

**LAKEVILLE LAKE PROPERTY OWNERS ASSOCIATION  
ANNUAL MEETING – August 22, 2017**

President Wayne Hodges called the meeting to order at 7:30 p.m. Roll was called and Board member attendance was as follows:

Officers

Wayne Hodges, President (2016) - Present  
Michael Cattane, Vice President (2016) - Present  
Jeff Banaszynski, Secretary (2017) - Present  
Paul Hosner, Treasurer - (2016) - Present

Directors

Chuck Sargent (2016) - Present  
Tom Maliszewski (2017) - Present  
Paul Woodring (2017) - Present  
Marc Van Hoogstraat (2017) - Present  
Michael Bartlett - (2017) - Present

Approval of Agenda

- Wayne Hodges asked to add a modification to the proposed by-law amendments.
- Wayne Hodges requested adding discussion on raising the lake level earlier in the spring.
- Wayne Hodges requested adding a topic to discuss clarification of the LLPOA involvement with ordinance violations.

Paul Woodring moved to approve the agenda with the additions and Chuck Sargent seconded the motion.

Approval of Minutes

- Minutes for June 27, 2017 were presented for approval. Michael Cattane asked to have the minutes amended to reflect that he had apologized for his actions at the June meeting and to add a clarification indicating the reason he hadn't had his well tested was because later research indicated that 2,4-D dissipates in a few months and testing would not have shown anything. Additionally he stated that he had not contacted the DEQ with his concerns because he wanted the LLPOA to vote on distributing his report. Jeff Banaszynski stated that the minutes record discussion held at the meeting and that adding items that occurred outside the meeting was not appropriate for meeting minutes and as such he would not make the amendments in this case. Michael Cattane asked if his clarifications would be reflected in the current meeting's minutes and Jeff told him they would be.

Chuck Sargent asked to have the description on the number of properties that would not be in compliance with the proposed change in the lake lot ordinance on septic systems be identified as properties in the Special Assessment District.

Marc Van Hoogstraat moved to approve the minutes as adjusted and Michael Bartlett seconded the motion. The June 27, 2017 minutes were approved as adjusted.

Treasurers Report

- Paul Hosner distributed copies of the Treasurers Report showing balances of \$9802.05 for the Education Fund and \$1698.92 for the donated funds.

Clarification and Response to Chemical Treatments

- Wayne Hodges introduced Guy Savin and Matt Novatny from Savin Lake Services and Lisa Huberty from the Michigan Department of Environmental Quality and stated that they had been invited to the meeting to respond to concerns about chemical treatments raised at the June meeting.

Lisa Huberty introduced herself as leading the control program for the DEQ and stated that she had 14 years experience with degrees in plant ecology from both the University of Michigan and Michigan State University. Lisa reported that the MDEQ was still reviewing the report issued at the June meeting and that she was only prepared to address two expressed concerns at this point and would return at a later date to discuss the rest. Lisa stated that Lakeville Lake has been under DEQ management for a number of years and that there was no optimum solution available for lake management in general requiring each lake to be treated uniquely. Wayne Hodges further clarified that there would be no discussion related to comments made about Hydrothol 191 granular because Hydrothol 191 granular had never been applied to Lakeville Lake and that issue should be considered resolved.

Lisa stated that Fluridone was developed to specifically address Eurasian Milfoil and its use is strictly regulated by the State of Michigan. Fluridone applications in Michigan are not allowed more than once every three years. Lisa indicated that there have been exceptions made for evaluation programs but they are very rare and would not be allowed for a lake as big as Lakeville Lake. The DEQ intent is to minimize plant resistance to Fluridone

and as such its use in consecutive years is not allowed. Lisa indicated that it was not uncommon to use Fluridone once and then wait three or four years before the next use. Lisa cautioned about using the term eradication as there has been no experience of completely eliminating Eurasian Milfoil. Efforts are aimed at reducing non-native milfoil and allowing native plants to fill in. Lisa described a typical approach using a 6ppb application of Fluridone followed by a bump a week later in one season then following with spot treatments of 2,4-D in following seasons. Lisa noted that they typically see a surge of Eurasian Milfoil the season following a Fluridone treatment if no follow-up treatments are applied. Lisa indicated that Fluridone, Triclophyr and 2,4-D were not considered contact herbicides and that the list of available approved ingredients was limited to 10 or 12 total.

