

## President's Message

by Pat Springstead, HLPOA President



Wow, what a winter! Lots of snow, very cold and thick ice. Unfortunately the ice on the lake expanded and pushed and caused severe erosion along the shoreline, by far the worst in many years. We will have a detailed report on erosion damage and lake level later on in the newsletter. The good news is that the prime summer months are right in front of us, and you and your family can enjoy Higgins Lake.

Much to their credit, Gerrish Township has worked all winter to formulate a legal lake access plan that will increase access while taking into consideration the fact that Higgins Lake is a finite resource. Gerrish Township Trustee Jim Ostling has been the point person in this project working with the DEQ and the RCRC (Roscommon County Road Commission) to implement a plan that is fair to all residents of Higgins Lake. In conjunction with this plan, Gerrish Township will enforce Inland Lakes & Streams Act 451, part 301, which prohibits overnight mooring at road ends. The lake access plan is in the final planning stages as this newsletter goes to print.

It is important that the Townships protect the lake from aggressive developers and that our elected officials be pro-active and have a vision of how they would like to see the lake ten or twenty years into the future. Please read Bill and Rich's legal report later in the newsletter. If you have problems at the road ends this summer, please contact the HLPOA office first.

Despite the fair and experienced leadership of Lyon Township Supervisor Paul Tatro, Lyon lags behind Gerrish in putting their constituents' interest first. This is because the Trustees and Treasurer put the interests of a certain special interest group before the tax payers of Lyon Township. There are many other important issues in Lyon Township other than just the area around the lake. This is an important election year, and we will address issues and candidates in our HLPAC letter later in the newsletter.

Kelly Beach, Grosbeak and Sovereign Park continue to be areas of concern. It has been very difficult for the residents in these areas to come to legal, fair and balanced solutions. It is way past the time for lawsuits, bickering and the inability to be civil to one another. We hope over the next few months a solution can be found for these vexing problems so all can get back to enjoying the lake and each other.

As we have stated in previous newsletters, there is absolutely no reason that anyone who lives off the lake cannot get their boat on Higgins Lake, even on the 4<sup>th</sup> of July weekend. This was true before the "drop and go" was instituted at the

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two State Parks and the West Launch Site. Drop and go refers to the convenience of being able to launch a watercraft and then park the trailer off site in designated areas. In addition, this year at the DNR West Launch site, parking was more than doubled to accommodate boats and trailers. There is more legal access on Higgins Lake than any other inland lake in the state of Michigan.

Over this past winter we have been exceptionally busy with environmental matters on Higgins Lake. We have been meeting with the DEQ, DNR, RCRC and other officials regarding the dam and lake level issues. We have been working on plans for a boat wash in the North State Park area. We have been talking to Township Officials regarding septic systems, a phosphorous ban and shoreline erosion. In addition we will be implementing the 2008 Milfoil Treatment Plan for Higgins Lake, which is detailed in the milfoil report in this newsletter. We have worked with the Higgins Lake Foundation and other groups on hosting an environmental day at the MacMullan Center for the Roscommon Elementary fourth grade class, which was presented on May 27<sup>th</sup>. The event was a huge success and will be an annual event. We also continue to be the driving force behind the Higgins Lake Environmental Alliance. Rick Meeks and Laurie Smith Tudor will cover that in this newsletter. Marv Bolton, a.k.a. "The Milfoil Man" will also address milfoil issues.

As always, we have been more involved with legal issues than we would like to be. We would certainly like to be spending money on other things that benefit the lake. Bill Carey and Rich Jaskowski will fill you in on the cases that we are involved in and cases that we have an interest in. We recently won the Sunseekers funneling case at the Supreme Court level.

To bring you up to date on House Bills 4463 and 4464; both are still in the Government Operations Committee. There are, however, certain radical members of the Civic Association who continue to try to get committee hearings even though the Attorney General of the State of Michigan has written a position paper stating he thinks the bills would be unconstitutional. The leaders of the Civic Association continue to mislead their members into thinking they can accommodate everyone at road ends. The legislative report will contain more details about this issue.

The HLPOA continues to work on community outreach and education through our public relations committee

chaired by Laurie Smith Tudor. We have continued to contribute to projects in the community that make the Higgins Lake area a better place to live and play. Over the last few years we have made a concerted effort to talk to all community and elected officials. This has allowed us to better express our goals and opinions regarding the area in a pro-active and positive way.

It is our goal to keep our members as informed and updated on lake issues as possible. To this end we encourage you to visit our web site [www.hlpoa.org](http://www.hlpoa.org) regularly. If you have not already given us your e-mail address, please do so.

In closing I would like to thank each and every one of you for your financial and moral support. I would also like to thank the totally volunteer and uncompensated board for their dedicated efforts in representing you and protecting the future of Higgins Lake. Wishing you and your family a wonderful and healthy summer at Higgins Lake.

## **Legislative Review**

*by Pat Springstead, HLPOA President*



As of this newsletter's publication deadline, Sheltrown and Gillard's

House Bills 4463 and 4464 are still in Majority Leader

Mike Bishop's Government Operations Committee. The leadership of the Civic Association is still trying to get the Senate to have a hearing on these bills. As you remember, this is the classic case of a special interest group's desire to appropriate road ends for the benefit of a very small and select group of people. Unfortunately the moderate voice of those who live off the lake is silent and the more strident wing of the group has taken over. This radical group has a very narrow and self serving agenda, making it more difficult for the majority of residents to get legal lake access.

It is imperative that we continue to monitor the activities in Lansing regarding these bills. The Civic Association obviously has no regard for

their members' money when all of it is spent on legal and lobbying expenses. They profess a love of the lake, but spend no money or time on environmental projects. Gerrish Township is proposing a plan for expanded legal lake access. The Civic Association does not have the best interest of their members at heart when they would rather fight for their boats at specific road ends rather than compromise.

***HB4463 REVIEW: This bill will require the DEQ to issue marina permits allowing docks and hoists at road ends, and specifies local control with subcontracting authorization to a local neighborhood association or civic association.***

***HB4464 REVIEW: This bill establishes a presumption that when a public road ends at a lake or stream, the plat proprietor intended to "authorize" seasonal docks and hoists, sunbathing and lounging, unless otherwise authorized by law.***

## **Legislative Report** (cont'd from Page 2)

In January Michigan's Attorney General, Mike Cox, wrote an opinion paper on House Bill 4463 at the request of Representative John Stakoe of Waterford. The opinion paper stated that the legislation would probably not stand up to judicial review and would be deemed unconstitutional. This is exactly the position that our attorneys have taken since this legislation was introduced. If by some misfortune HB4463 and HB4464 should pass, they would immediately be challenged in Circuit Court leading to years of litigation. This would undoubtedly draw the Townships and Road Commission into the legal arena and waste more of everyone's tax dollars.

We continue to urge you to contact your Senator regarding legislative issues that affect our lake. For information on how to contact your senator, please visit our website, or [www.mi.gov](http://www.mi.gov). The HLPOA website will carry updated information on important legislation, so please check it regularly. If we do not have your e-mail address, please contact Pam in the HLPOA office so we can include you in any urgent updates. Please visit [www.mi.gov](http://www.mi.gov) and click on legislature for links to senators, upcoming bills, and other important information.

Another bill that we are monitoring is House Bill 5163 which is in Representative Sheltroun's committee. They have already had one hearing on this bill, and by the time you receive this newsletter, it could be voted out of committee. This bill would drastically restrict the DEQ's ability to approve and monitor marinas. Needless to say the DEQ opposes this bill. This bill would put association marinas outside of the control of the DEQ. As we have stated before, the HLPOA supports the subdivision associations' marinas on Higgins Lake in their current size and scope. We do believe that there should be local ordinances to control the size and scope of these associations. Where there are not local ordinances, the DEQ should then be the controlling organization.

The issues of phosphorous fertilizer and septic inspections continue to be hot topics at both the local and state level. Both affect the quality of water in Higgins Lake. We will actively work to pass state statute and local ordinances to ban phosphorous fertilizer and mandate septic inspections within the watershed.

We will be watching local and state officials to see how they vote on all issues that affect Higgins Lake and our riparian members. This information will be passed on to the Higgins Lake Political Action Committee (HLPAC) to recommend those candidates that should receive our support and votes in the fall election.

The HLPOA will continue to expend as much effort as necessary to protect Higgins Lake and the riparian members who love this lake. Thank you once again, our loyal members, for your continued support and trust.

## **HLPOA Legal Update**

*by William L. Carey and Rich Jaskowski  
Counsel to the HLPOA*



The HLPOA has been active in legal matters affecting the use of Higgins Lake and the riparian interests of its members. This legal report will summarize the legal activities of HLPOA through June, 2008.

**Jacobs Enforcement:** As a result of the contempt orders issued by the Roscommon County Circuit Court in preceding years, we are pleased to report that the number of Jacobs enforcement cases has been reduced to "none pending".

**Kelly Beach Boat Ramp** - A boat ramp has been installed at Kelly Beach in the Michigan Central Park First Addition Subdivision, and while HLPOA and the First Addition homeowners association do not oppose the installation of the ramp, legal proceedings have been instituted by those groups to ensure reasonable township controls on use. Action has also been commenced to ensure that no dredging will occur relative to ramp usage. Finally, HLPOA and the homeowners association seek to eliminate all boat mooring at that site.

