ramps. Second – scott W. Approved.

4. Contacted four commercial painters to quote the prepping and painting the sides of the Main Dam Riser. B&J Painting 484-5200, A-1 Superior Power Wash & Painting 669-7385, Parrish Painters 881-0079 and McCardell Painting, 339-3473. McCardell, Rick Adams LVPOA resident, Only Rick Adams turned in a quote for \$630.00 to do the project.

Motion by Al to approve Ricky Adams to take on this project. Second Al. Passed.

5. Quotes to face the dam with rocks and line the Closure 1 Dam Auxiliary Overflow.
 - A. +/- \$100,000.00 T&E Farms 989-288-3045 to place large rocks on the face of the dam. This Quote did not include the lining of the Auxiliary Overflow.
 - B. +/- \$96,600.00 Contech 616-403-5525 which includes interlocking blocks and fabric mat material. This quote does not include any installation labor.
 - C. +/- \$45,700.00 All Terrain 655-5448 which includes 8"to14" stones over a mat material to face the dam.

Crushed concrete over a mat material to line the Auxiliary Overflow. (LVPOA member company).

10/14/09 5:07pm Lake level is 790'3"

DISCUSSION ON THESE ISSUES. QUESTIONS.

Al motions to go forward on the spillway portion of option C (\$6563), and work with All Terrain on scheduling the rest of the full project in stages and to work out payment situation not to exceed \$46,000. Second by Mark. Motion passes. Clint will work with Bank and Duane on determining the best way to finance this operation.

· The MD Riser Valve was closed. The lake level is down 18.5". Although the plan was to close the valve at 189.9" the water was beyond the end of the concrete at the north boat launch. This was level it was dropped to last year so it was determined that this was low enough.

10/12/09 12:43pm · Keith Putnam (Trapper 989-834-2334) will trap for muskrat during the season. He will need a gate key while he traps. Let people know he will trap for members.

· LVPOA is in Zone #3. The season runs from Nov. 10 to Jan. 31.

10/12/09 9:00am Lake level is 790'6"

· Met with Wayne Baum (All Terrain 517-655-5440) and Kim Dutcher to review adjustments to the quote for the MD Rock Facing / C1D Auxiliary Spillway Lining Project. He will have an adjusted quote ready for me in time for the Oct. 20 meeting.

10/09/09 11:43am Lake level is 790'9"

· Walk along the waters edge of the dam and did not see any signs of muskrats.

10/09/09 Because of the cold weather a commercial painter will be needed to finish painting the MD Riser. The temperature is too low to apply the paint. Some type of tenting will be needed to allow the area to be heated for painting. Message have been left with four commercial painters asking for quotes.

10/04/09 3:35pm Lake level is 791'3"

10/01/09 10:20am Lake level is 791'6"

· Conducted the Yearly Primary Spillway Valve Test. The valve is operating correctly.

· The MD Primary Spillway Valve has been opened 4" to begin the lowering of the lake. The valve will be left open until the lake level reaches 789'9" to assist in the yearend maintenance projects.

· Tim Arrnst (Worthy Acres) has moved a pile of unused gravel at the north boat ramp to fill the two holes at the end of the ramp where someone has power loaded their boat. He charged us \$50.00. Tim is going to put together a quote for some crushed concrete to be placed at the end of both of the boat ramps.

09/25/09 7:32am - I've been in contact with Jon Morrison of the Clinton County Drain Commission. As requested by the board I've asked Jon for a written document describing how the LVPOA would be effected if we were to agree to allowing the CCDC to included the area between the Peninsula Way culvert and the Culvert leading under Price road by the Primary Spillway drain culvert.

- An email was sent to the board members with Jon's response (received on 09/23/09 11:39am) and a Drain Easement document for the board to review and modify if needed. I'm sure well want our attorney to review what ever we come up with. Jon is very willing to work with us. He is also going to try to join us at the October meeting to answer questions if his schedule allows.