Marc VanHoogstraat asked about the down side to Fluridone. Lisa stated that it was relatively benign and approved concentration levels were below irrigation restriction requirements. One negative was the DEQ's requirement of lake management surveys for four years which could be expensive. Lisa indicated that there should be no treatment of native plants in a Fluridone treatment year.

Jerome Paruszkiewicz asked about mechanical harvesting and Lisa indicated that it needed to be well coordinated and should not engage with Eurasian Milfoil treatments thus creating a risk of fragmentation. Lisa reported that fragmentation can also happen from boat traffic and auto fragmentation.

Michael Cattane stated that he had done a lot of research on pesticides and apologized to the board and membership in attendance for his actions at the last meeting. Michael expressed concern about communication between the DEQ and DNR on herbicide applications. Lisa Huberty reported that any MDEQ used pesticides required approval from the Environmental Protection Agency and came with a long list of requirements. Herbicide approvals for aquatic applications were difficult to obtain and the use of herbicides outside of the label description was illegal. Lisa explained that the DEQ reviews all application proposals with the Water Resource Division including active and inert ingredients in herbicides. There is a check-off procedure in place to indicate that all involved departments have reviewed herbicide application plans. Not all EPA approved products are approved for use by the State of Michigan and as a result there may be herbicides used in other states that cannot be used in Michigan.

Michael Cattane asked if the DEQ was reviewing his report and was told that they were.

Michael Pardonoff stated that the first Fluridone treatment by Progressive AE resulted in the loss of a lot of native vegetation and asked if Fluridone attacked native plants. Lisa indicated that she was not sure his comments were supported by vegetation data collected for Lakeville Lake and that the standard approach was to minimize the impact to native plants.

Matt Novanty from Savin Lake Services introduced himself as the Savin's manager assigned to Lakeville Lake. Matt indicated that mechanical harvesting removes bio-mass from the lake and could be beneficial. Matt stated that their focus for Lakeville Lake was to control invasive species including Starry Stonewort, Curly Leaf Pond Weed and Eurasian Milfoil. There is no approved systemic herbicide that works on Starry Stonewort so contact herbicides are used and applied three times a year to knock the top down and reduce boat propeller chopping. Eurasian Milfoil is treated using 2,4-D and Triclophyr. The procedure looks at weed locations in the lake and applies herbicides to those areas. The applications are balanced with approved budgets, plant densities and mechanical harvesting activities. Matt noted that Fluridone was used on another lake eliminating all weeds and resulting in significant algae growth. Guy Savin stated that Fluridone was expensive and that with only 10 to 15 acres of Eurasian Milfoil in Lakeville Lake it didn't warrant a whole lake treatment or make sense.

Michael Cattane asked about laminar flow bottom aeration and mentioned that a company, Lake Savers, claimed success using it to reduce the bottom sediment that Eurasian Milfoil feeds off. Lisa Huberty stated that aeration does not control plant growth and its use was controlled by permit through another department of the DEQ.

Michael Cattane asked about the set back requirement of 250 feet for Hydrothol 191 granular and was told that Hydrothol 191 granular has never been permitted for application on Lakeville Lake so there was no related issue.

Paul Hosner asked what chemical was being used on Starry Stonewort and was told that copper sulphate and Hydrothol liquid were used. Both were considered local contact herbicides that lose their effectiveness quickly. Michael Cattane stated that DiQuat was hazardous to Walleye. Matt Novatny replied saying that it is not true that DiQuat is harmful to fish. Tom Maliszewski reported that in discussions with Cleyo Harris, DNR Fisheries Biologist, Cleyo stated that studies showed DiQuat had no impact to fish. Tom reported that 1860 three inch fish had been planted and another 36,000 a couple weeks later without any noticeable kill and stated that the fish head to colder and deeper water as soon as they are introduced to the lake. Michael Cattane stated that

the DEQ did not coordinate with the DNR when treatments and stocking are planned. Lisa Huberty stated that she interacts with the DNR on a regular basis and coordinates all the time and that if there was a lack of coordination in this case she would look into it. Lisa stated that there is a sign-off sheet distributed to all agencies for check-off on any permitted treatments. Matt Novanty reported that Savin notifies the DEQ prior to any applications.

Chuck Sargent noted that Matt's comment on budget constraints for Lakeville Lake needed clarification. Savin provides a cost per acre quote and balances the applications with the available budget. Systemic herbicides are more expensive and consume the budget faster. Savin submits a budget plan to the LLPOA Board for review then to the Lake Improvement Board for approval. Matt Novanty indicated that he felt Lakeville Lake was set-up well with the current plan.