A significant issue in the case is whether the DEQ acted properly in granting the ramp permit to a private citizen as opposed to a local unit of government. This legal issue has been briefed by the parties and decided by the administrative law judge.

A resolution of the Kelly Beach boat ramp matter is expected to be reached in fall of 2008.

**Sunseekers Funnel** - HLPOA has been involved in a proceeding which is commonly referred to as the Sunseekers funnel. In Lyon Township (Shoppenagon Lodge Subdivision) eight families purchased a 25' lakefront lot for the purpose of maintaining a marina. At various times the Sunseekers group maintained a dock of almost 200' in length with eight mooring sites. Sunseekers were advised repeatedly that they were operating a marina illegally. Sunseekers refused to cease and desist their operation.

Because Sunseekers would not cease their illegal operations HLPOA and the riparian owner who adjoined the illegal operation brought suit. HLPOA and the adjoining riparian owner argued that the Sunseekers activity was a nuisance because it violated State law (operating a marina without a DEQ Operating Permit), and because it violated the Lyon Township zoning ordinance.

The Sunseekers case was presented at trial in the Roscommon County Circuit Court. Roscommon County Circuit Court Judge Michael J. Baumgartner ruled in favor of the HLPOA position on all counts. Sunseekers members were ordered to stop their illegal activities so that the

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## **HLPOA Legal Report** (cont'd from Page 3)

nuisance they had created would be abated. The court ruled that their activities constituted operating a marina. The court also ruled that their activities violated the Lyon Township zoning ordinance. The Sunseekers decision was reversed by the Court of Appeals which ruled that HLPOA did not show sufficient harm to its membership to warrant nuisance abatement. The case was appealed to the Michigan Supreme Court. The Supreme Court reversed the Court of Appeals, and reinstated the trial court ruling. This is a huge victory against private funneling.

**Higgins Lake Shores** - The last of the "Jacobs" style subdivision cases on Higgins Lake was taken to trial in late April, 2007. Judge Baumgartner heard the case. The lakefront property owners received a favorable ruling in this plat consistent with all of the other platted road-end cases around the lake. Certain back lot defendants have filed an appeal. A motion for immediate consideration, filed by the lakefront owner, has been granted by the Court of Appeals. A hearing date has not yet been set.

### **Other cases of Interest:**

***HLPOA members have stepped up in their own subdivisions where they have issues and are pursuing legal action. At this point the HLPOA is not involved in these cases, although we continue to monitor them closely.***

**Sheridan Drive** - In a June 14, 2006 meeting between representatives of Sheridan Drive Association, and the Roscommon County Road Commission, a settlement agreement was reached which, in addition to other terms, required that Sheridan Drive be maintained at a width of no more than 8 feet, in consideration of its historical width. Subsequent to the meeting, numerous proposed settlement memorandums were prepared and endorsed by representatives of Sheridan Drive Association, and submitted to counsel for the Roscommon County Road Commission, to obtain the signature of representatives of the road commission.

Despite repeated requests from counsel for Sheridan Drive Association, several months passed, and the road commission had yet to sign and return the settlement memorandum to counsel for Sheridan Drive Association. As a result, counsel for Sheridan Drive Association scheduled a hearing for May 7, 2007. Approximately four days prior to the scheduled hearing, counsel for Sheridan Drive Association, received the settlement memorandum signed by the Roscommon County Road Commission, which resolved the above matter.

**Hitchcock** - Summary Disposition was previously granted to Plaintiffs in this matter, which prohibited non-temporary mooring of water craft from the road end. The only remaining issues in the case are Defendants' claims to shoreline activities at the upland portion of the road end. A Scheduling Order was recently entered by the Court, and a trial date will be scheduled for early 2008.

**Sovereign Park Plat Amendment/Lake Drive** - A lawsuit seeking to change the dedication language of the plat of Sovereign Park is currently pending before Judge Michael Baumgartner in the Roscommon County Circuit Court. The purpose of the lawsuit is to have the judge rewrite the plat dedication language to allow for uses of the roads within the plat for boat mooring, sunbathing, picnicking and lounging. The lawsuit tacitly recognizes that the rule of **Jacobs** precludes using the roads within the plat for boat mooring, sunbathing, picnicking and lounging. Now the plaintiffs in that lawsuit are asking the judge to change the language so that **Jacobs** cannot apply.

The Plaintiffs challenged Judge Baumgartner's qualifications to consider the matter. They argued that he is biased in favor of the front lot owners. The Michigan Supreme Court ordered a review of the appellate decision on August 21, 2006. Once the Supreme Court granted review, the Plaintiffs withdrew their disqualification challenge. The case is not being returned to the trial court for further proceedings.

The riparian residents of the plat have filed a uniformed defense to the plat amendment action. The plaintiffs in the Sovereign Park case have argued that while their case is pending they should not be subjected to enforcement rules on roadend use. In essence they argued that their lawsuit immunizes them from complying with current court decisions. Judge Thomas has held to the contrary. In very straight forward terms Judge Thomas has advised the plaintiffs in the Sovereign Park case that if they do not comply with the terms of the current Court of Appeals decisions they will be subjecting themselves to his contempt powers.

**Almeda Beach/Don M. Boulevard** - The Higgins Lake Civic Association has initiated a lawsuit against the lakefront property owners living adjacent to Don M. Boulevard. Don M. Boulevard is a lakeside boulevard located in the Plat of Almeda Beach Subdivision. Almeda Beach Subdivision is located just easterly of the Higgins Lake South State Park. In that case, the Higgins Lake Civic Association claims that the rights of its members to use Don M. Boulevard have been infringed upon by the lakefront property owners. The Civic Association claims various encroachments on the boulevard, along with the way the front lot owners are using the boulevard, preclude, or make difficult, easy access for the Civic Association members.

The Civic Association, in its lawsuit, also claims that the front lot owners have, from time to time, harassed the Civic Association members for using Don M. Boulevard. Most importantly, the Civic Association, in its lawsuit, claims that the public has the right to picnic, lounge, sunbathe, and enter Higgins Lake from Don M. Boulevard.

The front lot owners sued in this litigation have answered the lawsuit, and deny any acts of harassment, or illegal encroachments. The front lot owners further note, in their defense of this lawsuit, that the boulevard is under the

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## **HLPOA Legal Report** (cont'd from Page 4)

jurisdiction of the Roscommon County Road Commission. The Roscommon County Road Commission has not voiced any objection to the manner in which the front lot owners have used Don M. Boulevard. Finally, the front lot owners, collectively, deny that the public has a right to picnic, sunbathe, and lounge on Don M. Boulevard.

This matter is in the early stages of pretrial discovery. A status conference has been requested by the lakefront owners. No court dates have been established.

**Roscommon County Road Commission vs Shy** - The Roscommon County Road Commission sued a front lot owner whose land is adjacent to Sam-O-Set Boulevard in Lyon Township. Sam-O-Set Boulevard is a developed roadway running along the lakeshore. The lot owners being sued, are using the land between the developed roadway and the water's edge to maintain a historical lakeside deck and docking area. The Road Commission claims that it has the right to remove private structures all the way to the water's edge, despite the fact that it is not using that land to maintain Sam-O-Set Boulevard. The lot owners claim a lawful right to use any portion of the boulevard which is not being maintained by the Road Commission as a public way.

The Court has determined that any land between the 66' platted width of the boulevard and the waters edge belongs to the Shy's and can be used by them privately. The Court has also ruled that all of Shy's improvements can remain in place as they do not interfere with the maintained portion of Sam-O-Set Boulevard.

**Maplehurst Road** - In October of 2007, a homeowners association, known as Pinecone Beach Association, Inc., filed a circuit court lawsuit seeking Jacobs enforcement concerning Maplehurst Road. While it is commonly believed that Maplehurst Road is an unplatted section line road, research revealed that Maplehurst Road is in fact located within the plats of Sunset Shores Association, and Pinecone Beach Association.

On June 2, 2008, summary disposition was granted in favor of Plaintiff, Pinecone Beach Association, Inc., and Jacobs restrictions were applied to the road-end. It is anticipated that complete resolution of the case including entry of final orders will occur within the next 45 days.

**Conclusion** - HLPOA and its homeowner association partners continue to work toward protection of the environmental quality of Higgins Lake. HLPOA and its subdivision partners also are working to ensure that all riparians on Higgins Lake enjoy their property, and their associated riparian rights. HLPOA will be diligent and comprehensive in its efforts to protect the interest of Higgins Lake and its riparian members.

## **Higgins Lake Political Action Committee (HLPAC)**

The 2008 local elections could be the most important elections for the Roscommon area in history. We stand at the defining moment of being able to put lake access issues behind us and the chance to



concentrate on the health of the lake. It has always been the position of the HLPOA to support elected officials who do not bring biased political agendas to their office. We will support candidates who have the well-being of all their constituents and the health of the lake as their priority.

