

**Minutes - Lake Bel-Air Property Owners Association
2023 Annual General Meeting, Aug. 12, 2023
Adams Township Hall, 10:00 AM**

Mission Statement: Our guide for the future...

We, the membership of the Lake Bel-Air Property Owners Association endeavor to maintain our lake as it was originally developed, and we follow our covenants and bylaws for the benefit and enjoyment of all members.

Board Members in Attendance: Karl-R. Hermann, President Sue Surducun, Vice-President Lynnea Bendixen, Secretary Laurie Mickiewicz, Treasurer Patricia Giese, Director Gerald Brown, Director, Dave Black, Director

**Meeting Presided over by: President Karl-Rainer Hermann,
Conducted by: Neil Bendixen, Parliamentarian: Neil Bendixen**

Call to Order: at 10:10 am Pledge of Allegiance and Prayer

We began the meeting with a moment of quiet reflection to consider the names of the five residents who passed away during the past 12 months: **Mark Kapera, Betty Myer, William Hicks, Ed Zemnickas and Joe England.**

This meeting is conducted in a parliamentary manner, guided by "*Roberts Rules of Order*"

Count of Association Members by attendance in person (**41**) attendance by ballot &/or proxy (**38**)
Result: With **79** lots represented at this meeting we have a quorum to conduct an official meeting as per Bylaws, Article III, Sec. 9.

Introduction of Board Members: (President Karl-Rainer Hermann)

Agenda Review: (Neil Bendixen)

For questions at the **end of the agenda**, please take your notes on the provided "Question Cards".

President's Report: (Karl-Rainer Hermann) Karl reports that the LBAPOA Board has had 10 meetings since the 2022 AGM.

Treasurer's Report: (Treasurer Laurie Mickiewicz)

(See General Overview of 2023 Income and Expenditure attached to the bottom of the minutes.) Laurie also reports that the assessments are mostly paid. All Bills are up to date. There has been an update made to the sort of accounting software that is being used. This will help with accounting efficiencies. Additionally, Laurie has updated all emailing addresses, and added 2 central email address for membership to use. She can be reached via email at:

Lake Belair Treasurer lbtreas20@gmail.com

And in case of wanting to reach any Board member please use: LAKEBELAIRPOA@GMAIL.COM
This email will be checked regularly and directed to the Board member best suited to answer your questions.

A motion to accept the 2023 AGM Financial Report was made by Deb Kamen with a Second by Deb Bryant. Motion, second and carried.

Secretary's Report: (Secretary Lynnea Bendixen)

(a copy of the 2022 AGM Minutes was handed out at this meeting) **Minutes were previously approved by the Board.** There will be an open forum opportunity at the end of the meeting. There are question cards that can be filled out with your questions or comments. Please stand and state your name before beginning your comments, so everything can be properly recorded for the minutes.

Project Review: (President requests Committee Chairpersons to report)

Island Restoration Project / Lake Matters:

Project committee person, **Sue Rausch**, gave an overview of activities. (Island, Fish stocking, sticker program). **Mike Gustitus** will be planning a Fall Clean-Up day for the island. He will be looking for volunteers for a day of tree trimming, grass clipping, weed-pulling and perhaps some maintenance of the rock surround.

The fish stocking program will be looking for cash donations to again purchase more fish for the lake depending on cost and availability.

The purpose of the sticker program is to distinguish resident water-craft from potential trespassing water-craft.

Weed Control:

Dan Laws has submitted a written report. Copy attached to bottom of minutes.

Dredging Project Inlet #2: and Inlet #1: On behalf of project chair person, **Gerry Brown**, **Mike Mercier** reports on the status of the dredging Inlet #2 and Inlet #1 (see Gerry's report handed out at this meeting attached at the bottom of the minutes.)

Future Dredging Plans for the Lake:

President Karl R. Hermann: Our future plans and requirements include continuing with the 5-year plan voted on by the membership at the 2022 AGM. We will continue to work with our engineers and dredging company of where best to continue. Right now to consider Inlets #4 & #5. It would be helpful if we could get one permit to work on both inlets. Each granted permit is in effect for 2 years. It's a frustrating process as EGLE/DNR give us difficulties. Plus, make suggestions such as, "make the docks longer", or "just add more water" ... Fortunately for us, **Mark Rodemeyer** was able to know someone who was able to get the o.k. for the permit and to get the go ahead with the Inlet #1 project. Currently the sediments from Inlet 1 are drying out and likely in mid-September will be able to be spread out, smoothed, and seeded.

