

Lower Herring Lake Association Annual Meeting - July 5, 2019

Directors Attending: Jim Ryan, Liza Barnard, John Hultman , Mark Smith, David Oellerich, Dee Coleman, Todd Frank, Vern Noble and Alison Berry

Held at the White Owl Township Hall, Jim Ryan called the meeting to order at 12:45pm

Minutes: The meeting minutes for the July 5, 2018 were inadvertently omitted. The minutes will be posted on the LHLA website and can be included in the Fall Newsletter

Acknowledgements: Jim Ryan acknowledged the passing of members Fred Henry, Claudia Paulus and Robert Gilmore. New members Todd and DeAnne Frank were introduced.

Treasurer's Report - Liza Barnard

Checking (6.30.19):	\$23,599.42
Time Deposit (6.30.19):	\$6,773.14
Income (7.6.18-7.5.19):	\$10,161.00
Expenses (7.6.18-7.5.19)	\$17,888.33

- Liza briefly reviewed the expenses for the past fiscal year 2019. She also reported that expenses were down \$3,184.92 from fiscal year 2018 and that income was up \$3,175 from fiscal year 2018.
- Liza reported that income is expected to rise by approximately \$2,400 from 2019 to 2020 due primarily to the dues increase approved in 2019. She also expects expenses to be lower from 2019 to 2020 primarily due to a drop in legal expenses related to the new By-Laws approved in 2019 and the 501 c(3) IRS filing and no website development fees.
- The written Treasurer's Report is included as an attachment to these minutes.
- Treasurer's report approved on motion of Todd Frank supported by Charlie Trense passed.

Committee Reports:

- Water Quality: Fred Oeflein reported two recent samplings of Lower Herring Lake showed the lake to be in good condition. He reported maximum secci disk reading for clarity was 30 feet deep due primarily to the presence of Zebra Mussels. The Zebra Mussels waste is causing increasing presence of Cladophora Algae. Swimmers itch was briefly discussed with some reports of it but not overwhelming. Methods of prevention and treatment were discussed. It was noted that instances originate more in shallow water than deeper and is localized carried by the Merganser duck.
- Environmental: Vern (Skip) Noble addressed the Lake Michigan water levels are at the 1986 record high levels and that the Corp of Engineers expects the level to rise further in July before receding slightly in the Fall. He noted that lake shore erosion is a problem primarily due to the wake from boats. He reminded the membership of the state law prohibiting watercraft from coming within 100 feet of docks, rafts, diver flags and the shoreline. He requested boaters to use the central portion of the lake for activities that cause excessive wake. He suggested people mark their boats and kayaks with their names and phone numbers in case they float free due to higher water levels. The conditions at the Outlet to Lake Michigan were discussed. He reminded the membership that the area is primarily for the use of Watervale guests. He requested that boat parking be on the Lower Herring side of the dam only, not beyond the dam. He reported there is no shoreline and that people are jumping off the dune causing further erosion and trampling the sensitive grass areas. There is also a problem of debris being left behind. Skip noted that due to the high-water levels there is a lot of large debris slightly submerged in the lake and boaters should be very careful and if possible, remove debris encountered.
- Invasives: Mark Smith reported on the progress of Professional Lake Management (PLM) company in aggressively fighting the Milfoil invasive species. Two treatments have been completed over the last two years with a resulting kill rate of 90%. This is allowing natural species to recover in the areas that have been treated. Another survey will be completed later this summer and those results will direct any further treatment action. Mark noted that the Milfoil will never be completely eliminated but that we are definitely winning the war.
- Water Levels: Sarah Delavan. Reported on the ongoing problem of the Outlet to Lake Michigan being blocked by natural events. The process of opening the Outlet is called “Dredging” by the Army Corps of Engineers and the Michigan Department of Environment, Great Lakes and Energy (EGLE), formerly the DEQ. In order to open the Outlet either with shovels or with mechanical equipment requires special permits. The LHLA currently has been issued a 5-year permit from EGLE to perform such openings either by hand or equipment. Unfortunately, similar permitting is also required from the Corps of Engineers. At this time, the LHLA has only two, one-time permits for the COE to open the Outlet. The process to receive the 5-year permit from the COE is underway and a very slow process. Sarah noted that anyone experiencing property damage due to high water levels should notify a LHLA Board member. A protocol to determine when and how the Outlet can be opened using the current permits is being developed by the Water Levels subcommittee of the LHLA Board.

