

Wixom Lake Improvement Board (WLIB)  
Meeting Minutes  
August 12, 2020

Meeting called to order by Chairman Doug Enos ~ 6:05 pm

Board Members Present: Carol Ayers, Doug Enos, Ray Drumright, Larry Woodard, Dennis McBride, Joel Vernier, Robert Evans

Board Members Absent: Bob Kelley, Jeanette Snyder

Others in Attendance: Norma Stuart from Midland County Drain Commission, Paul Hausler from Progressive AE; Casey Shoaff from PLM Lake and Land Management Corporation, Don Zakett from Wixom Lake Association, 1 member of public

Others in Attendance via Phone: Kyle O'Meara from law firm in Lansing - Fahey Schultz Burzych Rhodes PLC

Billings Township Hall was locked so the meeting was held outside the hall on the lawn. Participants all had face coverings.

The June and July WLIB meetings were cancelled due to breach of the dam on Wixom Lake.

Bob Evans provided a financial statement showing an account balance of \$343,113.69 on 7/31/2020.

The special assessments for treatment of invasive aquatic weeds on Wixom Lake end this year and would require a public hearing to continue. The assessments will not be continued at this time.

Doug Enos indicated that he arranged for an attorney (Kyle O'Meara) to advise the board on potential paths forward for utilization of the funds in the account of the Wixom Lake Improvement Board.

Doug summarized the options as:

- a) Hold money in interest bearing account and defer decision on what to do with it until later date when path forward on Wixom Lake is clearer than it is today
- b) Hold a public hearing to discuss alternative uses for the money beyond the originally intended treatment of invasive aquatic weeds

Potential options for alternative use of the money that could be included in public hearing include:

1. Erosion control. There is potential for grants from the USDA Natural Resources Conservation Service (NRCS). Twenty five percent of the grant must be matched by recipient. The Four Lakes Task Force (FLTF) is looking for sources of money to fund the match in order to secure grants.
2. Terrestrial weed control. Growth of weeds and trees in the lake bed has taken off. This growth may help with erosion control but significant tree growth will present a problem upon return of lake.
3. Return money to taxpayers. This would not be a simple task and would need to be administered by Midland and Gladwin counties and not the lake board.

Kyle O'Meara supported Doug's summary and reiterated that utilization of the funds outside the scope of aquatic weed management would require a public hearing. Kyle indicated that his opinion is that with a public hearing the WLIB project scope could be amended given the unusual circumstances surrounding failure of the dam.

There was discussion around the different options and opinions shared on the perceived advantages and disadvantages of different paths. A suggestion of utilizing some money for cutting/removing old stumps was viewed as a nonstarter since it is believed that EGLE views these as fish habitat on lake bed. A public hearing in the current COVID 19 environment would be nontrivial to execute.

Bob Evans made a motion to hold the funds in the WLIB account, accrue interest, and defer decision on path forward for use of the funds until there is more clarity on the future and timing of restorative activities for Wixom Lake. Dennis McBride seconded the motion. Roll call vote McBride-yes; Evans-yes; Ayers-yes; Woodard-yes; Vernier-yes; Drumright-yes; Enos-no. Motion carried.

The timeframe for revisiting use of the funds was left open. Firm scheduling of a time to revisit use of the funds is complicated by the fact that Chairman Enos, Treasurer Evans, and Gladwin County representative Vernier will all be transitioning off the WLIB as 2020 winds down. The new drain commissioners for Midland and Gladwin Counties will be determined in November.

The WLIB website is currently maintained by Paul Hausler of Progressive AE. It contains information that should be retained. There will be modest costs to both maintain the domain name and administer the site. Joel Vernier made a motion to maintain the website. Larry Woodard seconded the motion. Voice vote. Motion carried unanimously.

Larry Woodard made a motion to pre-approve payment of attorney fees for consultation on path forward with funds in the WLIB account. Joel Vernier seconded the motion. Voice vote. Motion carried unanimously.

**Public Comment:**

Don Zakett, director of the Wixom Lake Association, provided the board members with a packet of information with images of prolific terrestrial plant growth on the lake bed. Of particular concern are fast growing aspen seedlings, invasive purple loosestrife, and phragmites. Don is talking with regulatory agencies, lake improvements boards, and townships to determine a course of action.

**Adjournment:**

Motion to adjourn by Larry Woodard was seconded by Joel Vernier. Board members present unanimously approved the motion. Motion carried. 7:00 pm.

Next WLIB meeting is to be determined.

Minutes submitted by Ray Drumright