An example of priorities was when the Roscommon County Commissioners appointed two new members to the Roscommon County Road Commission. Of all the candidates who were interviewed for the position, the HLPOA informed the commissioners that we opposed only two of the candidates because they had a politically biased agenda. We felt that the commissioners had a very solid pool of candidates to select from, other than the two we opposed. Ultimately the commissioners selected two outstanding appointees in Jackie Bertsch and Kim Akin. These two have brought civility and reason to a board that was too busy fighting among themselves to properly represent the public interest. Jackie Bertsch is presently Chair of the Road Commission. Both Jackie Bertsch and Kim Akin deserve to be re-elected.

The other candidate in the race, Larry Paxton, is a totally different story. Mr. Paxton has a history of fighting openly and in the newspapers with his fellow commissioners; first with Mike VanWormer, and then George Pappas. These fights were an embarrassment to both the Road Commission and the County. As past chair, Larry Paxton politicized the position by having an open agenda to intimidate and make life miserable for people who live on the lake. His public decree of opposition to the HLPOA in his written manifesto presented at the Civic Association annual meeting last year signed as the "Chairperson of the Roscommon County Road Commission" is an embarrassment to his standing and the board he represents. All of our public officials are expected to represent all of the people of Roscommon County without personal bias. Larry Paxton certainly does not deserve another term on the Road Commission.

The Lyon Township elections are also of extreme interest. Unlike Gerrish Township, Lyon has been operating like a dysfunctional family. The Trustees and the Treasurer have been standing in the way of progress by making it difficult for Township Supervisor Paul Tatro to

## **HLPAC Report** (cont'd from Page 5)

move the Township forward. Even with these challenges, Paul Tatro has managed to achieve completion of a wastewater treatment system for the American Legion which was his priority goal when he took office.

Trustee Fred Koenigbauer, who is challenging Paul Tatro for Supervisor, and Craig Williams, who is running for treasurer, are still tied to the old regime of Sam Boodoian. Sam Boodoian is on the board of the "backlotter's" Civic Association. The top priority of this group is to reinstate private marinas at public road ends. Boodoian and his friends have made a point of harassing lakefront residents, looking for issues they could present to Larry Paxton, a Roscommon County Road Commissioner who has publicly announced his support of the Civic Association. There are many other issues that impact all of the residents of Lyon Township that have not been addressed. This election gives us the opportunity to once and for all get beyond the influence of the old regime of Sam Boodoian and move in a more positive direction. We need to put political bias and divisiveness in the past. Lyon Township needs elected officials who will work with Supervisor Paul Tatro for the betterment of the community.

These are only two of the local elections that we will be focusing on. We will be interviewing candidates and making recommendations on who has the environment, health of Higgins Lake and concerns of all their constituents' best interest on their mind when they are making decisions that impact our community.

We will also monitor the candidates for various state wide political positions, seeking support for those who share our concerns. The HLPAC (Higgins Lake Political Action Committee) recently sent out a letter requesting donations to help us elect fair and open-minded officials who will represent all of their constituents in an unbiased way. We would like to thank all of you who have donated. We ask if you have not donated to consider making a donation because this is a crucial election that will have a lasting impact on our community.

## **Office Central**

*by Pam Mills,  
Administrative Assistant*

Welcome back to Higgins Lake! I trust you had a wonderful winter wherever it was spent.

Our winter was spent gearing up for the summer activities. There never seems to be a lack of things to do. As each season passes, we find more efficient ways to communicate with our members. The e-mail database has been very successful for passing on immediate information or requests. Thanks to all of you who have written to your local senators in opposition to current house bills that would have a negative impact on the lake.

We're taking software classes to learn how to make our various communications more interesting to our members and interested readers. We are currently working on the new HLPOA Member Directory; our goal is to have it published later this summer.

If you have made any recent changes in your mailing address, please contact the office at (989) 275-9181 or send an e-mail to [hlpoa@charter.net](mailto:hlpoa@charter.net).

Let me remind you that if you need to report an overnight mooring at a road end, please call the office. If no one is available to take your call, please leave a contact name, phone number and a brief description of the problem so that we can return your call. If you have a question, concern or a suggestion, please call or e-mail the office. If I am unable to give you immediate resolution, I'll pass the information on to a board member who can help you. 😊

Thanks to those who have already paid your 2008 dues! An envelope is enclosed with this newsletter as a gentle reminder for you if you still need to pay your 2008 dues. Not sure they're paid? Please feel free to call me at (989) 275-9181 or send an e-mail to [hlpoa@charter.net](mailto:hlpoa@charter.net)

*Have a fun, safe summer!*

### *The HLPOA gratefully acknowledges the following memorial contributions:*

*In memory of Paula D. Reusser  
By Kay and Brian Burke*

*In memory of Paula D. Reusser  
By Alan and Cricket Keener*

*In memory of Rob Morley  
By Pat and Vicki Springstead*

*In memory of Jack Balesky  
By Nancy and Duane Dent*

*In memory of Lloyd Gauss  
By Jim and Elaine Beardslee*

*In memory of Lloyd Gauss  
By Richard and Valloree Prevost*

*In memory of Louise Johnson  
By Jim and Elaine Beardslee*

*Thank you !!*

## Anglers Can Help Slow the Spread of Fish Disease

As summer approaches and fishing season shifts into high gear, the Department of Natural Resources is reminding anglers that preventing the spread of viral hemorrhagic septicemia (VHS) will take the effort of everyone.

First discovered in the Great Lakes in 2005, VHS has caused fish kills in northern Lake Huron, Lake St. Clair and the St. Clair River, Lake Erie, and inland in Budd Lake near Harrison.

Anglers can help prevent the spread of disease by following two simple rules: Don't move water and don't move fish.

Anglers are asked to empty their live wells and bilges when they leave a lake or river. Live wells should be disinfected with one half-cup bleach per five gallons of water before the boat is launched on another body of water.

Fish should never be moved from one body of water to another, including minnows used for bait. Please dispose of leftover minnows away from the water; do not empty your bait bucket into the lake, which is illegal. Anglers who collect their own minnows should use them only in the same waters where they were collected. Certified VHS-free minnows can be used anywhere in the state and now are widely available in bait shops.

There is no known treatment for VHS in a lake or river. Preventing the spread of VHS is the best way to protect Michigan's fish stocks from the disease.

**For more information on VHS, visit the DNR Web site at [www.michigan.gov/dnrfishing](http://www.michigan.gov/dnrfishing).**

The DNR is committed to the conservation, protection, management, use and enjoyment of the state's natural resources for current and future generations.



Information only public service announcement

## Gerrish Township Lake Access Plan

The Gerrish Township board has approved, in concept, a Lake Access Master Plan that addresses several areas around the lake currently being considered for access points.

Gerrish recognizes that recreation at Michigan's heartland needs to be accomplished in harmony with the community, and the plan needs to provide a balance of access to Higgins Lake as well as protection of individual property rights.

Gerrish Township is taking a leadership role in progressive environmental practices and cooperative management in order to assure a beautiful, safe and prosperous community. The HLPOA is working with township officials to make sure the plan does not violate the Jacobs ruling.

Check out the details at:  
[www.gerrishtownship.org](http://www.gerrishtownship.org)

## Gerrish Township Enforcement

In accordance with Gerrish Township's Conceptual Lake Access Master Plan, the Gerrish Township Police Department announces that in partnership with the Department of Environmental Quality, "we will be enforcing the provisions of the Inland Lakes and Streams Act 451.

More specifically, we will be addressing the overnight mooring of boats that have been permanently moored without permit from the DEQ at road ends in Gerrish Township. To do so is a misdemeanor, punishable by a fine of not more than \$500.00 for each violation."

Gerrish Township Police would like to remind all boaters that they are entitled to usage at road ends that is concurrent to recreational use.

More information at:  
[www.gerrishpolice.org](http://www.gerrishpolice.org)

# Environmental Report

by Rick Meeks, Vice President

Our continuing efforts to protect the environmental health of the lake can be summarized as a two pronged attack:

- (1) reduce the amount of phosphorus entering the water
- (2) keep aquatic nuisances out of the lake.

Phosphorus is a naturally occurring nutrient in our lake. Test results from the Department of Environmental Quality/ Michigan Lake and Streams Association's volunteer monitoring program in which we participate continue to show low levels of phosphorus in the mid-lake deep holes where we test. These low phosphorus levels limit the amount of plant and algae growth in the lake. The water testing program also includes tests for water clarity, chlorophyll and dissolved oxygen.

However, we continue to be very concerned about the ever increasing stress being placed on the lake and the resultant environmental degradation on near-shore areas which is not showing up in our deep-hole sampling. As a result of these concerns, the United States Geologic Survey was contracted, with funding assistance from both the USGS and the Higgins Lake Foundation, to do near-shore ground-water quality sampling.

The field tests were done during the '07 season by sampling the ground water quality beneath the lake bottom at selected sample locations approximately 20-30 feet out from the shoreline and approximately 1-2 ft depth below the lake bottom. All sampling was done according to the USGS National Field Manual for Collection of Water-Quality Data.

Data from the field tests has now been analyzed and shows higher levels of phosphorus in near-shore surface water and even higher levels of phosphorus in near-shore ground water. These USGS tests show the need to curtail the amount of phosphorus entering the ground-water from every source possible in the entire watershed.

Eliminating the use of fertilizer containing phosphorus is one of the easiest ways to reduce phosphorus loading. We are pleased that the Roscommon County Board of Commissioners recently passed, by unanimous vote, regulations controlling the use of this type of fertilizer. The four townships surrounding Houghton Lake have all passed similar bans and Gerrish Township has passed a resolution strongly encouraging people not to use phosphorus.

