

Special CLTA General Membership Meeting

8/9/18

The meeting was called to order at 6:00 P.M. by President Jim Roberts.

Board members in attendance were President Jim Roberts, Vice-President Russ Walters, Secretary Rod Krapf, Treasurer Rodney Nimitz, Directors Dot DeYoung, Sandy Steinbach, Lesa Newby, and Jen Abnet. Assistant Kalamazoo County Drain Commissioner Jeff VanBelle attended as a guest speaker.

Vice President Walters began the meeting by telling the lake residents that the board had heard a number of untrue rumors regarding the CLTA purchase of the Crooked Lake Market and boat ramp. He wanted to summarize the process. For many years, the ramp was used free by Crooked Lake residents. The CLTA started the punch card system in response to the previous store owner's request to help her refuse non-lake residents' insistence on launching their boats. Mike Beals was happy to continue the punch card system.

When Beals decided to sell the store, CLTA board members met with Beals to work out a deal with the ramp and the store's potential new owner. CLTA also suggested that we buy an easement for the ramp. When no one offered to buy the store as a business, Beals was willing to sell the property for private development. If someone bought it, tore down the store, and built a house, there would be no ramp for lake residents. The CLTA Board decided to bid on the property against another bidder at \$350,000. The CLTA Board saw no real alternative to buying the market.

Lake Resident Sherry Regal said that the committee made this decision without authorization from lake residents. V-P Russ Walters and President Jim Roberts responded that 90% of the residents attending the last special meeting agreed with the purchase.

Resident Kristina Lemmer said that she had heard there were some people interested in running a business at the market. Russ Walters answered that he had talked to 3 people who had said they were interested and told them to come back with a proposal. No one has submitted a business plan, but Walters added that we were waiting for a proposal from another interested person. Jim Roberts pointed out that the store has to be leased within 6 months, or the zoning for the property will revert to residential.

Resident Joann Potts suggested the store needs to be listed with a commercial realtor. Walters agreed that we need to look into that.

Treasurer Rodney Nimitz gave an update on the capital campaign. Eighty five people paid the lump sum of \$3500. Twenty six opted for the 5 or 10 year payment plan. He will send reminders to these folks when the September payment is due.

Lake Resident Suzanne McPeak asked how much had been collected. Nimitz told her that \$416,400 had been pledged.

Vice President Walters continued by telling the members that there was currently a tenant in the apartment above the store who was paying less than market value in rent. We now have the apartment listed at \$1400 per month. He added that the \$100 fee for next year will be used for insurance, maintenance, utilities and so forth. We are looking for better security than the current chain and padlock and will have this improvement in before the next boating season.

Member Kevin Noe asked what the best forum was for discussing rental of the store. Walters replied that the Ramp/Store Committee was best.

President Jim Roberts began a discussion of the high water level by announcing that we were now at a 100 year flood level. He asked members to read the letter from our lake specialist Jennifer Jermalowyz-Jones that had been distributed before the meeting. In this letter she reported that there is pressure on the

lake from the high water table. This has led to turbidity and algae growth. Additionally, the shoreline eroding into the lake hurts our LFA efforts. She strongly urged us to keep the No Wake Policy. In other parts of Michigan, the water level is dropping, but not in Barry and VanBuren Counties nor in Texas Township. Roberts noted that Crooked Lake was still 25 inches above the high water mark.

Member Judy Ford asked if it was hazardous swimming in the lake with all of the stuff washing into it. Roberts said he wouldn't drink it, but it was safe for swimming. Ford also asked if Jennifer Jermalowyz-Jones had factored in current conditions when recommending a treatment for the blue-green algae.

Roberts replied that she had, and that the Board will let people know when that treatment will be, possibly next week.

Kristina Lemmer asked if there were any solutions to swimmer's itch. The best advice was to towel off immediately upon getting out of the lake and/or rinsing off promptly.

Member Ann Wright said that other lakes were pumping water out and asked if we were thinking of doing the same.

At this point, President Roberts introduced Kalamazoo County Assistant Drain Commissioner Jeff VanBelle who told the residents that without a legal lake level, there was nothing any government agency could do to help. He noted that pumping wasn't working in Mattawan, and he didn't think pumping was the solution for us. He said that we can't beat Mother Nature and that we don't know how long the high water will last or how many years we'll have to ban wakes. And, we couldn't try to drain water to Mattawan.

To establish a legal lake level, VanBelle said we needed to have petitions signed by 2/3 of the lake property owners. Then, we could hire an engineering firm to examine the water problem and present possible solutions. With that and the petitions in hand, we could go to the Circuit Court of Kalamazoo County and ask for the establishment of a legal lake level. After this is created, the County Drain Commission and other government bodies could pursue projects to solve the problem. Eagle Lake residents would be joining in this effort. He added that both lakes have data on past water levels so that should speed up the process.

He warned that a permanent solution could cost 7 figures. If the water level dropped to a safer level, we wouldn't need to pursue any projects, but if it should rise to dangerous levels, we'd have the framework to act.

VanBelle said he was also concerned about the hydrostatic pressure on building foundations, sea walls, and properties on land-locked basins in housing developments with no drains. He also said that any solution should have a slow release so we don't flood properties downstream. Since we are fighting the water table, digging deeper would not be a solution.

Lake resident Cindy Gardner said she understood the need for a legal lake level, but she asked what that level would be. VanBelle replied that the engineering study would look at many factors including past lake levels, septic tanks, and so forth and would recommend a level based on the data.