Election of three new Board Directors:

Nomination Committee Chairperson, **Laurie Mickiewicz**, reports on the procedure. Each nominated, eligible member will give a brief personal introduction and the motivating reasons for serving on the Board of Directors. (In alphabetical order).

Katherine Cerne is married to John. They have 2 children who are both heavily involved in sports. Her background includes experience in real estate, as well as 25 years in broadcast journalism, writing, producing news stories, and has served on the board of the St. Mary Royal Oak Catholic Church Parish Council. Katherine is interested in joining the Board as a civic duty with a vision to improve the quality of lake life for all owners, to continue to maintain improvements to lake quality, and would also someday enjoy having a walking path to connect both sides of the lake for safer exercising ability and for a better way to meet neighbors and build community.

Karl-Rainer Hermann is a full-time resident of Lake Bel Air. Karl brings knowledge gained from 38 years in various types of international business along with serving with the Kiwanis Service organization, St. Anthony's Catholic Church & Family Center, and currently Karl is the president of the LBAPOA since 2017. Karl would like to continue with the capable board members who have done

their best to serve with the goal to keep Lake Bel-Air a lasting area for the enjoyment of all owners and to maintain a friendly and neighborly relationship.

Jay Knerr is a retired paramedic and Lieutenant firefighter having served in Toledo over 30 years. Previously Jay served on the Vineyard Lake Board and also the Adams Township Board of Review. Jay and his wife Carlene have lived on Lake Bel Air for 18 years. Jay enjoys fishing, boating and time with the grandkids. Jay would like to be president of the Board emphasizing he would like to see everyone working together, we don't need laws telling us what to do. He would work to better the quality of life on the lake.

Laurie Mickiewicz currently serves on the LBAPOA Board as the treasurer. Laurie and her husband Ray have owned their lake property of 12 years. Laurie is a Certified Public Accountant with experience and technical know-how that has contributed greatly to the LBAPOA's communication, accounting and legal obligations efficiencies. Laurie is interested in serving on the Board to continue the forward progress that has been made in the last few years.

Voting process is conducted under supervision of **Nominating Committee** with assistance of volunteering members for ballot counting. The volunteers for the 2023 AGM are: **Terry Brewer, Rosemary Sell, Sue Gustitus, Sue Rausch, and Tina Skelly.**

Results of voting is announced by Neil Bendixen: The following, new three directors have been voted for:

Katherine Cerne, Karl R. Hermann, and Laurie Mickiewicz for a term of three years. The new Board of Directors for the coming year consists of: (alphabetically) Dave Black, Gerry Brown, Katherine Cerne, Patricia Giese, Karl Hermann, Laurie Mickiewicz and Sue Surducan.

The new Board will elect the persons for the particular positions in a separate, internal meeting immediately following this meeting.

President thanks outgoing Director **Lynnea Bendixen** and welcomes new Directors.

Questions and Answers: Public Comments made during the meeting:

Bonnie DesJardin: I'm not able to get it off of this financial report. Do you even know the fee per lot for the weed control or can you tell us how many lots are billed? It's not spelled out.

Laurie: We do not calculate a weed control fee per lot, we budget an expected lake weed control cost, for 2 reasons:

1. There are 132 platted lots, plus a number of non-platted volunteer, lake access members. This number changes somewhat based on lot ownership changing.
2. The Weed control company estimated a yearly cost for us. Then they apply the chemicals based on lake needs. The spent is close but not exact.

Any unspent assessments are transferred to the Lake Improvement Fund savings account. The cash balances in both of the LBAPOA accounts are listed on the distributed financial statement.

Question & Answer Cards: One card was filled out to let the Board know of a phone number change.

2. **Marianne Rodemeyer:** Why isn't there a uniform email list used by all Board members? Mark Rodemeyer suggests there be one person in charge of sending everything that goes out via email. Todd Roberts adds that everyone should get everything that goes out.

Answer: Hopefully a lot of the email problems will sort themselves out once we are all on the new gmail account for distribution rather than coming through Lynnea's Comcast which may be getting received as spam or junk. Currently Laurie has the most accurate email address book ever and has spent hours keying in and correcting email addresses. We're working on it. There are still about 18-20 people who either don't have email or just prefer to receive hard copy of our communications.

3. **Steve Szabados:** We have heard the lake level cannot exceed 1,108 feet. What is the current level? And how often is it checked. Where can I see the current level readings?