While phosphorus has, by federal law, been removed from laundry detergent, it is still an active ingredient in dish washer soap. There is hope on the horizon; the state of Indiana recently passed legislation which bans the sale and use of this type of dishwasher soap. In the meantime, if everyone uses low or no phosphorus dishwasher soap, we will eliminate another source of phosphorus from entering our lake.

Still another source of phosphorus is shore-line erosion. Fifteen years ago the Higgins Lake Foundation assisted, along with Section 319 Grant funds from the Clean Water

Act, in efforts to stabilize the road ends to reduce runoff and erosion around the lake. Currently, the Foundation is offering financial assistance to property owners who want to stabilize their shorelines with green belts. It is discouraging to see these efforts undone by high water wave action and ice damage. In an effort to reduce this source of phosphorus, we are participating on a committee which will make recommendations for a five-year study to ascertain optimum water levels.

Like all inland lakes in Michigan, Higgins Lake already has non-native aquatic species in its waters. We all know about the foreign country ballast water sources of these exotic species and how they came to us via the Great Lakes. We also understand that, when all else fails, our final line of defense against them is a boat wash. The simple act of using a power washer to knock pieces of Eurasian Water Milfoil or the transparent zebra mussel larvae or other exotic invasive species off a boat and trailer will aid in the efforts to stem the spread of these and other pernicious invaders.



**Thanks to the DNR Parks Division for assistance in clearing trees from the boat wash site. It's nice to know the trees that had to be cut down will be recycled and cut into lumber for use by the park for building and repair projects on the campgrounds.**

Because this project is so important to our lake, the HLPOA has committed to raising the funds to build and operate the first boat wash on Higgins Lake. The primary financial sponsor of this project is the Higgins Lake Foundation with generous assistance from the Roscommon County Community Foundation and the Entrust Foundation. The DNR Parks Division has not only donated the land, but DNR employees Anna Sylvester and Carl Doxtator have also contributed their enthusiasm as well as site preparation assistance for the project. We have received invaluable advice with site plan design and development from Larry Fox of the engineering and consulting firm C2AE of Gaylord.

Use of the boat wash will be free of charge and open 24/7. With the exception of busy weekends, it will be self-operated. At this point we expect that the boat wash will be open and protecting our lake by the date of our HLPOA annual meeting, July 19th.

The HLPOA is planning a fund raiser later this summer, specifically for the boat wash, asking that tax deductible donations be made directly to the Higgins Lake Foundation.



**The Higgins Lake Boat Wash is currently under construction, and will be completed this summer. The boat wash is a collaborative effort illustrating the benefits of combining public and private resources:**

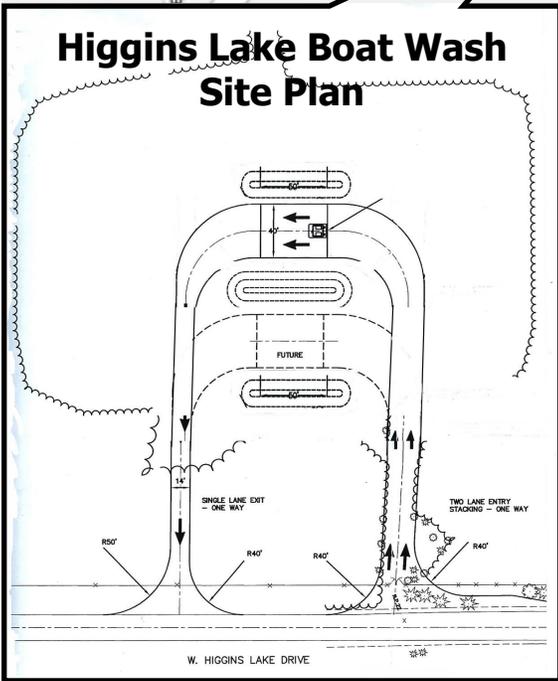
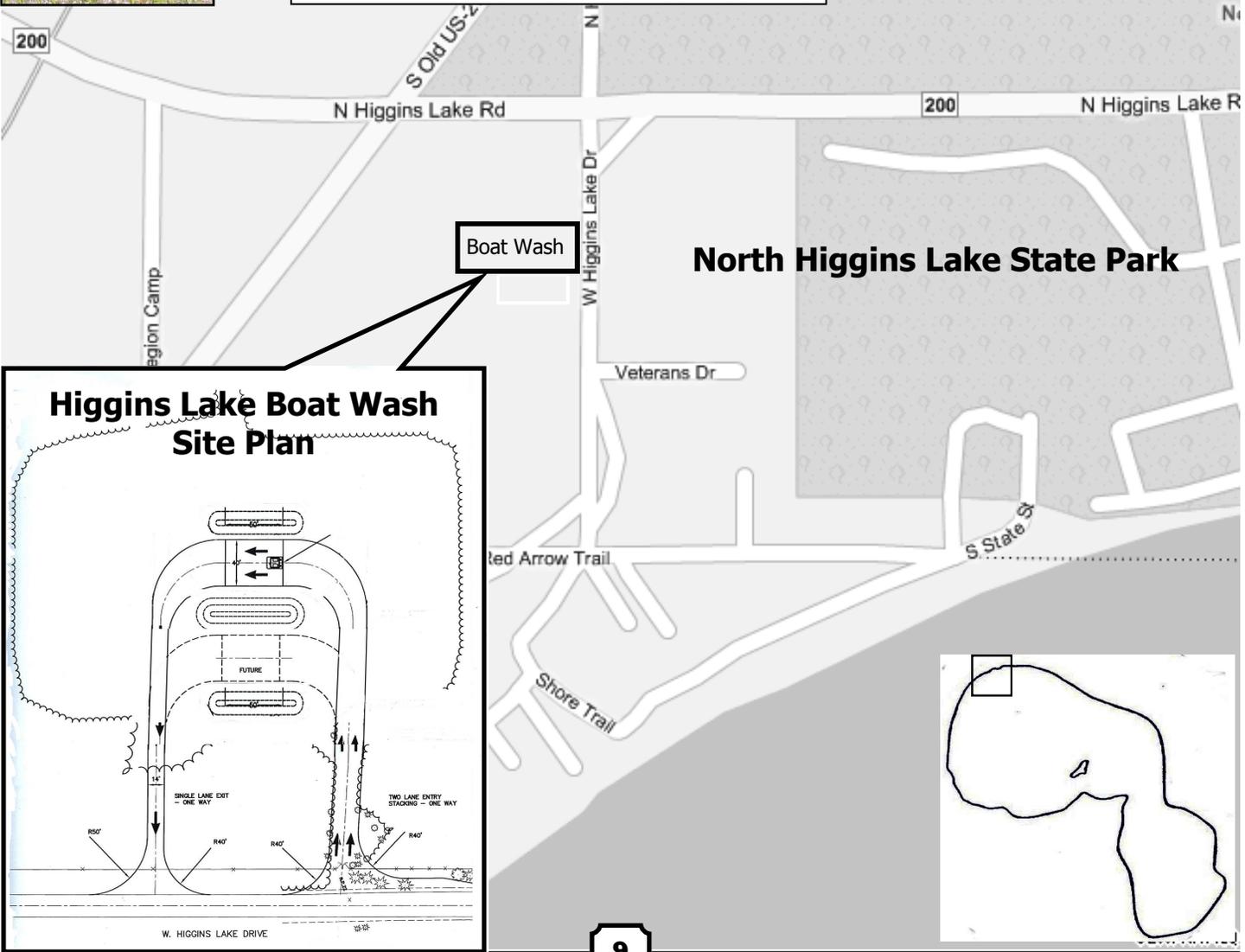
- State of Michigan Department of Natural Resources - donation of land, planning assistance**
- HLPOA - Boat Wash Construction, Operation and Management**
- Higgins Lake Foundation - Major Funder**
- Roscommon County Community Foundation - additional funders**
- Entrust - additional funders**

**The boat wash will be free to the public and will provide a first line of defense against invasive species entering our lake. The boat wash is located on W. Higgins Lake Drive just to the west of the North State Park.**



**Anna Sylvester, DNR, and Rick Meeks, Vice President of HLPOA discuss plans for the boat wash site.**

**Carl Doxtater, DNR, at the ground breaking with Joe Connolly, DNR, and Allen from Rieth Riley Construction, contractor for the excavating, paving and concrete work.**

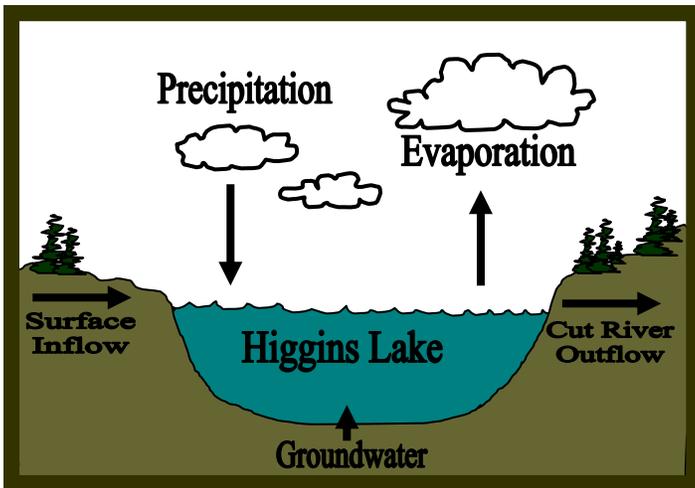


# Lake Level and Erosion

As we go to press this Spring of 2008, our lake is being assaulted by high water and wave action, which is causing severe erosion. This past winter, ice expanded and pushed against the shorelines, weakening them and making them vulnerable to the subsequent spring high water levels and wave action caused by strong winds and boats.