Jerome Paruszkiewicz stated that the DNR web-site reports that Starry Stonewort dies off annually and asked if so, why does it show up each year? Jerome asked why we didn't require boat washing at launch? Tom Maliszewski stated that a number of board members had met with the DNR launch site supervisor to discuss adding a boat wash station and that the DNR would consider it but that it would have to be completely funded by the Lake and that if in place they couldn't force people to use it. Additionally, they would not accept any restrictions to the current flow pattern at the launch. Wayne Hodges stated that Houghton Lake and Glen Lake have boat washes that received significant outside funding and noted that neither lake had a public access site. Dana Maletzke asked how they got the funding. Jay Byrd recommended pursuing a boat wash and expressed concern about the next invasive that we would have to deal with. Jay suggested that we watch carefully.

Guy Savin distributed copies of the data sheet for NAVIGATE (2,4-D) and stated that they very carefully plot and monitor applications and are working with Lisa Huberty to determine if there was a violation on Lakeville Lake. Guy indicated that he did not know that Lakeville was on wells when he was contracted started and that they had used 2,4-D in the past. Guy noted that EPA guidelines don't have the same setback restrictions to wells that Michigan has and that Michigan's restrictions didn't make sense from a national standpoint. Guy stated that he didn't feel any harm was done to Lakeville wells. It was noted that Progressive AE had used 2,4-D when they were providing services for Lakeville Lake.

Wayne Hodges presented a motion to approve an Aquatic Vegetation Assessment Survey (AVAS) for Lakeville Lake yearly or at least every other year. Wayne estimated the cost to be about \$1000.00 for the survey. Chuck Sargent seconded the motion. The Board approved the motion with all in favor.

### **Revised Septic Ordinance for the Lake Lot District**

- Chuck Sargent reported that a recommendation made at the Planning Commission to revise the current ordinance language for septic systems in the Lake Lot District was being passed to the Addison Township Trustees for approval. The ordinance revision would require septic systems to be set back 100 feet from the high water level and could be reduced to no less than 50 feet if a permit was issued by Oakland County and approved by a licensed engineer.

Wayne Hodges moved to authorize establishing a committee to review the North Bay noting that the failed septic systems in Leonard were feeding four drains and carrying raw sewage into Upper Lakeville Lake. Upper Lakeville Lake appears to be doing a good job of filtering prior to anything reaching Lakeville Lake as water samples taken to the Oakland County Health Department by Tom Maliszewski have all shown acceptable levels for E-Coli. Eileen Galbraith asked what the Township was doing about Leonard and was told that they had very little involvement beyond engaging the Oakland County Health Department. Wayne Hodges asked for action on his motion. Marc VanHoogstraat seconded the motion. Chuck Sargent indicated that he wasn't sure that residents were qualified to make recommendations and that a professional consultant may be required. Paul Woodring suggested that that was what the committee was being asked to do.

Jerome Paruszkiewicz stated that in a meeting a couple of years ago, the Health Department said that they should be contacted if anyone noticed sewage and that they would respond. Jerome asked if we had called them. Tom Maliszewski stated that he tests right at the Army Road culvert and that all samples have been within acceptable range for E-Coli.

### **LRA Status Report**

- Jeff Banaszynski reported that the large harvester was back on the lake after the pontoon repair in July and was operating when possible between rain days and hydraulic repairs. Jeff communicated the establishment of a committee to look at future harvesting needs and required equipment adjustments to meet them including repair and purchase recommendations for the off-season.

### **2017 Invasive Species Management Plan**

- Wayne Hodges reported that he had been informed that the next lake treatment was planned for Thursday August 24, 2017 and he recommended proceeding as planned.

### **Suction Harvesting**

- Marc VanHoogstraat reported that there hasn't been a break in the operator's schedule to give a demonstration on Lakeville Lake. Paul Hosner moved to approve spending up to \$500 for travel or demonstration costs. Marc VanHoogstraat seconded the motion. Caroline Boots asked if they were concentrating on Starry Stonewort and where the target area was. Caroline noted that a late bloom occurs in their bay.

### **Boat Parade Planning**

- Greg Smith thanked the committee members, sponsors and residents for their work and support for the boat parade and indicated that everyone had a great time. The parade made it around half the lake before the rain came and chased the boats home.