Answer: We have a 1975 court order that the water level remains 1,108 above sea level. Matt Word is our County Drain Commissioner. Previously we were able to add a board or two to help deepen the lake, especially during times of little rain. The drain commissioner was sympathetic to our rising lake bottom. However, this courtesy that was granted us caused him to be reprimanded by the State. So the drain commissioner is holding his calibration reading (GPS generated info) strictly to the allowable 1,108. Mark Rodemeyer suggests we go back to the Court to see if we can get the Court Order changed to a higher level. Karl approached the County. They recommend we build a new dam. Our Spicer Engineers and the Drain Commissioner say they doubt that they would allow it. We do need to be careful regarding dam stress or we could get into a Midland (Stanford Lake) situation and end up with no lake. The pressure to the dam has to be controlled. Spicer says 5 to 8 million dollars to build a new dam. Mitch Zigler comments, go to Court and get more boards in the dam. Karl responds that Matt Word used to allow us extra boards but now he must abide by the State regulations.

4. **Katherine Cerne:** What is lake policy for home rentals such as an Airbnb or VRBO? Our By-Laws, regulations, and restrictive covenants are all written with the understanding that our properties are for personal residential purposes only. We just recently had an occurrence where the new owner of Betty Meyers house put in much effort to re-do the home, making many updates, and then rent it at weekly rates as an Airbnb. Clients, with boat in tow, actually showed up for a week long vacation at the house. This new owner had to be confronted and let it be known that this is a private residential lake only. He has since put the house back on the market, hoping it sells quickly. Steve Szabados motions we consult with an attorney so we make sure we have this policy clearly stated so buyers understand our policy regarding no short term rentals to protect ourselves against a potential lawsuit. The motion had a second by Marianne Rodemeyer. Carried.

5. **Carlene Knerr: Motion** to change the date of the AGM to NOT be the same as North Adams Heritage Day. Second by John Charters. Carried. Note: the Board will check to make sure that the Town Hall is available on the third Saturday of August 2024 and keep everyone posted.

Other statements made by Association members (but not on a card): Owen Gleis would just like to say that he is very pleased with the work of this current lake Board and feels very strongly that this is the hardest working board the lake has ever had.

Duane Chase: I would like to remind everyone that in Adams Township 1/3 of the tax revenue raised by the Township comes off of our Lake. Although I used to be on the Township Board, right now nobody from our lake is on the Town Board. If you are of a mind to do it, you might give some consideration to serving at the Township level. Otherwise, we haven't any representation.

Basically everyone who was on the Regulations Review Committee was upset that their recommendations were not taken up and accepted by the Board...and brought to the AGM. Mark Rodemeyer would like to see the committee restored and he would like to serve on it.

Final Thanks by the President: Motion, second, carried to adjourn.

Adjournment: ___12:17___pm.

Respectfully submitted, Lynnea Bendixen, (out-going secretary of the LBAPOA)

Reports:

Lake Bel Air POA 2023 AGM Financial Report: Laurie Mickiewicz

Income

Annual Assessment \$ 32,225

Annual Assessment-Dredging 35,320

Total Income \$ 67,545

Expenses

Administrative Expense 1,612

Lake Activities & Awards 867

Repairs and Maintenance 135

Silt Reduction / Dredging 20,810

Weed Control 17,398

Total Expenses \$ 40,821

Budgeted funds not yet spent \$ 26,723

Current Op Funds in Checking \$ 28,751

Current Lake Improvement Fund in Savings \$ 26,507

2023 AGM Weed Control Committee Report

April 24, 2023 Email notification sent to all property owners with a tentative weed spray schedule.
April 26, 2023 Spring water analysis sample collected by Jeff from PLM. Also, lake inspection completed.

May 15, 2023 Received last minute notice that PLM will be here on 5/16 for muck pellet treatment only, with no planned spraying at this time.

May 16, 2023 Upon initial inspection, curly leaf weeds started early this year and needed to be dealt with. Channels 1, 2 and adjoining bay were the most affected. There were a few areas on the main body as well, and dealt with on a case by case, property by property basis. Restrictions apply to areas within 100 feet of spray application. Property owner notifications sent out.

June 6, 2023 Email notices sent to property owners for PLM chemical weed application and muck pellet distribution on June 14, 2023. Per James Scharer, PLM application will not affect the fishing derby on June 17.