What causes high water levels? Higgins Lake receives water from a number of sources:

- Precipitation
- Springs
- Creeks—primarily Big Creek in the north basin
- Drains — Battin, Kennedy and other drains
- Run-off—storm water



Higgins Lake loses water through:

- Evaporation
- The Cut River Dam

The Cut River Dam was recently expanded by the addition of two new flop gates to facilitate lowering of the lake. The level of Higgins Lake was set by Michigan Circuit Court in 1982 and the Roscommon County Commissioners were charged with adhering to the court ordered levels. Commissioner Larry Mead controls the Higgins Lake Dam.

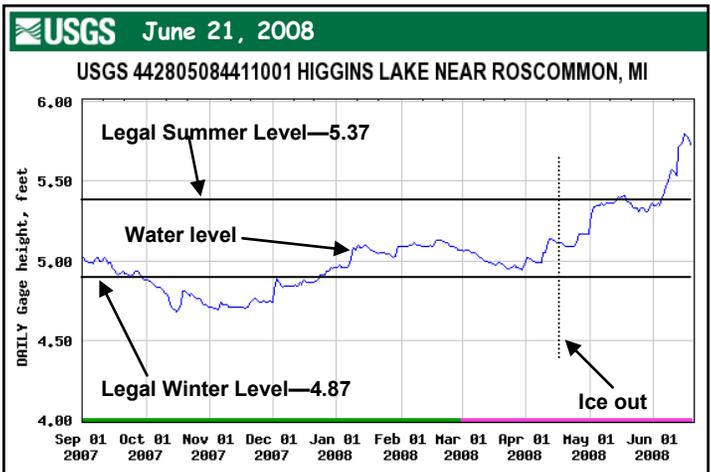
The legal winter level for Higgins Lake is 4.87 and the legal summer level is 5.37, a six inch difference. These levels were determined to be necessary to prevent shoreline damage. The water gauge diagram shows the lake level from September 1, 2007, to June 21, 2008. Lines have been drawn to indicate the legal winter and summer levels, and the date the ice started breaking up.

The water level at ice out was already half way to the legal summer level. While the legal levels may only be a difference of six inches, and might not seem significant, it is important to remember that one inch of lake level vertically may represent one or two or three feet horizontally on the shoreline. Over 80 percent of Higgins Lake shoreline was subjected to ice push this past winter, which weakened the

embankments causing them to become extremely vulnerable to high water erosion in the spring.

Many lakefront property owners have reported losing substantial amounts of shoreline this spring, and a trip around the shoreline of the lake reveals numerous trees caving into the water, shorelines eroded away, and murky cloudy water with visible debris on the bottom of the lake 20 to 30 feet from the shore that has been pulled from the banks out into the lake by the undertow.

The fact that our lake is changing is not new, change is a natural process for a lake. Higgins Lake is already thousands of years old, and only recently feeling the impact of man-made dams, population demands and recreational impact.



To have such drastic changes in Higgins Lake occur in such a short time frame is disheartening at best. Poor water management practices by the County Commissioners coupled with a worst-case scenario of heavy spring rains and winter ice damage have caused a serious amount of damage to Higgins Lake and the property owners around the lake. Even if the dam had been opened after the legal summer level was reached and additional heavy rains were forecast, we would have had damage. But because the dam was not opened in a timely and anticipatory manner, the damage is much greater than it had to be. Currently, the lake is so far over the legal summer level that additional damage will continue to occur before evaporation and outflow will lower the water.

The Higgins Lake of our memories is nowhere to be found this spring — children are wondering where the sandy beaches are that they used to build sand castles on, and the rest of us are appalled at the loss of property and murky, cloudy water instead of the pristine crystal clear Higgins Lake we remember.

***If your property has been affected by erosion this spring, contact the HLPOA and send us details and photos of the damage. Please include your address on the lake. E-mail photos and info to [hlpoa@charter.net](mailto:hlpoa@charter.net), or mail to us at P. O Box 55, Roscommon, MI 48653 We will be covering the erosion issue in depth in our fall newsletter. Thank you.***

## Soils, Fertilizers and Phosphorous Levels

**Over the last few years, there has been a growing concern about phosphorous levels in Higgins Lake. Much of the discussion has also focused on land-based sources of phosphorous that can leach into the waters of the lake.**

This article focuses on one of the most common sources of phosphorous - the phosphorous that is contained in many fertilizers used on lawns and in the landscapes around the shoreline.

### The Soils in Roscommon County

As many people know, the predominant soil type in Roscommon County is sand based - as compared to pure clay or loamy soils. However, there are several different types of sandy soils that exist within the county and they differ slightly in the amount of sand, silt and clay particles they contain as well as in their drainage patterns. Check with the Crawford-Roscommon Conservation District or the Roscommon MSU Extension office if you want more information on the soil types that exist in the county.

Generally speaking, our sandy soils here in Roscommon County lack the ability to hold water and store a large amount of nutrients due to the large particle size of the sand that predominate this soil type. When packed together, these large soil particles create large pore spaces between particles that allow water and nutrients to quickly wash through the root zone of plants. In addition, there is not enough small-sized silt and clay particles within our sandy soils to provide enough surface tension between soil particles to hold on tightly to water molecules and mineral nutrients.

In addition to some of the physical characteristics of soil just described, there are also chemical characteristics to consider. This chemical function is best expressed by the concept of soil pH. The pH of soil is extremely important in regards to how accessible soil nutrients are to plants. Extremely low soil pH (i.e. acidic soils) as well as high pH soils (i.e. alkaline soils) sometimes “lock up” nutrients in the soil preventing plants from absorbing them into the root system.

### How Much Fertilizer and Lime Should I Apply?

This is a difficult question to answer without any type of baseline data to help make an accurate decision. Soil testing is one of the best ways to determine where your soil is presently “at”; that is, what the current measurement of soil pH is and what the nutrient levels are for phosphorous (P), potassium (K), magnesium (Mg) and more. Without a soil test to go by, homeowners are simply guessing as to how much lime or fertilizer to apply. A homeowner could easily over apply lime or fertilizer over time if they are not careful.

Through the MSU Extension office in Roscommon County, we analyze about 70-80 soil samples per year. Based on that amount of testing, the majority of soil tests show that the level of phosphorous in most of these soil samples is adequate for most landscape and turf grass plants. In other words, no additional phosphorous fertilization is

needed in most cases. In a few cases where people are trying to grow agronomic (i.e. not landscape) crops, some additional phosphorous is needed - but even then it's usually in small amounts and used primarily as a starter fertilizer that young plants quickly use up as they get established.

**Therefore, for many homeowners along the shores of Higgins Lake and other inland lakes in Roscommon County, the use of no- or zero-phosphorous fertilizers is truly a viable option.** Fertilizers are sold by analysis showing the amount of N-P-K in each bag - with phosphorous being the middle number. Try and purchase fertilizers where the middle number is listed as 0 (zero).

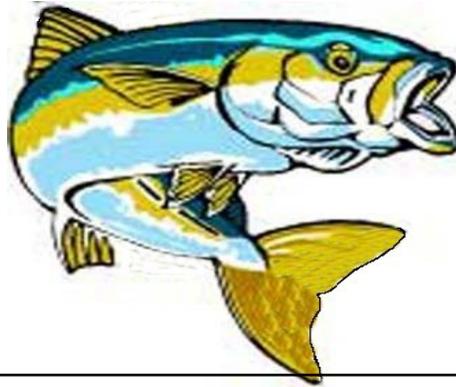
In regards to soil pH levels, the majority of sandy soils tested here in Roscommon County are typically acidic in nature and require lime. However, the range of pH varies considerably and therefore so does the amount of limestone required to raise the pH (“sweeten”) the soil. The amount of lime to apply can only be determined based on a soil test and no general recommendations can be given. Generally speaking, soil pH must be within the 5.5 - 6.5 range for most landscape and turfgrass plants to allow them to efficiently extract nutrients from the soil.

If homeowners are interested in testing their soil, contact the Roscommon MSU Extension office. The extension office is located at 500 Lake Street (M-18) in the County Building itself. Office hours are 8:30am to 4:30pm. (Note: the office is minimally staffed over the lunch hour.) Currently, the cost of a single soil test is \$15.00 for a basic soil test and takes about two weeks or so to get the results back from the MSU Soil Laboratory on campus. Randomly sample portions of your yard or garden bed and bring in about 2 cups worth of soil to be tested. If you suspect the soils on your property are radically different, then sample (and test) each area separately. If you have other questions, contact the Roscommon County MSUE office at 989-275-5043.