09/23/09 2:43pm - Left a message for Tim Arrnst (Worthy Acres) asking him if he is available to move some gravel from a pile at the north boat ramp to fill two hole at the end of the ramp in the water where someone has power loaded their boat.

09/23/09 11:50am - Sent an email to Gary Croskey asking him for his opinion about modifying the Auxiliary Spillway and to see if he would be interested in engineering it for the LVPOA.

09/21/09 - Placed 8 ½ x 11 printed flyer at each boat ramp gate lock and on the mailboxes of all lake shore property owners as a reminder that the association will begin to be lowered the lake level on 10/01/09.

Motion to accept report: scott Second: mark passed

C. Fish

SCOTT DANEK

Fall fish plant took place this month. Put in 436 Perch (6-8"), 327 Walleye (5-7"), 10 Pike (12-14"). Full fish stocking report was submitted by John White (THANK YOU!)

Motion to accept report: clint Second: renee passed

D. Outreach

CLINT HAWKS

Sent out survey on storage area. 120 responses. 70 yes, 50 no. But, there was quite a bit of scenarios brought up about possible issues this could create (which we have already discussed all of these). There were others that offered other areas that should be addressed (island erosion, dredging, etc). This was only one area we wanted to gauge member interest, not a declaration of what was going to happen. More surveys to come.

Scott monologues on the education process BEFORE we do surveys, instead of just out of the blue.

Next one on fish keeping – Education process to start very quickly. Clint will format new survey and email out to proof between the board. Questions = member, member+guest, son and/or daughter (regardless of where they live), anyone else. ICE FISHING. KEEPING FISH WHILE THE ICE IS HARD.

Motion to accept report: mark _ Second: al _ passed

E. Parks & Maintenance

MICHELLE CAMPBELL

- o The back of the red signs should be painted this week depending on the weather.
- o Marv Burt will continue to work on the trails until we get snow.
- o Ed Cherenka has removed the buoys and some swing set items. Others will be left until the weather really turns horrible.
- o Compost days – Had a call that no one was there at 3:45 pm. Hopefully, someone was able to open the gate for Jamie George. I was out of town, I told her to call others on the board with keys and/or Ed or Mark. Two more scheduled (October 24 and Nov 7) – NEED WORKERS.
- o The bouy is the north channel is still there... Mark/Scott to work out
- o Docks are out. All signs are up and one! They look great!

Motion to accept report: Mark Second: Renee passed

F. Roads & Ditches

AL BURNIE

Brush work continuing after culvert work done. See earlier report from Morrison. Crestview is prepped for paving in the spring. Jack Powell looked into Khandi Brown's concern about drainage. Louie Robinson drainage on meridian road is completed.

Motion to accept report: Mark Second: Scott W passed

G. Rules & Regulations

SCOTT DANEK

No Report.

Motion to accept report: Clint Second: Al passed

H. Water Quality

RENEE GUTZMAN

Monitoring report back from PLM. Phosphorous level in August said we were polluted 19 to 52 level. Not sure what that means, but we need to reinforce phosphorus free lawn fertilizer!!! Disposal of clippings, leaves, etc AWAY from the shore line. The weed debris needs to move away from the shoreline. We seem to get more runoff from local ag

community and work with the drain commission to get this worked on. Contract needed for PLM – we have option of a one-year and three-year contract. 3-year contract for 2010-11-12 due to sonar and other issues with curlyleaf, milfoil and other species of weeds that will take a three year treatment schedule. If this system works as it is supposed to, we will see a dramatic reduction in weed treatments in the years following. We have been working toward this 3-year program all along.

MOTION FROM AL TO ALLOW RENEE TO SIGN A THREE YEAR CONTRACE WITH PLM. SECOND MARK. PASSED.

Keep an eye out for zebra mussels. Higgins is very infested... be vigilant. All equipment must be CLEAN going IN and OUT.

Motion to accept report: AL_ Second: mark_ passed

V. Old Business - none

VI. New Business - none

VII. Next meeting date – November 17th

VIII. Adjournment

Motion to adjourn: clint _ Second: scott w_ passed
Adjournment 10:54