- Shoreline Stewardship: Alison Berry reported on her survey this summer to determine if native species had been harmed by past misapplication of herbicides. She explained the basis and mechanics of her survey and stated that her opinion is that there has been no harming of native species in the lake due to misapplication or other chemical treatment. Alison further reported that technology is available to provide a variety of helpful surveys of the lake water quality. She will be attending a Shoreline Stewardship Workshop in the future and will be reporting a potential long-term strategy specifically designed for Lower Herring Lake.
- Upon motion made by Steve Kraft and supported by Barb Schwarz the Committee Reports were approved.

Announcements:

- Jim Ryan thanked Sue Smith and her crew for set up and clean up of today's luncheon. He also thanked Liza Barnard and her crew for the registration process.

Old Business:

- Jim Ryan announced Hazardous Waste, normal recycling and garbage collection information. Jim reminded the membership of sound ordinances in effect and to be mindful of others. He also reported that the 501 c(3) IRS application has been submitted by to the IRS by LHLA attorneys and we are in the process of waiting for the IRS review.

New Business

- Revised By-Laws: Jim Ryan introduced a proposed change to the By-Laws that would change in full voting membership eligibility requirements. The proposed Amendment was read by Jim as follows:
 - Addendum to Article 3. Section 3.3(b): Membership Classes and Requirements: However, annually, full voting memberships (one per household) may be offered to Associate Members up to a maximum number at or below 30% of active voting Riparian membership on a first-come, first-serve basis upon the opening of each year's registration period, and with payment of full membership dues. No more than three (3) such members may also be nominated and elected to the Board of Directors, but all Officers of the Board must be Riparian owners.
- Jim explained that each year the number of non-riparian members allowed to be full voting members would be adjusted as a reflection of the number of riparian members registered as members for that year. If riparian

membership declines then the non-riparian membership would be reduced, if necessary, on a last-in, first-out basis.

- Open discussion followed the information presented by Jim Ryan. Statements in favor and against the proposed Amendment were presented. In general, those against were concerned about the inherent different interests of the riparian and riparian members while those for supported the expansion of non-Riparians as an asset to the best interests of the lake.
- After full discussion, a motion to approve the Amendment was made by Brad Raymond and supported by Bill Mendenhall. A voice vote was held and there was not an obvious outcome, so a hand vote was taken. The count of the hand vote was 28 for the amendment and 6 against. Amendment passed.
- Election of Directors: Jim Ryan explained that the Board terms of himself, Dee Coleman and John Hultman were ending. He noted that Hultman would seek re-election and that the LHLA Nominating Committee was also presenting Mark Coleman and Sarah Delavan for election to the Board. The floor was opened for nominations and Bill Mendenhall was nominated as a write-in candidate by Sarah Delevan. Each candidate made a brief presentation. The rules of election were explained by Jim Ryan and ballots were distributed. The voting results were as follows: Mendenhall (32), Colman (31), Delavan (30) and Hultman (28). The top three voters will begin their terms immediately and be eligible to serve through 2022.

The Annual Meeting was on motion made by Liza Barnard and supported by Mark Smith adjourned at 2:45pm. Next meeting: Noon, July 2, 2020, Noon at Blaine Township Hall, White Owl Road.

The Board met briefly after the adjournment of the Annual Meeting and elected the following officers: David Oellerich (President), Mark Smith (Vice President), Liza Barnard (Treasurer) and Todd Frank (Secretary). The Board then discussed creating a one-year term, non-voting, non-Board member Committee Chair position for past Board Presidents. This to allow transition continuity and to allow on-going projects to be completed. Upon motion made by Alison Berry and supported by Mark Smith the motion was unanimously approved. Jim Ryan will fill the position and concentrate on the completion of the 501c(3) status for the LHLA.

Submitted

David Oellerich, Secretary.