

## ASYLUM LAKE POLICY AND MANAGEMENT COUNCIL

### Minutes

June 12, 2025

Members Present: Pete Strazdas, Chair; Cybelle Shattuck, Council Secretary; Tom Sauber, Natural Areas Manager; Christopher Bovid; Dave DeBack; Jay Emerson; Mark Frever; John Kreuzer; Matt Reeves; Chad Stirrett; Mark Weiss; Mike Weis

Members Excused: Lynne Heasley, Steve Kienle; David Lemberg; Tiffany Schriever;

Guests: Mark Kieser, Kieser & Associates; Judy Huxmann; Wendy Denning; Paul MacNellis

### **I. CALL TO ORDER AND ROLL CALL.**

- There was a quorum of members present, and Mr. Strazdas called the meeting to order at 7 p.m.
- The Winchell Neighborhood Association needs to send a letter to Mr. Strazdas stating their intention to have Mr. Bobbit take Mr. Scott's place on the Council.

### **II. EDITING AND ADOPTION OF AGENDA FOR June 12, 2025.**

- There were no changes to the Agenda, which was approved by unanimous voice vote.

### **III. EDITING AND APPROVAL OF MINUTES FROM MAY 8, 2025.**

- There were no changes to the Minutes, which were approved by unanimous voice vote.

### **IV. FINANCIAL REPORT.**

#### **a. Asylum Lake Operations Financial Report.**

- Mr. Frever provided the financial report to the Council, along with an update that was provided a couple hours before the meeting.
- There were no additional changes to the financial report, which was approved by unanimous voice vote.

### **V. OLD BUSINESS.**

#### **a. Project Updates and Project Finances.**

##### **i. Storm Water and Research Project.**

- Dr. Reeves provided a brief summary of the stormwater research project for the new members on the Council.
- The stormwater research team submitted a proposal to the Michigan Department of Environment, Great Lakes and Energy (EGLE) for a \$40,000 grant. The grant proposal was rejected because it was considered to be research rather than infrastructure improvement.
- Mr. Kieser mentioned that the research team still has some money from the Council to do pilot testing on the stormwater treatment system. The treatment system addresses phosphorus and sediment.
- The pilot test would use the existing treatment system to remove road salt from the stormwater. That testing cannot be done until there is enough snow to require the use of road salt.
- The research regarding road salt removal from stormwater was presented at the Michigan Department of Infrastructure Conference about a month ago. A representative from the Michigan Department of Transportation (MDOT) contacted Mr. Kieser a few days later to state that they would like to be a part of this project.
- The Michigan Department of Transportation has research funding that will be available in the fall. MDOT provides a lot of the salt that winds up on the highways.
- Mr. Kieser estimated that 50% to 60% of the road salt, by the highway interchange near Asylum Lake, could be captured by the stormwater treatment system that was constructed in the Preserve.

##### **ii. Sign Committee.**

- No report.

**iii. Update on Other Projects Approved.**

- Mr. Sauber reported that Wildtype will be working on the invasive species in the Preserve in the near future. Mr. MacNellis has been talking to Bill Schneider from Wildtype about where and what to focus on in the Preserve.
- Mr. MacNellis and Mr. Sauber have a three-year plan with items to focus on in the Preserve. Mr. MacNellis will be available to help with the plan until November 15<sup>th</sup>.
- Mr. Frever will help set up a project in the F4 and F5 areas of the Preserve. Seeds and understory plants will be purchased for those areas. That is the next step and the budget has already been approved by the Council.
- Ms. Huxmann reported that the plant inventory in the Preserve is proceeding. The volunteers have been collecting good information.

**b. Council Discussion on Indigenous Peoples.**

- The students are not around at this time of year, and the sub-committee has not met recently.

**c. Lake Water Level Update.**

- Mr. Sauber reported that the lake water level has been lower recently. He met with Paul MacNellis recently and they came up with a new design for the beaver deceiver.
- The new design will be stronger so that it can withstand the beavers' efforts to dam it up. Also, a second pipe will be added to help deal with the additional water in the springtime. The new pipe will be made of a more flexible material, and there will be a cage at the end of it so the beavers can't plug it up.
- The plan is to have WMU staff do the work on the beaver deceiver rather than hiring a contractor.
- Mr. Sauber is looking into having a contractor remove the silt that has built up in the area. He will talk with Mr. Kieser about finding an excavator to help with this project.

**VI. NEW BUSINESS.**

**a. Application for Preserve Use.**

- Mr. Lemberg was not available to attend the June meeting. He did not receive any new applications for use of the Preserve.