*Russell P. Kidd, County Extension Director  
Roscommon County MSU Extension*



**Phosphorus is the enemy because the nutrient not only washes off of lawns, driveways and road ends, but also seeps out of septic systems into the water table. Phosphorus promotes the growth of algae, moss and seaweed.**



**Higgy the Lake Trout says.....  
"Please help keep Higgins Lake clean and safe!"**

Higgins Lake Property Owner's Association presented the first annual Higgins Lake-Saver Program to the 4th grade class of the Roscommon Elementary School at the Ralph MacMullan Center on May 27, 2008. Eighty-five students participated in a full day of events designed to introduce them to the lake and educate them about issues concerning the lake and safety. The Higgins Lake Foundation provided a grant for lunch and supplies. At the end of the day, each student received a certificate for their graduation from the Lake-Saver Program.



Laurie Smith Tudor, Karen Springstead and Vicki Springstead stand at the front entrance to the MacMullan Center just before the students started to arrive.

Laurie is Secretary of the HLPOA and helped put the program together.

Visiting teacher from Texas, Karen Springstead, acted as program coordinator.

Vicki is Chair of the Higgins Lake Foundation, which provided funding and assistance with the program.



Deputy Donielle Bannon, Roscommon County Sheriff Marine Patrol, holds up a life preserver in her marine safety presentation. The kids had a lot of great questions for Deputy Bannon about boating regulations and age limits, etc.



Students consult with each other during the compass course program, presented by Karen Springstead. The kids navigated through a course and collected lines to a poem at each destination.



Jennifer Mulador and Nathan Skibbe from Huron Pines educated the students about green belting and erosion and talked about shoreline issues that affect the health and well being of Higgins Lake.

The Higgins Lake-Saver Program was divided into a morning session, lunch, and an afternoon session. Students divided into three groups and rotated through each session. The MacMullan center offered classrooms, beach location and patio areas for the activities. Tyler Sharp, Higgins Lake historian, told stories about Higgins Lake and talked about historical events, including the hermit on the Island.



Vicki Springstead demonstrated water pollution by having students add various “icky” items to a clear bowl of water to show how water pollution happens. Students were asked to think about things that could cause unsafe products and chemicals to enter the lake and how to prevent pollution.



Roscommon Sheriff Dive Team members demonstrated scuba gear and answered questions from the students about rescue and diving operations and equipment. Deputy Dean Maeder and A.J. Kory explained the dive team ambulance as dive team member Laurie Smith Tudor demonstrated scuba gear for the students.



The Higgins Lake-Saver Program was the brain-child of Pat Springstead, shown here on the shore of the MacMullan Center giving a presentation to the kids about invasive species and talking about the new Higgins Lake boat wash. Rick Meeks, also with the HLPOA, talked to the kids about water testing and showed some of the technical equipment used for water testing.



Gerrish Township Police Sergeant Greg Patchin talked to students about safety and demonstrated the department’s new Polaris 6-track rescue vehicle.

The HLPOA would like to thank all of the participants in the first annual Higgins Lake-Saver Program, especially JoEllen McNitt, Principal, and all of the 4th grade class. Thank you also to the Higgins Lake Foundation for their assistance in funding, and the MacMullan Center for the use of their wonderful location, and a special thanks to Karen Springstead who traveled all the way from Texas to make this day a success.

## Recommended Milfoil Treatment in Higgins Lake -- 2008

The HLPOA, with help from Huron Pines and funding through the Higgins Lake Foundation, continues to monitor invasive Eurasian Water Milfoil seaweed in Higgins Lake.

The sites noted on the map at the right detail the 2008 treatment plan, with some small changes.

The milfoil patch out in front of B&B that was scheduled for barriers this summer has been changed to just monitor status. The size of the bed has not increased significantly, and the location is in a high-traffic area, and also a favorite fishing site.

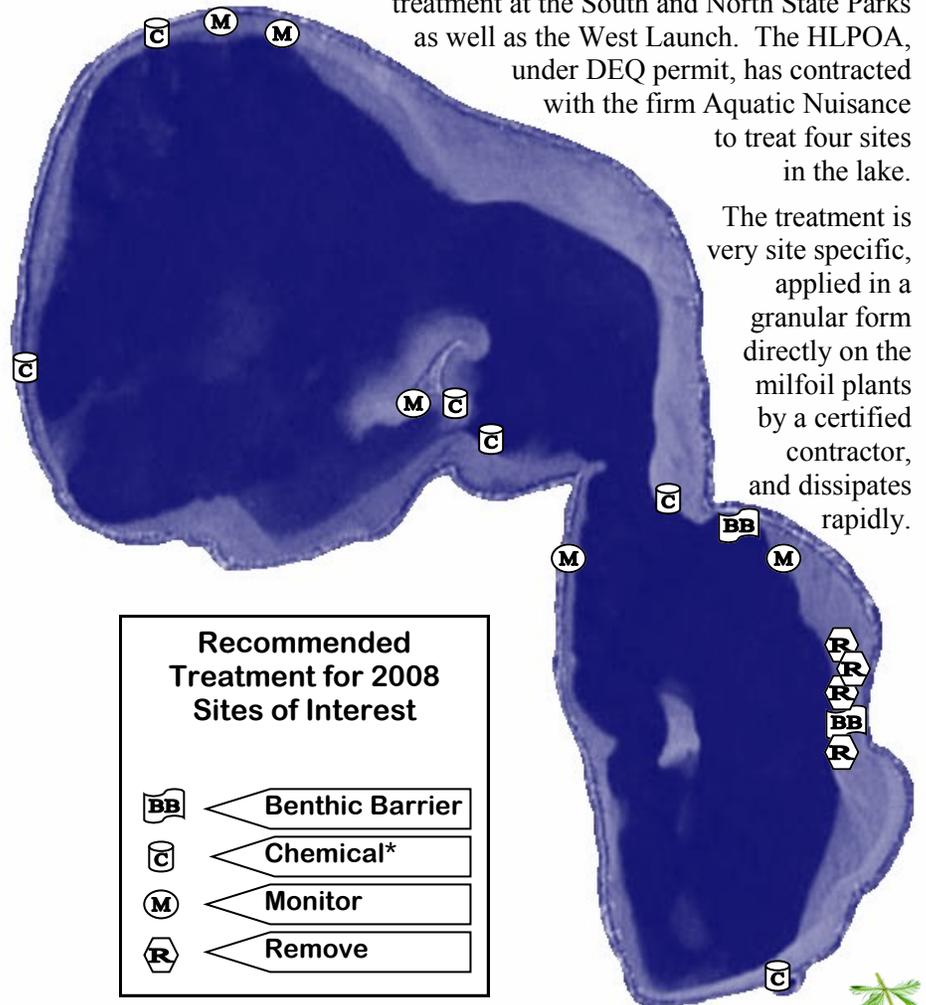
The patch of milfoil near flag point was added to the chemical treatment plan due to its proximity to heavy boat traffic and swimming, which promotes fragmentation and spread of the milfoil.

And finally, there are a number of debris sites located offshore from Chaney Point in the south bay that need to be removed as they have become "milfoil magnets."

Sites recommended for chemical treatment in 2008:

The DNR will continue maintenance treatment at the South and North State Parks as well as the West Launch. The HLPOA, under DEQ permit, has contracted with the firm Aquatic Nuisance to treat four sites in the lake.

The treatment is very site specific, applied in a granular form directly on the milfoil plants by a certified contractor, and dissipates rapidly.



The HLPOA and its partners will continue to monitor and eradicate the Eurasian water milfoil in Higgins Lake and promote the return of natural weeds to the lake bottom.

*Volunteers are needed to assist with the milfoil program - whether it be working with the barriers, or removing debris from sites. In addition to scuba divers, we need boats, boat operators, deck hands, shore workers and bubble watchers to monitor the scuba divers under the water to make sure they stay safe.*

*To volunteer your services, please contact Marv Bolton at [mgsail@peoplepc.com](mailto:mgsail@peoplepc.com) or 734-478-2499.*

*Or contact Pam at the HLPOA office - [hlpoa@charter.net](mailto:hlpoa@charter.net) or the office at 989-275-9181.*

*Thank you!*

## Milfoil Control

by Marv Bolton (aka “the Milfoil Man”)

Higgins Lake is big, blue and beautiful. We can not forget to keep a careful watch on anything that may threaten it. Eurasian Water milfoil is one of the threats that have come to Higgins Lake in the last several years. The first survey and report on milfoil in Higgins Lake was done in 1999 by Ray Van Goethern, Aquatic Specialist.

Subsequent surveys and reports have been done by Huron Pines in 2003 and in 2007. The situation seen over these last 10 years is one of very slow spread of milfoil especially when compared to other lakes where this invasive species has become established. This latest report can be viewed in full on the Huron Pine’s web site at [www.huronpines.org/article/56](http://www.huronpines.org/article/56). The report is encouraging because it confirms that the program of benthic barriers placed on many patches of milfoil has been effective in reducing or eliminating it at the locations where they have been used. However, there have been limitations to the use of barriers where the bottom conditions or size of the patch make them impractical.

Prevention is still the best policy and we hope everyone who uses Higgins Lake will use it responsibly and make sure to clean and inspect boats and trailers to verify that no living plant or animal material is attached to or “hitch-hiking” on them. Also please refrain from putting any objects into the lake where milfoil might gain a foothold and become established.