VanBelle said that funding for the engineering study would be paid for by the CLTA and Eagle Lake Boards. After the lake level is established, an assessment district would be created of the riparians and others affected by the project to pay back the lake boards. There would be open hearings on the assessment district, and the cost would be spread over several years on the winter property tax bill. Some of the cost would be paid by the Kalamazoo County Road Commission, the County Drain Commission, the County Board, and the Texas Township Board, but most would be paid by the riparians.

Joann Potts asked if the township could pay for the engineering study. President Roberts replied that a meeting is scheduled with the township board and the Eagle Lake Board next week.

Gil Atkinson asked if the Drain Commission would run the project after it was set up. VanBelle said that it would.

Resident Judy Kirk asked if there were a way to keep water out of the lake and keep the water quality high. VanBelle indicated that the main concern was the quantity of water.

Township Treasurer Trish Roberts reviewed the process for establishing the legal lake level and clarified that the hearing held after the assessment district was established would only deal with whether a property

owner belonged in the district. She then asked if the County Board would be in control of the project. Commissioner VanBelle replied that we couldn't get overzealous with the cost and extent of the project. To make certain everyone understood, Vice President Walters asked that if a legal lake level is established and a project is decided upon, then the riparians couldn't say NO. VanBelle said that that was correct, but the Drain Commission could declare the project impractical. And, he assured the assembled lake members that projects he'd worked on always came in on time and under budget.

Sherry Regal asked about who decides the lake level. VanBelle replied that the engineering consultants would propose a level after surveying the lake. Riegal then asked how long the project would take. Commissioner VanBelle indicated it would be about 2 years. He added that some surveying is already being done at the Drain Commission's cost.

Jen Abnet pointed out that the cove is shallower than the rest of the lake and asked what if the legal level provided for no water in the cove. VanBelle responded that if the level is too low, it can be addressed and that residents always have the option to go to court to object. But, he added, Crooked Lake already has data on a desirable lake level.

Jim Chamberlain said he doesn't want to go 3 years with a No Wake Policy.

Vice President Walters reminded the assembled lake members that many have asked what the CLTA Board was doing about the high water and that we can't get help from the Drain Commission unless we've established a legal lake level.

Kevin Noe asked whether the Drain Commission could pump water into the lake after we've set a lake level and delegated authority to the commission. VanBelle replied that it couldn't.

Joe Atkinson asked whether the CLTA Board would be constrained from turning on our pump when the lake dropped below the legal level. Jeff said that it would be.

Trish Roberts asked if the CLTA Board was going to start a petition drive. Jim Roberts replied that we were planning to do so in conjunction with the Eagle Lake Board.

Dave Vorsek commented that if the lake level doesn't drop by winter, we'll be looking at even higher lake levels in the spring. Vice President Walters added that we'll most likely be dealing with high water for a while. VanBelle also added that once a legal lake level is established, then a temporary relief project could be identified and acted upon more quickly.

Patty Slone asked about who gets to sign the petitions. The answer was: only riparians could.

Arleigh Smyrnios reminded the assemblage that in the 1990's we had 3 years of high water followed by several years of water level too low. We decided to act by putting a pump in. Now we need to act with the level too high.

Kevin Noe asked whether lake residents could see the recommended level before it was permanently set.

VanBelle indicated that we could see it after the preliminary report is tweaked and ready to go to the county. Noe then asked if we could have a hearing after the report is finished. President Roberts replied that the CLTA Board would call for a meeting when the preliminary report was finished so we could get a level most residents can agree with.

Roberts and Walters told the group that the Eagle Lake general membership meeting was unanimous in agreement with starting a petition drive. They also pointed out that if we get another 2 feet of water, it will really hurt.

Kristina Lemmer reminded the members that we would be turning over control of the tax assessment to the county.

In a vote of the attending residents, 35 households voted for a petition drive. Four were opposed.

The minutes of the last general membership meeting were approved.

A motion was made and seconded to continue our No Wake policy. During the discussion, Mark Dwyer said he'd run a jet ski at high speed and saw no effect on the shore and asked for a compromise on the policy so people can enjoy their watercraft. He said people shouldn't be yelling at each other.

Tom Eberhard noted that most boaters have been good about not making wakes, and saying that wakes were OK in some places would not be good, especially if we get more water over Winter and Spring. He thought that we should keep the No Wake policy.

Jim Chamberlain thought we should change the policy to Minimum Wake since the No Wake policy was causing hostility.

Jim Roberts pointed out that by state law boats are not allowed to make wakes within 100 feet of shore or docks.

Bob Straatsma said that a jet ski in the lake did cause a wake that went over his sea wall. He added that some people have water within inches of their doors. In such a crisis it is important for everyone to pull together and cooperate.

Dan Vorseck said it isn't the kind of boat that is the problem, so we shouldn't make exceptions for some.

Kevin Noe said that damage was going to happen anyway and asked if we could compromise at 200 feet from shore. He also asked if we can have a meeting next year on just the No Wake policy. Vice President Walters replied that the CLTA Board has already agreed to review the policy periodically.

Joel Sokolowski suggested setting up a small area marked by milk carton buoys 500 feet from shore for those who want to make wakes.

Jen Abnet told the group that her family had a wake boat and 2 kids who want to ski, but she thought that we should sign the petition and get moving on lowering the water level.

Helen Lemmer pointed out that the 2/3 figure for the petitions was based on the frontage a household owned, so people who owned more parcels counted more.

Diane Parrish said we should all take petitions for our neighbors.

When President Jim Roberts called for a vote, the motion to continue the No Wake policy passed overwhelmingly.

The meeting was adjourned at 8:45 P.M.