**b. ALPA items for discussion.**

- Mr. Kreuzer had questions that the ALPA (Asylum Lake Preservation Association) received from the public about things that are going on at the Preserve.
- The following **questions** and *answers* were discussed:
- **The Council voted to accept a \$550,000 grant from the State of Michigan for the construction of the stormwater project. What entity received the funds?**  
*Mr. Strazdas stated that the Council cannot receive the funds. Western Michigan University received the funds through the grants department. This particular grant had a waiver from the university. Normally, 52% of the grant would go to the university for overhead. There was a request to the Office of Research to waive their usual percentage, which they did, in full. The Council stated that they needed all the funds from the grant in order for the stormwater project to be funded.*  
*The \$225,000 for the research portion of the stormwater project came from the endowment fund that was set up for the Council. The funds were moved from the endowment to the Council's general fund and then to a project account for the Council to use. The project funding was done with approval from the Vice President of the Finance Department at the university.*
- **Where were the funds deposited?**  
*The funds were deposited at the WMU Office of Research.*
- **Were all the funds spent?**  
*There is \$20,664 remaining to be used on the stormwater research project.*
- **What is the accounting for the funds?**

*The recent e-mail from Mr. Frever to the Council shows an accounting of the funds used for the stormwater project. The Council does not pay for an accountant. The university pays someone in the accounting department to keep track of the money. Mr. Frever presents the monthly accounting report to the Council.*

- **Mr. Kreuzer inquired if the \$20,664 remaining would be enough to fund the research that needs to be done.**

*Dr. Reeves stated that it would not be enough. Ninety percent or more of the research funding was used to compensate the graduate student who was involved with the research project. Some of those funds were used for instruments that were needed and for the chemicals that were used in the filtration process. The remaining \$20,000 might fund the four stormwater events that are covered under the permit, but it will not fund the research that still needs to be done. Since August of last year, Kieser & Associates has billed for \$60,000 of staff time.*

- **Who was on the stormwater research team?**

*The WMU research team included Dr. Matt Reeves, Dr. Dan Cassidy and Marwan Alhinaai, the research assistant. The research team also included Mark Kieser, John Jacobson, Mike Foster and support staff from Kieser & Associates. In 2023, a statement was made that the stormwater research project would be commercially viable and there would be a nondisclosure agreement with the university and Kieser & Associates.*

- **What does the term “in house” refer to?**

*The term “in house” referred to the WMU and Kieser & Associates staff that were part of the stormwater research project.*

- **The ALPA requested a copy of the nondisclosure agreement that was created to protect the intellectual knowledge that was part of the stormwater research project.**

*It was suggested that the WMU Office of Research and Innovation might have a copy of the nondisclosure agreement. The WMU legal department might also have a copy. Mr. Weiss offered to locate a copy of the nondisclosure agreement.*

- **Do intellectual property rights refer to the patent of theoretical chloride removal structure or to the technology nondisclosure agreement between WMU, Kieser & Associates and EGLE?**

*Mr. Kieser stated that the intellectual property rights refer to both the chloride removal and the nondisclosure agreement.*

- **Would Kieser & Associates be willing to initiate an agreement between the Council and Kieser & Associates that, if and when circumstances make it possible, that the Council would be reimbursed for their investment in the stormwater project?**

*Kieser & Associates would not be interested in making a formal agreement to reimburse the Council, but they are supportive of the idea to reimburse the Council. Approximately 2% of every research idea proceeds to a commercial use. Millions of dollars of work would be needed before a determination can be made as to whether or not the stormwater research is commercially viable. That determination would not be made for many years.*

- **Mr. Kreuzer inquired as to what would happen with the stormwater research when the remaining money has been spent.**

*Mr. Kieser stated that additional funding would be needed. If they can't find someone to provide the funds, the idea is not fundable.*

*As of June 9, 2025, the balance of the endowment funds at the Kalamazoo Community Foundation is \$2,885,726.02. The Council has been using approximately \$100,000 per year of that money to fund projects in the Preserve. The granting amount is over \$300,000. That is the amount available to the Council. The President of Business and Finance oversees that account.*

*There haven't been any individual donations to the endowment fund in years.*

- **The following discussion took place about the repair of the lower spillway in the Preserve:**

- Mr. Kreuzer stated that the lower part of the spillway is deteriorating. The bench is about to fall over due to the erosion. There is also some erosion on the upper part of the spillway by the two benches. The repairs could be done in-house with boulders, road gravel and a Bobcat.

- Mr. Sauber thinks his crew could do the repairs. The budget for the repairs was estimated to be around \$15,000 to \$20,000. The cost can be determined after review with WMU staff.
- **John Kreuzer, supported by Jay Emerson, moved to fund the spillway repair project in the amount of \$20,000. The motion carried unanimously.**
- Mr. Frever mentioned there is a spillway maintenance budget and a trail maintenance budget, they are separate. The \$20,000 would go into the spillway budget.
- If any of the \$20,000 is not spent on the spillway project, that money will go back into the Council's general fund.
- **The following discussion took place regarding the suggestion to have Tom Sauber assume the role of Manager for the ALPMC Management Plan:**
- This would be a part-time position after Mr. Sauber is retired. He is agreeable with taking on that role. He plans to retire within a year. Mr. MacNellis will be retiring from that role in November.
- Mr. Sauber will provide more details about his retirement date and his salary requirements for the Council to consider in the future.

**VII. NEXT MEETING.**

- August 14, 2025.

**VIII. COUNCIL/STAFF COMMENTS.**

- No comments.

**IX. PUBLIC COMMENTS.**

- No comments.

**X. ADJOURNMENT.**

- The meeting adjourned at approximately 8:20 p.m.