

Meeting Minutes of the Meeting of
Michigan State Waterways Commission
January 22, 2010
Country Inn and Suites
6511 Centurion Drive
Lansing, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Bob Brown, Chairperson at 9:30 a.m. on January 22, 2010 at the Country Inn and Suites in Lansing, Michigan. The following Commissioners were present:

Bob Brown
Janet Mansfield
Carol Oakley
Denny Bailey
Michael Bryanton
Curtis Hertel

Excused absence: Gary Marowske

DNRE Staff Attending:

Vicki Anthes
Phyllis Bianchi
William Boik

Jordan Byelich
Jason Fleming
Harold Herta

Ron Olson
Paul Petersen
John Terpstra

PUBLIC APPEARANCES

Catherine Allchin, Vice President of South Fox Island Lighthouse Association
Chris Bolzman, Chair, Sebewaing Harbor Commission
Jim Christensen, Ludington Municipal Marina manager
Steven Hume, Detroit Sail Club
Jim Schiffer, The Schiffer Group

Written Correspondence

There was no written correspondence.

Appearances (Non-agenda Items)

Catherine Allchin gave a PowerPoint presentation representing the South Fox Island Lighthouse Association (FILA). She described the volunteer work done on

the South Fox Island light station, safety precautions taken, and the usage of the “red” raft for a running total of 10,000 pounds of supplies taken to the island for the light station’s renovation. She also provided booklets, and made CDs for the Commissioners to give them more in depth information regarding the preservation of the South Fox Island light station.

Steven Hume – Detroit Sail Club – asked for an update on the Grayhaven Marina litigation. Jason Fleming responded that because the litigation was still ongoing, the department could not provide any further information at this time.

Appearances (Agenda Items)

Jim Christensen, harbor master at Ludington Municipal Marina, spoke about the decline in transient boat slip use at their Marina and provided documentation which demonstrated this. Mr. Fleming explained this contradicts the information presented by the City when they applied recently to build an additional 900’ of broadside dockage space at the Ludington marina. It is the intention of the City to increase the seasonal slips within the finger piers and use the new broadside docks strictly for transient use. This move would further segregate seasonal and transient boaters. Mr. Fleming further responded by explaining the municipal marinas have access to certain grant opportunities which the private marinas are not eligible to receive. The allowance of seasonal slips at waterways sponsored facilities is not intended to negatively impact private business opportunities. Harbor View Marina has experienced a decline in seasonal slips.

Chris Bolzman, chair of the Sebewaing Harbor Commission, then inquired about the Sebewaing variance. Mr. Fleming explained the variance process and explained the Village was not in compliance with the terms of their agreement and the resolution from the previously approved variance which ended after the 2007 season. Staff amended the request from the Village to accommodate a discount in slip rates from Rate Area Two.

MINUTES

September 25, 2009 - Regular meeting

MOTION: Commissioner Oakley moved to postpone approval of the minutes from the September 25, 2009 Waterways Commission to a later date and time. The motion was seconded by Commissioner Bailey and it was unanimously approved.

OLD BUSINESS

Project Status Report

Paul Petersen gave harbor project updates through a PowerPoint presentation as follows:

Grant in Aid – Metro Beach Metropark, Macomb County: Huron Clinton Metro Authority (HCMA) South Metro Park Dock replacement and harbormaster building replacement projects are on schedule. Work currently being done includes the wall and floor tile, fixtures, wiring, and painting in the new harbormaster building. In the spring the finger pier, concrete decking and the site water distribution will be constructed.

Grant in Aid – Ludington Municipal Marina, Mason County: This transient broadside dockage project is in progress with a May 20, 2010 completion date. The contractor took a month break from mid-December to mid-January. The sheet pile wall cap installation is currently being constructed.

William Boik gave updates on the U.S. Corp of Engineers' work: the Lake Fenton Boat Access Site redevelopment; status on the Crystal Lake litigation, settlement and construction; Sleepy Hollow's federal grant award; Silver Lake boating access property acquisition; and Straits Harbor construction code approval of the water distribution lines.

Vicki Anthes presented pictures of the dedication of the Wm. G. Milliken State Park and Harbor. She also described the purpose behind an outreach letter to the local representative regarding the Lake Fenton boat access site. The Recreation Division plans to utilize this type of proactive outreach more often. She gave another example of outreach regarding an option to purchase land at Silver Lake State Park that will positively affect the boat launch, consistent with Recreation Division's new land acquisition policy.