June 14, 2023 Spray, muck pellets, cattails at XXXXX's were treated. YYYYY's requested to NOT be sprayed. Huge weed bed at PPPP and YYYYY's property line, PPPPP area was sprayed. Per YYYYY, her property was also sprayed. Jeff (PLM) says it was NOT sprayed. I wasn't there so I am caught in the middle. The OOOO complaint of algae bloom in front of their dock area was also treated. Checked with EEEE regarding having his property sprayed, since there was an issue last month. He said he wanted to be sprayed.

June 18, 2023 Due to low lake level, a pontoon was stuck in Inlet #2. The owner jumped out of the pontoon, and got stuck in muck! Cleo Swan came to his rescue, using his pontoon. After several attempts, Cleo was successful in pulling the stuck pontoon out. With very little rain, lake level is drastically low for this time of year, with July and August still looming.

June 20, 2023 Two property owners have requested that cat tails in front of their property be sprayed. I acknowledged I will forward the info to PLM for Julys' chemical application.

July 10, 2023 A property owner requested an area of lily pads be sprayed. However, PLM does not spray undeveloped lots due to EGLE/DNR restrictions. I will double check with the board and PLM for verification.

July 12, 2023 Per Karl, there are 4 property owners who are installing automatic sprinkler systems so please make sure July chemical weed application notices are sent. I will also contact two property owners to verify their request to NOT be sprayed. Next chemical application is scheduled for July 24.

July 18, 2023 Have not received confirmation to not spray from the 2 property owners.

***Please note: Except for Cleo Swan, (who is a hero!) names have been redacted. But you can see how much personal attention and interaction Dan Laws has put into his task of being the Weed Control Committee**

LAKE BELAIR INLET 1 AND 2 DREDGING REPORT and FUTURE PROJECTS STATUS AUGUST 1, 2023

1. Inlet 2 project for both sides of the first 200 feet is completed at a cost of \$21,900.
2. The results on Inlet 2 have proven to be disappointing as some sediments from the remaining 300 feet of the inlet seem to have back flowed into the dredged-out area. I have no idea why this happened except to say that the sediment is like jelly and fluid. NOTE: Sediments also continue flowing out to the main lake areas.
3. Inlet 1 project doing 325' is 50% completed with the final grading still to be completed later this fall when sediments dry out. Disruption to lot owner's land was extensive.... see pictures Final estimated cost of \$26,000 is down from original \$52,000 estimate.
4. The results of Inlet 1 are still to be determined. NOTE: This permit was extremely difficult to obtain with many restrictions required by EGLE. Only the very bad sediment conditions in the whole inlet allowed for partial work to be completed.
5. The ability to get future permits from EGLE seem to be extremely limited. Only 10-foot-wide paths are now being permitted directly by docks and then only if the docks cannot be lengthened. This was the case in Inlet 1 with the whole bay full of sediment and dock extensions not possible. (EGLE at first wanted us to put in 300' long docks!)
6. We will work with a contractor on getting permits for Inlet 4 and 5 later this fall. NOTE: Future assessments are also to be determined based on if we can or cannot get these permits and if results are better in Inlet 1.
7. A letter to Michigan Lakes and Streams Association has been sent asking for their help in contacting Governor Whitmer and EGLE senior staff. The purpose is to discuss getting EGLE to recognize sediment removal projects in 257 Dam Lakes in Michigan are necessary and required. See attached letter.
8. Two men had to be rescued from becoming stuck in the thick sediments! One jumped off their pontoon boat that was stuck in sediments in Inlet 2 and then he became stuck. Another man was working on his dock in inlet 1 and also became stuck. Luckily neighbors saw the problems and helped pull them out. Could have been a very bad ending. Please be careful and be aware of safety issues getting stuck in sediments.
9. Better results would certainly be possible if the whole lake was dredged at the same time by using barges and pumps. The cost of this is very high. Lake Somerset cost over \$1.1 million to do 7 inlets but the main lake was still not allowed by EGLE to be done!
10. See pictures of Inlet 1 dredging and MLSA letter that is available at Annual General Meeting.
11. Overall, for the first-time (many earlier attempts failed) large amounts of sediments have been removed from our lake. Unfortunately, there is a lot more to go and EGLE permits and large amount of money are both hard to come by. Your board will continue to try to restore the lake to the way it was originally designed, but not sure how that will happen at this time...

Wish I had better news.

Gerry Brown, Inlet 1 & 2 Project Leader