

THREE MILE LAKE

news

October 2009 - Volume 3, Number 2

P.O. Box 482, Paw Paw, Michigan 49079

www.threemilelakepawpaw.org

email - threemilelakepawpaw@yahoo.com

This publication is being sent to all residents that have riparian rights or interests in Three Mile Lake and Little Three Mile Lake.

2009 – 2010

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NEW WEBSITE

In August of this year the board of directors voted to launch a new website to help better serve the needs of the association. The site includes current news, archived newsletters, minutes of membership meetings, links to informational websites, photos and advertising. The possibilities for this site are limitless and will be an asset for our residents. The advertising section of the site is available to all members who wish to place an ad for business services, items for sale, vacation rentals, etc. There is no cost to members to place an ad; non members will be charged \$20. The size of the ads will depend on the available space and content. Submissions must also meet with the standards set by the board of directors. Please contact Jill Harring (657-3767), Joyce Beedie (657-4409) or email threemilelakepawpaw@yahoo.com if you wish to place an ad.

NOTES FROM THE MEMBERSHIP MEETING

The final membership meeting for this year was held on September 5, 2009. There were 23 residents in attendance representing 18 households. At that meeting we welcomed Deputy Jason Fisk, of the Van Buren County Sheriff's Department. He is one of the several officers who were dispatched to patrol our lake this year. Some of the topics that Deputy Fisk spoke about were: boating safety, new rules for jet skis, appropriate floatation devices and the importance of lake patrols. He spoke at length about the increase in boating accidents statewide and the efforts that his department is making to keep the residents of Van Buren County safe. A question was asked about the increase in patrol on our lake this year. He replied that all the lakes are seeing an increase, but our lake is seeing more than the others because the Sheriff's Department received many complaint calls from our residents this year and that these calls must be answered. Once an officer is dispatched to a lake the officer is required to make contact with all vehicles on the lake. This resulted in many of our residents being stopped numerous times this season. Deputy Fisk stayed to answer all our questions and distributed the latest issue of the Michigan Boating Rules.

***** If you have not paid your 2009-2010 membership dues (\$20), it is not too late. Please mail it to Three Mile Lake Corporation, P.O. Box 482, Paw Paw, MI 49079. Your continued support helps **you** and your lake neighbors, and new members are always welcome to join. *****

**Annual Meeting
Schedule**

Spring
Board Meeting
1st Sat. of May

Spring Membership
Meeting
3rd Sat. of May

Annual Membership
Meeting
Last Sat. of June

Fall Board Meeting
1st Sat. of August

Fall Membership
Meeting
Sat. of Labor Day
Weekend

The board of Directors have set this meeting schedule for the coming year, but it is subject to change. Any changes in dates and times along with meeting locations will be announced at a later date.

LAKE MANAGEMENT REPORT FROM PLM

Andy Tomaszewski, Ecologist for Professional Lake Management, reported that the 2009 season was a very successful year in regards to Eurasian Watermilfoil control. The goal for this season was to control/reduce/monitor Eurasian Watermilfoil throughout the lake and to promote a balanced aquatic ecosystem of native plants. Based on surveys that were performed on the lake, that goal was achieved. High water levels in the spring did not allow treatment for the Curlyleaf pondweed. If water levels are at reasonable levels in 2010, Curlyleaf pondweed will most likely require some spot treatment. Future lake management will focus on monitoring the balance of aquatic weed growth. Once Eurasian Watermilfoil is found it will be addressed via spot herbicide treatments. If Curlyleaf pondweed and/or algae become excessive management techniques will be implemented to provide balance in these areas.

PLM also administered our Water Quality Program this year. The tests that they performed this spring were: secchi disc, pH, dissolved oxygen, conductivity, alkalinity, and nutrient sampling of total nitrogen and total phosphorus. In mid-summer the Fecal bacteria (E. Coli) test is done to determine if the lake is safe for swimming. We were notified in July that the water tested at safe levels for swimming and the remainder of the test results will be available later this fall.