Jordan Byelich gave an update on various State and Grant-In-Aid boating access site (BAS) projects. There were a number of paving projects finishing up in late 2009 at state sites. The paving projects presented included Austin Lake BAS (Kalamazoo County) which also included shoreline bioengineering, Barton Lake BAS (Kalamazoo County) and the Presque Isle BAS (Presque Isle County). Other State projects presented included Union Lake BAS (Oakland County) for building demolition, Groveland Mine BAS (Dickinson County) for 3 new sites and Mouth of the Two Hearted River BAS (Luce County) for upgrades. Grant-In-Aid project updates included City of Munising's Browns Addition BAS (Alger County) for ramp upgrades and new restroom, Melrose Township BAS (Charlevoix County) on Walloon Lake for new site development, and City of Ludington's Loomis Street BAS (Mason County) for breakwall construction. Molon Excavating, Inc. from Traverse City, contractor for the Tuscarora Township,

Indian River BAS (Cheboygan County), a 2009 project, is expected to receive an Excellence in Construction award from The Builders Exchange of Northwest Michigan, Inc. for their work on the project.

Operations Status Report

Harold Herta explained the differences between the two existing reservation companies. Commissioner Oakley wanted to understand the advantages of hiring two different companies so we could manage the harbor system separately from the campground system. Ron Olson suggested conducting a work session in order to help the Commissioners better understand the issues.

Standing Committee reports

There were no Standing Committee reports.

NEW BUSINESS

Legislative update:

Ron Olson confirmed the renaming of the DNR to Michigan Department of Natural Resources and Environment (DNRE), and gave copies of Executive Orders regarding same to the Commissioners.

Ron Olson also gave copies of the Senate and House bills to the Commissioners regarding updates on the proposed Recreation Passport legislation.

Jordan Byelich presented two different samples of a new sign for Grant-In-Aid boating access sites. The sign will be provided to a Grant-in-Aid community after a project is completed to indicate the funding assistance by the DNRE and Waterways Commission. Guidelines have also been developed to assist communities with how to install the sign.

CONSENT AGENDA

Variance requests:

Resolution 2010 12-11-01; City of East Jordan – Approved staff recommendation to allow variance request by the City to charge seasonal slip fees based on the length of the vessel and attachments for their 45 foot slips. Approved staff recommendation for monthly rate which equals a discount of 25% off a 30-day transient stay; approved through 2014 season.

Resolution 2010 12-11-02; Village of Elk Rapids – Approved staff recommendation to allow variance request of the Village to increase seasonal

rates to equal 5% above seasonal Rate Area One and to utilize premium transient rates.

Resolution 2010 12-11-03; Village of Sebewaing – Approved staff recommendation to amend the variance request by the Village to allow for the Village to charge for discounted seasonal rates for the Sebewaing Harbor Marina. The Commission made a decision to amend the resolution to approve the staff recommendation to require commercial rate (double) for commercial vessel use at Sebewaing Harbor Marina.

Resolution 2010 12-11-04; Village of New Buffalo – Approved staff recommendation to allow variance request for the Village to utilize a portion of the New Buffalo BAS for overflow vehicular parking from the adjacent beach parking lot.

Resolution 2010 12-11-05; Village of Port Sanilac – Approved staff recommendation to allow variance request for the Village to charge 32 foot rate for vessels up to 32 feet at five of the 40 foot slips in the Port Sanilac Marina.

Resolution 2010 12-11-06; City of Marquette – Approved staff recommendation to allow variance request for an increase of 8% above Rate Area Four for both Cinder Pond and Presque Isle Marinas and to raise the seasonal launch fee to \$50.

Resolution 2010 12-11-07; City of Ludington – Approved staff recommendation to deny variance request to allow the City to increase the number of seasonal slips at Ludington Municipal Marina for the 2010 season.

All the Commissioners approved to accept the resolutions; Commissioner Bailey motioned for same and it was seconded by Commissioner Bryanton and it carried unanimously.

OTHER BUSINESS:

Election of Michigan State Waterways Commission Officers for 2010

Commissioner Oakley nominated officers for 2010 as follows:

Janet Mansfield as Chair, Michael Bryanton as Vice Chair, Denny Bailey as Secretary. Commissioner Bailey made motion to accept the nominations from Commissioner Oakley, Commissioner Brown seconded.

Commissioner Mansfield expressed her appreciation to Commissioner Brown as Chair and for his years of work on the Commission.

Commissioner Oakley moved to send a letter of congratulations to Director Humphries on her newly appointed position as Director of DNRE by Governor Granholm. Commissioner Bryanton seconded. The motion carried unanimously.

Commissioner Mansfield motioned to adjourn the meeting of the Michigan State Waterways Commission at 11:30 a.m., Commissioner Oakley seconded and it carried unanimously.