



THE DECLARATION OF CONSERVATION RESTRICTIONS!!! The Restrictions clearly state that distributions from the Kalamazoo Community Foundation endowment are to be used only for "costs for development, operation, and maintenance of the Preserve for passive recreational

use. If you would please take the time to review the comments and recommended changes you will see that we have several questions on items like Council membership and distributions from the endowment for the VP for Business and Finance that must be answered before we can proceed. Duane, will have to set up another meeting with FM administration and, this time, please go into it fully informed. Paul MacNellis told me at the September meeting that he would be willing to be part of a meeting to answer any questions about the history of the fight to save Asylum Lake.

When you do read the proposed changes you will note that our current management framework requires the ALPMC to review and update the framework and by-laws at least every five years and it requires the Council to submit annual financial and activity reports to the VP for Finance. I do not think these review and reporting requirements are unreasonable. I agree with Steve K that ignoring the provisions of the legal framework within which the preserve is operated is a slippery slope (I would invite everyone to read Article VII, the Indemnification clause in the by-laws). This Council needs to get its act together and operate as a *Policy and Management Council*. This extends not only to the governing documents but also to how business is conducted at the meetings. The September meeting was unnecessarily lengthy (over 2 hours) and uninformative. I would have appreciated some prior supporting material on the current plans for Colony Farm

And, frankly, I thought the unstructured way in which the meeting was conducted was insulting to the members of my neighborhood association who had to wait for hours to present their concerns on the deer nuisance. Some of us have day jobs. Jay Emerson

(There are copies of the governing documents and proposed changes attached)

Council Discussion: Most changes are general housekeeping to bring documents up to date with reality of current preserve. Responsibility of council for updating governing document?. What documents need changes? What changes can be done in house and which need board of trustee approval? Wisdom of ignoring non-compliance issues (parking lots)?. Responsibility of WMU administration for legal council as stated in article VII of bylaws? If violations are ignored the document has no teeth. Was offer by WMU FM administration for clerical services in exchange for dropping updates to governing documents? Representation on Council does not conform to representation defined in documents. What changes do WMU FM see as a concern? Original document took 5 years to craft would be irresponsible to let it die due to non-compliance issues that could be solved by document review and updates. History of the council and relationship with WMU discussed. Council was to take heat of university for management decisions at Preserve. Regardless if WMU FM has veto power it is the charge of the council to bring any and all changes forward for consideration. NO change should be omitted just on the threat of a veto.



The council must do its job and WMU can take heat for veto and non-compliance issues going forward. This is a WMU legal document and they are responsible for legal council. Money cannot be appropriated from Asylum Lake Fund WITHOUT Council vote. Council should not role over or abdicate its responsibility for keeping governing documents alive. Comment by WMU FM "Who care about non-compliance" is irresponsible way to steward the Preserve. Council agreed to gather all suggested changes and present them to WMU FM. Based on that result the council will discuss and make recommendations as to next step. Also discussed, operations of meetings, meeting length, order of speakers, Public comments, courtesy to guests.


Motion was made to substitute Representation by Environmental Institute (now defunct) with representation by Institute for the Environment and Sustainability (Steve Kohler position now)
NOTE: the council agreed that this substitution DOES NOT include the responsibility for clerical help to council that was provided by Environmental Institute.

Council Discussion: *who pays for clerical? Is clerical help, WMU staff? Students? Temporary Services? Is support from WMU reliable? Steve Keto indicated the council is under no deadline to find clerical help. If the council feels he is the best value and service to the council as clerical he will be happy to continue in this responsibility. To keep council representation balance (in favor of WMU representation) who will fill the department seat now open. Office for Sustainability was top choice of Council. Dr. Harold Glasser will need to be contacted to determine if we can move forward with this.*

Motion Approved. NOTE: First ask Office for Sustainability if they wish to nominate a representative, If not ask WMU administration to appoint a representative from another department. Steve Keto will contact Dr. Glasser to see if his group is interested in becoming involved in Asylum Lake .

- b. Trail Updates;** *No information on if or when an engineer will visit the preserve to survey trail condition and make recommendations. Phil M. would like to be included in the walk through. Council discussion about who would be best to accomplish this FM staff engineer or outside vendor. Council discussed past approved trail plans, alternatives, and level of accessibility. Council discussed how recommendations and terminology have changed over time, barrier free, ADA, mobility. More impute is needed for trail committee to compare plans. WMU FM negative on ADA compliance it was explained to administration that better accessibility does not mean fully ADA compliant . Trail committee should meet. Paul M. ,Lauri H. ,Mark F. ,Paul S. , Tom E., Phil M. should attend this could be held in Marks office in the Physical Plant. Council asked for report from trails committee on November 10 meeting.*

There was a brief discussion about membership and attendance by ALPMC members. Difficulty in getting quorum at all meetings. What is minimum



attendance rate and what can council do to encourage members to commit to the meetings.

- c. **Preserve safety;** A representative from WMU Public Safety will be invited to November meeting to discuss issues and enforcement at the preserve.
- d. **BTR 2.0 EDA Grant status;** Federal economic development grant was awarded for development. The project will begin developing a Due Care plan to handle contaminants on the site. Firms to do work will be identified and a report will be available by December 2016. Comments by council about management of the site and control of invasive plants that could damage the Preserve.
- e. **Clerical assistance for ALPMC;** partly discussed under governing document discussion. Council agrees this is a good idea and while WMU FM is willing to assist here, the financial responsibility for this positions pay is that of the Council.

VI. **New Business**

- a. **ALPMC project balance.** There is money left in this account from last round of Oak Forest invasive management. As this was already approved by council for this work we can apply this to a current round of work by Wildtype. Dr. Todd Barkman has given his OK to manage his research plots for invasive shrubs and trees, Wildtype will avoid all Oak seedlings and if requested save the Silverbell trees (*Halesia carolina*) Steve Keto will get a estimate from Wildtype and bring it to the council in November (attached) Money also available in Prescribed burn account. Another attempt will be made to burn 25 acres of prairie in spring 2017, so account will stay open. Council must still spend money to prepare for the burn such as mowing, survey, tools etc.
- b. **CFO Orchid update.** (see BTR 2.0 map with orchid points) There are two individuals blooming this year making a total of three rare *S. ovalis* orchids on site.

VII. **Project/Special Committee Reports:**

VIII. **Public Comments:** Erosion increasing on several trails.

IX. **Council/Staff Comments:** Parkview Hilll received a grant to restore the Fen on the property. An ornamental variety of *Viburnum* has invaded the fen among other species. Steve Keto has provided tours and education at Asylum Lake to WMU students, staff and outside groups, including some from Grand Rapids. Steve Keto is in discussion with the City of Kalamazoo Utilities about maintenance of sanitary



sewer line on the North shore of the preserve. This is a steep narrow trail not suited for equipment used to maintain sewer infrastructure.

We do not yet have a location for the November 10, 2016 Meeting, Mark and Duane will help to secure a venue.

X. **Adjournment; 8:50**