

Lake Mitchell Property Owners, Incorporated (LMPOI)

2022 Annual Membership Meeting Minutes

July 9, 2022

Attendance: Approximately 25 members attended. Board members included, Stinger, Erway, Kuyers, Hufnagel.

Location: Cherry Grove Township Hall

1. **Opening remarks:** Dave Stinger, board president, opened the meeting shortly after 10 am by thanking those in attendance for their support.
 - Introductions of LMPOI Board Members: Each board member in attendance briefly introduced him/herself and described why they were interested in serving on the board.
 - Brief history of the LMPOI: Dave provided this.
 - Bylaws on website: Dave noted that LMPOI bylaws are on the website and available to all members.
 - Ron Moelker's service: Dave noted that Ron Moelker has served on the LMPOI board for many years and thanked him for his valuable service to all Lake Mitchell property owners.

2. **Membership Announcements:** Jackie Erway, board vice president, noted that the LMPOI has approximately 170 dues-paying members. She also noted the following items.
 - Rules, voting: Only members who have paid their dues prior to the annual meeting may vote at the meeting.
 - Annual dues: Are payable between January 1 and June 30th each year.
 - Communication: The primary method of communicating with members is via the LMPOI website and Facebook. Occasionally mailings are used but they are more expensive and require more labor to do.

3. **Financial Report:** Dave Kuyers, board treasurer, distributed and commented on the 2021 LMPOI financial statement. Revenue is comprised of member dues. Chief expenses are professional fees (legal help, PayPal fees) and mailings (paper, ink and postage). The 12-31-22 fund balance is approximately \$7,500. There are no non-financial assets.

4. **Weed Report:** Ron Moelker, past board member, provided an update on Lake Mitchell weed control activities. He noted that LMPOI's role is primarily monitoring and supporting the work of the Lake Mitchell Improvement Board (LMIB). The LMIB is focused on weed control and the overall physical health of the lake. Dave Stinger thanked our riparian representative Ron Klimp who represents the LMPOI on the LMIB board. Mike Soloman is the chairman of the LMIB. He works for Restorative Life Sciences and is also the long-time area Drain Commissioner. Mike provided more details related to weed types (native and invasive) and treatments. It was noted that all lakefront property owners should not use any

fertilizers containing phosphorus. One property owner asked about zebra mussels and Mike noted that there is no effective way of eradicating them from the lake.

5. **Lake Levels:** Dave Stinger talked about dam condition (needs some repair), dam closures (can't ever be completely closed due to downriver needs), and summer/winter water levels (summer water level is more a function of rain amount and evaporation rather than dam closure). He also noted that there is more property runoff water in the lake because of larger houses being built on the lake.

6. **Fishing Update:** Ron Moelker, who is also an avid fisherman, noted that the lake has changed significantly in the past twenty years as weed beds have changed for the worse (less gravel and sand and more muck and milfoil). The lake is no longer able to sustain itself with fish reproduction and population levels are maintained by planting fish developed at fish hatcheries. For example, he reported that 119,000 walleyes were planted in the lake this spring. Ice fishing was down last winter but is expected to be better this winter.

In February the LMPOI board met with Mark Tonello, who lives on Lake Mitchell and is the Michigan DNR representative for the area that includes our lake. Mark talked to the board about (1) lake conditions (much better than other regional lakes without sewer systems), (2) threats to fishing (eg increased early season over-fishing and boating in shallow waters disturbing fish habitats and spawning; increasing water temperatures due to climate change), (3) actions to improve fishing (eg continue appropriate aquatic plant management, stop fertilizing near the lake because the fertilizer seeps into the ground water and then into the lake like septic systems do), and (4) the impact of zebra mussels (they clear up the water, letting in more light, resulting in the growth of more undesirable weeds that disturb the fish habitat).

7. **Sewer issues:** This topic dominated the second half of the meeting and was of high interest to most of the LMPOI members in attendance. The following subjects were discussed with active participation and many questions from members.
 - The member petition mailing last November summarized the issues. Thanks to those who signed and returned the petition urging appointment of impactful customer representation on the LMSA board.
 - Our other unsuccessful efforts to get customer representation on the LMSA board since then were discussed.
 - Prior legal work and legal expenses were reviewed. The conclusion reached by the LMPOI board is that there are no legal remedies to effectively influence LMSA board and management performance.
 - The only two effective options left for us to improve LMSA management and performance are: (1) Regularly attend LMSA meetings and advocate for better decision-making and greater accountability to customers. (2) Elect new township board members who are more willing to appoint competent customer representatives to the LMSA board.
 - The recent LMSA- EGLE Administrative Consent Order (ACO) was reviewed. Basically, the ACO is a written legal agreement between LMSA and the Michigan Department of Energy, Great Lakes and Environment (EGLE). The ACO describes the deficiencies in LMSA performance and specifies what LMSA will do to address them. There are significant financial penalties if LMSA

does not perform as it agrees to do in the ACO. Those penalties will be paid by all LMSA customers in the form of still higher fees.

- Planned sewer upgrades and future probable rate hikes were also discussed. It was noted that there are only 860 LMSA customers and all LMSA costs must be paid by us and us alone.
- Cadillac News coverage of LMSA issues was reviewed. LMPOI board members have met with a CN reporter twice to clarify our concerns about LMSA management. We have stated strongly that we believe sewer systems improvements are necessary and that we are not opposed to paying the cost of a well operated and maintained sewer system. Our concern is that LMSA is not well operated or maintained and that there is currently no competent customer representation on the LMSA board.
- Outreach to State Representative Michelle Hoitenga. The LMPOI board met with Rep Hoitenga last summer to ask for her help to change an outdated Michigan law which makes it possible for organizations like LMSA to be created with no mechanism for having customer representation on the board. She has not been responsive to our requests for her help.

8. **Items requiring LMPOI membership approval:** The following two motions were discussed, proposed, seconded, and approved with a voice vote by the dues paying LMPOI members in attendance.

- Motion: The LMPOI membership year is changed to be the calendar year. (This will make it easier for members to know what the membership year is.)
- Motion: Election of the following people to be LMPOI board members: Dave Stinger, Jackie Erway, Dave Kuyers, Hugh Hufnagel, and Gary Huyge. (All are currently serving on the board. During discussion of the motion, all members were encouraged to consider serving on the board and to let a current board member know of their interest.)

9. **What LMPOI members can do to help:** Jackie Erway, board vice president and Hugh Hufnagel, board secretary, noted the following ways that lakefront property owners can support the LMPOI and its efforts.

- Renew membership, pay 2022 dues.
- Recruit 2 neighbors to also join the LMPOI.
- Consider serving on the LMPOI board.
- Attend Cherry Grove, Selma and Clam Lake Township Board meetings and state your concerns about sewer system management and costs.
- Attend LMSA Board meetings and ask questions, state concerns, and read board minutes.

Note: LMSA board meetings are held on the third Tuesday of each month, usually in the Selma Township Hall.

Note: Only 1-3 LMPOI board members have been typically attending these meetings. More lakefront property owners need to attend the meetings to state our concerns and ideas.

Note: The LMSA Board does not include any sewer bill-paying customer representation, except for one condo resident.

- Consider running for your Township Board and vote for new Township Board members.
- Contact any of us currently serving on the LMPOI board us when you have any questions or concerns.

10. **Adjournment:** The annual membership meeting was adjourned at approximately 12:30 pm.

*T
h
e
s
e*

*m
i
n
u
t
e
s*

*r
e
v
i
s
e
d*

*b
y*

*H
u
g
h*

*H
u
f
n
a
g
e
l*

*o
n*

o