### **LLPOA Board Representation on Township Ordinance Violations**

- Wayne Hodges reported that he had received two requests for LLPOA Board involvement with ordinance violations but that neither of them had been raised with the Township prior to contacting him. Wayne reinforced the agreement that the LLPOA Board would only get involved if individual attempts with the Township weren't being pursued. Michael Cattane thanked Sergeant Weir for addressing two complaints voiced by Bill Ritchie.

### **Board Officer Elections**

- Wayne Hodges opened nominations for the four officer positions on the Board.

Wayne Hodges was nominated for President and accepted.

Tom Maliszewski was nominated for Vice-President and accepted.

Jeff Banaszynski was nominated for Secretary and accepted.

Paul Hosner was nominated for Treasurer and accepted.

No other nominations were forwarded so the nominations were closed. Wayne asked for a vote by acclamation based on four candidates for four positions. The vote was as follows:

|                     |                       |                          |
|---------------------|-----------------------|--------------------------|
| Wayne Hodges -Yes   | Michael Cattane- Yes  | Jeff Banaszynski - Yes   |
| Paul Hosner - Yes   | Paul Woodring - Yes   | Marc VanHoogstraat - Yes |
| Chuck Sargent - Yes | Tom Maliszewski - Yes | Michael Bartlett - Yes   |

### **LLPOA By-Laws Amendments**

- Wayne Hodges reported that the proposed changes to the LLPOA by-laws had been distributed and asked if the membership needed a ballot vote or if a show of hands would suffice. Jerome Paruszkiewicz asked if there needed to be a quorum and was told that the by-laws specified that amendments required a majority vote of the members present. Wayne explained that the current LLPOA by-laws did not include any language covering removal of directors where as the LRA by-laws did and that the State of Michigan had rules for non-profits that could be applied.

Bob Schram expressed concern over a no quorum requirement and suggested requiring 20% of the membership to be present. He was told that based on the usual membership attendance, it would be unlikely that 20 % would ever be achieved.

Wayne Hodges stated that the Board could remove an officer but that the membership needed to remove a director. Jerome Paruszkiewicz indicated that the majority of the members present requirement could result in a few people dictating actions. Bob Schram suggested sending a proxy form with any motion notice.

Wayne Hodges suggested adding a 10 day notification requirement to the distributed by-law amendment language. The membership agreed and a motion was presented to amend the by-laws as distributed including the 10 day notification requirement. Paul Hosner moved to approve the motion and Michael Bartlett seconded the motion. A show of hands from the membership resulted in agreement to amend the by-laws with one opposing vote.

### **Public Forum**

- Michael Pardonoff asked what the earlier approval to spend \$1000 was related to. He was told it was for an AVA Survey every year or every other year.
- Dale Ackley indicated that he was interested in participating on the Weed Harvesting committee.
- Bob Schram suggested having the marinas contribute to lake expenses based on the number of boats moored.
- Mike Schuster asked if the Health Department had been contacted relative to the Leonard drains and was told they had.
- Linda Hodges asked if all the homes in Leonard feed the described drains.
- Dana Maletzke asked if the county was aware of the drain situation and was told they were and would come out to review the situation.
- Jay Bird introduced himself as being new to the lake and indicated that he would work with everybody but asked for help to reduce the activity on the sand bar at the South tip of his property. Jay stated that there had been a sexually explicit act this weekend that he felt was unacceptable and asked the members how they would feel if that happened in front of their homes every weekend.
- Al Prince stated that someone had taken their port-a-potty off their boat to empty it on his property and someone else had set up a barbeque grill on his dock.
- John Barczyk suggested the need to pressure the property owners to help contribute to the well being of the lake.
- Oakland County Sheriff Keith Weir told the membership to call the Sheriff's dispatch and that they would respond to issues. Keith indicated that they needed to give a trespasser the opportunity to leave when asked and noted that previous efforts to resolve a similar issue on the West side of the Island had been successful. Jerome Paruszkiewicz asked if there was a way to establish a no mooring zone. Wayne Hodges suggested that the enforcement responsibility was with the Sheriff.
- Tom Maliszewski thanked the members for their attendance and participation.

Jeff Banaszynski presented a motion to adjourn the meeting. Paul Hosner seconded the motion and the meeting was adjourned.

The next meeting is scheduled for 7:30 p.m. October 24, 2017 at the Addison Township Complex.