In 2007 several dedicated volunteers continued the effort to control milfoil through the use of barriers. In three work sessions, scuba divers and their support boats and crews pulled up barriers from sites near Chaney Point and Point Detroit and installed barriers at a site east of Old Point Comfort. In addition, many hours were spent on shore, sweeping off debris and cleaning the barriers that had been pulled up in preparation for them to be re-installed in new locations in the lake.

In 2008 we plan to continue the effort with three diving work sessions. Ideally each work session would have two teams of three divers along with a boat and crew of two to support them. Additional boats to fend off unwanted boat traffic from the work site helps enhance safe diving conditions for the scuba divers. The barrier work this summer will concentrate on the smaller sites identified in

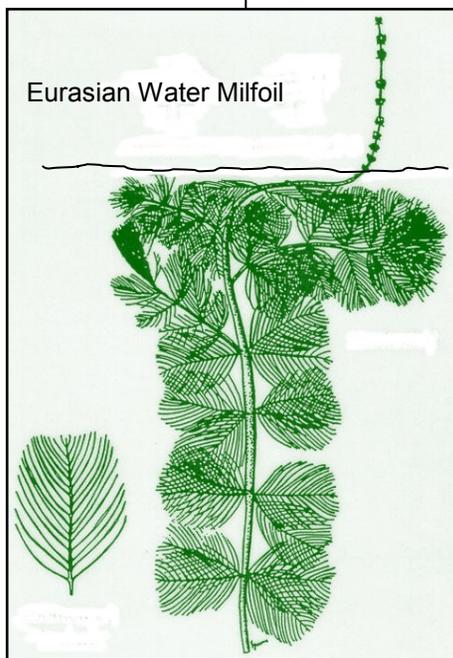
the Huron Pines report. These sites are generally along the east side of the south basin of the lake. There are also plans for a limited chemical treatment of four larger sites within the area formed by Old Point Comfort, Treasure Island, Point Detroit and Flag Point. These sites are all well out in the lake away from shorelines.

The success of this milfoil control program depends on the efforts of all of the volunteers who make it happen. This year we will be seeking additional volunteers to accomplish all that is planned. People are needed for every phase. Scuba divers to work in the water, boat captains and boats are always required. But just as important are people who can put in a few hours cleaning and preparing barriers. This work is done on shore and all that is required is a broom and some energy.

There are also a couple of barriers that are in shallow knee-high water. Non scuba divers who would like to get into the water and help are needed there.

Another project slated for this summer is the removal of debris piles in front of the Chaney Point area that have become infested with milfoil and are becoming problematic.

So we are asking for help from everyone who would like to contribute to the long term health of Higgins Lake, work with some very nice people and spend some quality time out of doors.



**If you would like to get involved, please contact Marv Bolton:**

**Cell: 734-478-2499**

**E-mail at [mgsail@peoplepc.com](mailto:mgsail@peoplepc.com)**

**You may also contact the HLPOA office at 989-275-9181 or [hlpoa@charter.net](mailto:hlpoa@charter.net)**

## Board News

Kathryn Bangs submitted her resignation to the board of directors in May of 2008. We will miss her wisdom, attention to details, and dedication to the mission of the HLPOA. We wish her all the best.

Laurie Smith Tudor was nominated and appointed to fill Kathryn's position as Secretary, and we are proud to announce the addition of a new board member, Mary Jane Hartman. Mary Jane brings a wealth of experience and concern for the welfare of Higgins Lake and we look forward to her contribution to our mission.

Please note the dates of our annual meeting on the back cover, and make plans to attend. It's a great way to find out what has been going on with the lake and meet the board of directors as well as legal counsel.

Refreshments are served prior to the meeting, and there is a question and answer session at the end. It has been an active year and we hope you will find time to come and meet all of us and learn what we have been working on in your behalf.

### Higgins Lake Property Owners' Association Board of Directors

<b>President</b>	<b>Pat Springstead</b>
<b>Vice President</b>	<b>Rick Meeks</b>
<b>Secretary</b>	<b>Laurie Smith Tudor</b>
<b>Treasurer</b>	<b>Stan Cooke</b>
<b>Admin. Asst.</b>	<b>Pam Mills</b>
<b>Legal Counsel</b>	<b>William Carey</b>
	<b>Rich Jaskowski</b>
<b>Members</b>	<b>Sue Balger</b>
	<b>Marvin Bolton</b>
	<b>William Case</b>
	<b>Mary Jane Hartman</b>
	<b>Brad Gibson</b>
	<b>George Scofes</b>
	<b>Ed Trautz</b>
	<b>Herb Weatherly</b>

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**Website:** [www.hlpoa.org](http://www.hlpoa.org)  
**E-mail:** [hlpoa@charter.net](mailto:hlpoa@charter.net)

**Mailing Address:** HLPOA, P. O. Box 55  
 Roscommon, MI 48653  
**Office Address:** 207 Terrace Drive, Roscommon

**The HLPOA Board  
 meets once a month  
 and the meetings usually last  
 two to three hours.**

**F. Y. I.**

**HLPOA Board members also attend meetings impacting the health and well-being of Higgins Lake including:**

- ✧ Gerrish Township Meetings
- ✧ Lyon Township Meetings
- ✧ Roscommon County Commissioners Meetings
- ✧ Roscommon County Road Commission Meetings
- ✧ Lake Access Committee Meetings
- ✧ Environmental Alliance Meetings
- ✧ House of Representatives and Senate hearing meetings in Lansing,
- ✧ and many more.

The HLPOA Board of Directors is an all volunteer board. HLPOA Board Members put in hundreds of hours each month in their various duties and activities and committees, and do not receive any compensation for their time spent at these meetings or for any other activities connected with the HLPOA. This is the Board's dedication to the HLPOA mission and the Board's commitment to insure member dollars and contributions will be spent furthering the causes of the HLPOA and not paying salaries of Board Members.



**Please don't throw your cigarette butts in the lake, the fish are eating them and getting cancer.**



**Did you know? -- The top ten items that have the honor of being the most abundant marine debris:**

Cigarettes and cigarette butts  
 Plastic bags  
 Caps and lids  
 food containers and wrappers  
 cups, plates, forks, knives

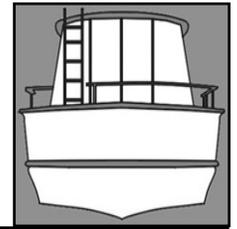
plastic bottles  
 straws and stirrers  
 aluminum cans  
 diapers  
 rope

**Many of these items take hundreds of years to decompose, and cause fish and other wildlife to become sick and die.**



## Summer Safety Tips

- Learn to swim and always swim with a buddy.
- Children and inexperienced swimmers should always wear a life preserver.
- Watch out for the dangerous “too’s” - too tired, too cold, too far from safety, and too much sun.
- Use a feet-first entry when entering the water. Make sure the water is deep enough before diving headfirst. Too many swimmers are seriously injured every year by entering headfirst into water that is too shallow or may contain unseen hazards. A feet first entry is much safer than diving.
- Wear sunscreen and sunglasses - sunglasses will not only save your eyes from the sun, but from flying insects while boating at high speeds without a windshield.
- Wear foot protection. Feet can get burned from hot sand or pavement, or cut on glass shards or the sharp edges of zebra mussels. When playing with dogs in the lake, take care that their feet don't get cut on zebra mussels also.
- Higgins Lake has very shallow areas that extend out into deep water and can cause sudden stops and damage to boats and engines. Be knowledgeable of the water environment you are in and any potential hazards, such as deep and shallow areas, sudden depth changes and obstructions.
- Do not mix alcohol with swimming, boating or diving. Alcohol impairs your judgment, balance and coordination, affects your swimming and diving skills, and reduces your body's ability to stay warm.
- Pay attention to weather conditions and seek shelter on shore as soon as you see or hear a storm.
- Take a safe boating course, and operate watercraft with common sense and courtesy. Obey the rules and stay 100 feet away from other vessels and objects and 200' from a dive flag. Speed limit is 55.
- Tell a responsible person your plans, where you will be and how long you will be gone. Check your boat equipment, balance, engine and fuel before leaving and take a cell phone with you and have emergency equipment onboard.



## Swimmer's Itch and the Deet controversy

To reduce the incidence of swimmer's itch, use a waterproof sunscreen with insect repellent and towel off immediately after exiting the water. The American Academy of Pediatrics has stated that insect repellents with DEET are safe to use on children as young as two months old.

Keep in mind that insect repellents with higher DEET concentrations aren't necessarily stronger than those with lesser concentrations - they simply last longer. So, although the EPA reports that “there is no restriction on the percentage of DEET in the product for use on children,” that doesn't mean you should rush to use the highest form of DEET you can find. If your child is only going to be outside for a few hours, you can likely just use an insect repellent with less than 10% DEET. Reserve insect repellents with higher concentrations of DEET for when your child is outside for four or five hours.

Although insect repellents with DEET work great and are thought to be safe to use on children, there are still many parents who prefer DEET-free insect repellents. There are many insect repellents that use oil of lemon eucalyptus, lemongrass oil, citronella oil, rosemary oil and Picaridin. **Note: products with oil of lemon eucalyptus should not be used on children under age three.** Picaridin is another chemical ingredient found in repellents and is thought to be as effective as DEET and offers parents an alternative to DEET to consider.