THREE MILE LAKE – JENNINGS DRAIN EXTENSION

A Board of Determination hearing was held September 24th to address the request to extend the Three Mile Lake - Jennings Drain. The meeting was attended by about 50 lake residents that asked questions and voiced their many concerns. Also several letters were read that had been received at the Drain Commission office. In the weeks leading up to this hearing a survey was completed for the proposed drain extension site, the lakeshore was staked at the proposed high water mark and each member of the Board of Determination did a personal survey of the area. After studying all the information and listening to public comment the board made their decision. They unanimously decided that this project was unnecessary at this time. The minutes of this hearing were recorded for public record and can be obtained through the Van Buren County Drain Commission. If you did not receive a letter from the county notifying you of this hearing you should contact Van Buren County, at 269-657-8243, and update your address of record. Every attempt was made, by the association, to contact residents by word of mouth and by email.

WHAT ABOUT THOSE GOLF CARTS?

Golf carts have become a popular recreational vehicle, particularly in lake communities such as ours. Many of our neighbors have golf carts, which has led to numerous discussions at Lake Association meetings regarding the operation of golf carts on public streets or other areas around the lake. The purpose of this article is to summarize the legal requirements for the operation of golf carts, as well as some liability issues that owners of golf carts should be aware of.

With very limited exceptions (such as farm equipment) Michigan law requires that motor vehicles or trailers driven or moved on a street or highway must be registered and licensed. Not all motor vehicles can be registered and licensed. In order to be registered and licensed, a motor vehicle must conform to various safety

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and equipment standards specified by state and federal law. The typical golf cart, without modification, does not meet any of the required safety or equipment standards, and as a result cannot be registered and licensed to legally operate on public streets or highways.

In order to be registered and licensed, a golf cart must be upgraded to meet the requirements for low-speed vehicles, which can be licensed under Michigan law. The requirements for a low-speed vehicle can be found at the State of Michigan website (www.michigan.gov) by conducting a search for "low speed vehicle". If a golf cart is upgraded to meet the requirements of a low-speed vehicle and registered and licensed, it can only legally be operated on a street or highway by a licensed driver.

State law imposes criminal liability if these requirements are not met. Driving or moving a motor vehicle that is required to be registered on a street or highway without proper registration, or knowingly allowing someone else to operate an unregistered vehicle, is a misdemeanor criminal offense. Similarly, allowing an unlicensed person to drive a motor vehicle on a street or highway is a misdemeanor criminal offense.

While not classified as a motor vehicle that can be licensed under Michigan law, a golf cart is classified as an off road recreational vehicle (ORV). The operation of a golf cart off road then, must meet all the requirements for the operation of ORVs generally under Michigan law. In this regard it should be noted that there are specific operating restrictions, and training requirements and age restrictions for children. These restrictions are too detailed to be listed here, but can be found at www.offroad-ed.com. Criminal and civil penalties may be imposed for violations of the Act that regulates the operation of ORVs.

Because a golf cart generally cannot be registered and licensed to operate on a street or highway no liability coverage will be available to the owner under the owner's automobile insurance. Liability coverage may be available under the owner's homeowners insurance, but coverage may be accepted and denied if the golf cart was not being operated in compliance with all legal requirements. For these reasons, owners of golf carts should carefully review their insurance coverage.

Being sure that you have adequate insurance coverage in the event of an accident or injury while operating your golf cart cannot be stressed enough. Even if a person who is injured has their own insurance coverage, their insurance company may, as a condition to receiving coverage, require them either to sue you, or assign their rights to sue you to the insurance company.

In my experience, many people neither think about nor understand the liability risks of things like golf carts. They don't think anyone will get hurt, and they assume they have insurance coverage. I've dealt with more than one person over the years who were shocked first to be sued by a friend or relative, and second to find they had no insurance coverage.

Contributed by Charlie Bear