The American Academy of Pediatrics recommends that parents should not reapply insect repellents with DEET to their children more than once a day.

Use caution when using combination sunscreen and insect repellent. The main issue is that sunscreens should be reapplied every few hours, while insect repellents should not. They may be a good option if you are sure that your child will only be out for a few hours and you want the convenience of a single product.

To be safe, only apply insect repellents to exposed skin. Do not apply it under clothing, on a child's hands, near the mouth or eyes, or over cuts and irritated skin. You can apply the insect repellent to your hands first and then rub it on your child to avoid over-application.

Wash off insect repellents once your child comes inside and will no longer be exposed to mosquitoes or swimmer's itch.

### DEET-free Insect Repellents

Popular insect repellents that are DEET-free include:

- Avon Skin So Soft Bug Guard Insect Repellent
- OFF! Botanicals Plant Based Insect Repellent
- Cutter Advanced Insect Repellent
- Bull Frog Mosquito Coast
- Burt's Bees Herbal Insect Repellent
- California Baby Bug Repellent with Citronella
- Repel Plant Based Lemon Eucalyptus Repellent

### Some combination sunscreen and insect repellents:

- Coppertone Bug and Sun
- Bull Frog Mosquito Coast

## Remembering . . . by Laurie Smith Tudor

Late last year, we lost a true lake steward—Rob Morley. From as far back as I can remember, his name was synonymous with Mr. Higgins Lake. Rob started the Higgins Lake Foundation and sat on the board of directors of the HLPOA for many years and dedicated his life to issues concerning Higgins Lake.

I met Rob Morley one day while seated across a table from him being interviewed for a position on the board of the HLPOA. I knew who he was, and knew of his work with the foundation and his concern for the lake. At that time, my only connection to the HLPOA was as a scuba diver helping with the benthic barriers on the milfoil project. I worked closely with Ken Dennings, and Ken asked me if I might be interested in joining the HLPOA. Although I had grown up on the shores of Higgins Lake as a kid, I had just moved back permanently to the lake after spending 30 years in Cincinnati.

The interview went well, Rob was energetic, passionate about the lake and filled me in on the history of the HLPOA, current issues and talked a bit about the board members and what would be involved if I became a member. We talked for quite awhile, and then he asked me if I had any questions.

We talked some more and I felt confident it would just take me awhile to be brought up to speed and become familiar with the HLPOA. Again, he asked, “Do you have any questions?”

I couldn’t think of any offhand, so I asked him, what kind of questions do you think I might have? We talked a bit more, and again, he asked, “Do you have any questions?” I said no, I didn’t think so. Rob talked about the process of board approval for my appointment and timing, etc., and again asked me if I had any questions.

That was four years ago, and I am sorry to say I didn’t get much of a chance to work with Rob or get to know him very well, as he became ill shortly after I came onboard. What little glimpse of the man I did get was that of a very dedicated lake lover, willing to spend huge amounts of time towards the mission of the HLPOA.

Being on the board of the HLPOA is an honor for me, and to try and follow in the foot steps of someone like Rob is a huge challenge. Rob was the first one to tell me that our board is a “working board” and our members are dedicated to our mission to preserve, protect and enhance the quality of Higgins Lake. Board members spend many hours each week fielding phone calls, driving around the lake, talking with land owners on areas of concern, talking with local politicians and officials, attending meetings, etc. Often we are out in boats, kayaking around the shoreline or idling our boats past erosion sites and

road ends, mapping milfoil sites, monitoring the lake level, working on milfoil barriers, conducting water testing, and much more. We also spend way too much time behind our computer screens creating, producing and editing the HLPOA Newsletter, the HLPOA Directory, creating power point presentations for educational programs, sending mailers to our members, and taking care of a multitude of administrative tasks.

My work with the HLPOA takes up an inordinate amount of my time, all given voluntarily and willingly, and sometimes at great personal cost. And, for the most part, it goes unnoticed. The 6 o'clock news does not report about my work with 85 4th graders, NBC news does not cover the milfoil work session. Sometimes the local newspapers will run a story if they feel it's newsworthy, and we work hard to have them think it is.

That’s not the point—the work I do is not for recognition—it is for this lake I love so much, and to continue a legacy left to me by my parents, and the legacy I hope to leave to future generations. Once in awhile, not often, someone will come up to me and say, “Laurie, I have been hearing good things about the work you are doing for the lake.” And in those rare moments, my heart sings. (Thank you B.C., you know who you are.) Rob Morley came to me and said he had heard good things about my work for the lake and invited me to join the HLPOA. I am very thankful for that interview with Rob—for getting me involved, and the chance to work with him and the small insight into the great man that he was.

And I can truthfully say, after serving four years on the board that it’s been an eye-opening educational experience and a time of great personal growth. Every day brings a new issue to deal with, a new project. Along the way, a lot of questions have come up, and if I were able to look back in time, and once again be seated at the table from Rob, knowing what I know today, when he asked me, “Do you have any questions?” I sure would have asked a lot more questions.

Rob, you are missed, your wisdom and experience can never be replaced, and you left some awfully large foot prints behind you for us to try to follow. I’d like to think you are smiling down at us stumbling in your tracks as we continue our work to keep our lake clean and clear and peaceful for future generations. And occasionally, when the wind whispers through the pines and brushes my face, I’d like to think I hear . . . “Hi Laurie, it’s Rob, and I’ve been hearing good things about the work you are doing for the lake.”

**We remember him . . . .**

**Robert S. Morley**

**June 27, 1934 — December 1, 2007**



**NOTE:**  
**Baxter's Higgins Lake  
Boat Yard will be open  
and pumping gas this  
summer.**



**Also B&B Sports Center & Marina.**

**they deserve our business.**

**FREE Seminar**

**Green Belt Seminar**  
**July 12, 2008—10:00 a.m.**

**FREE Seminar**

**Gerrish Township Hall**

**Sponsored by Huron Pines and The Higgins Lake Foundation**

*Following the seminar, a native plant sale  
will be held in the parking lot.*

# 19th Annual HLF Awareness Day Saturday - Aug 9, 2008



1:30 to 3:30 p.m.

*Family Fun - Bring the kids for quiet water sports demonstrations and activities - life jackets and swim suits recommended.*

*Hot Dogs, soft drinks, T-shirt decorating, and more.*

5:00 to 7:00 p.m.

*Raffle Party - drawing at 6:00 p.m.  
Buffet and adult beverages  
Silent Auction, fabulous prizes  
Entertainment*

**Higgins Lake Awareness Day Raffle - August 9, 2008**  
**YES! I would like \_\_\_\_\_ RAFFLE TICKETS at \$100.00 each**  
**Please make checks payable to the Higgins Lake Foundation.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

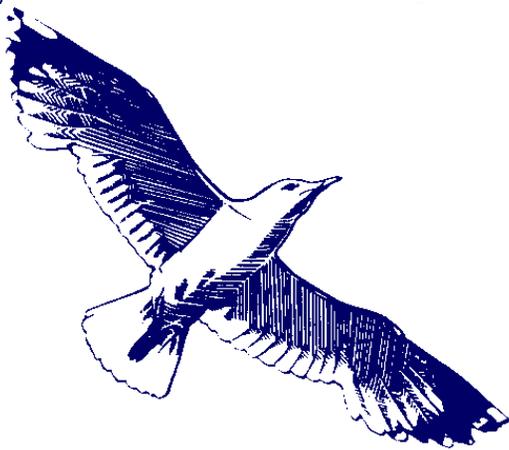
**Mail to: Higgins Lake Foundation, P. O. Box 753, Roscommon, MI 48653**

**Office Phone: 989-275-9183 -- License #R6504**

**You need not be present to win.**

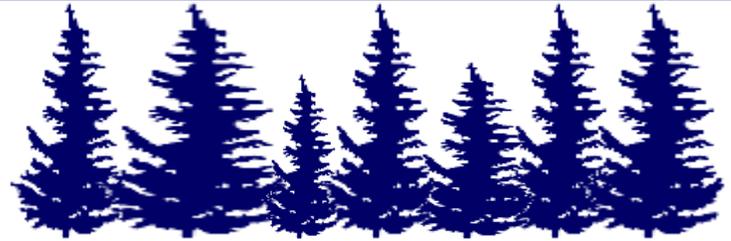
**Mission statement:**

*The mission of the Higgins Lake Property Owners' Association (HLPOA) is to protect, preserve, and enhance the quality of Higgins Lake and its surrounding watershed.*



*Water Lines* is published by the  
Higgins Lake Property Owners' Association  
P. O. Box 55  
Roscommon, MI 48653

*Visit HLPOA online at [www.hlpoa.org](http://www.hlpoa.org)*



***Don't miss the HLPOA  
Annual Meeting  
Saturday July 19  
9:00 am to 11:00 am***

***Gerrish Higgins  
High School Auditorium  
Refreshments from 8 am to 9 am***

***Have a safe and happy summer !***

***A full-color version of this newsletter  
is available at [www.hlpoa.org](http://www.hlpoa.org)***



HLPOA  
P. O. Box 55  
Roscommon, MI 48653

*Address Service Requested*

*We are happy to receive corrections.*

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