

Lake Bel-Air Property Owners Association Board of Directors Meeting Minutes

For Board Meeting February 21st, 2023 at 6.30 pm
at the North Adams Library

MISSION STATEMENT Our guide for the future.....

We the membership of the Lake Belair Property Owner's Association endeavor to maintain our lake as it was originally developed and follow our covenants and bylaws for the benefit and enjoyment of all members.

In Attendance:

X__ Karl-R. Hermann, Pres. ___ Lynnea Bendixen, Secretary, _X_ Laurie Mickiewicz,
Treasurer ___ Sue Surducan, Vice President ___X Gerry Brown, Director, _X_ Dave Black,
Director, ___X_ Patricia Giese, Director ___ (Quorum? _X_ Yes ___No)

Committee Members /Guests: _Dan Laws, Colleen Cavanaugh, Linda Tyler, and
Vickie Masserant_

Call to Order: at ___6:36_pm The meeting was called to order by President Karl R. Hermann and we all recited the Pledge of Allegiance.

Association Main Calendar Events 2023

- AGM date set for August 12, 2023. This information will be given to the Social Committee for their planning.

Reports:

Secretary: Minutes of Jan 2023 were distributed before the meeting. A motion by Laurie M. to accept the Jan. minutes as written with second made by Dave B. Carried. The approved minutes for January should be sent to Sue Rausch for the web-site. The actual 2022 AGM Minutes have not yet been Board approved.

- Treasurer's Report: February 2023,
Discuss Assessment Returns so far are about 30% of invoiced. There was a membership objection to paying for her additional half lot. Laurie Mickiewicz explained that the Board understood her concerns because she had not been billed for that half lot from 2001-2017 (in error). Regardless, that circumstance did not grandfather her in as a non-paying member. The Treasurer is required to bill based on the Bylaws.
- Communications (Secretary Lynnea).
- President's Report (below on all matters)

New Financial Transactions:

Committee Reports: By Committee Chair:

Website: Sue Rausch

- Sue is continuing to administer our website. Thanks a lot, Sue. Sue has updated the website with all minutes till end 2022.
- Sue could you please amend the **Quick Links/ Welcome New Friends** section and replace Kathy Knight's name with Beckie Ready as chairperson. You might check with the other ladies mentioned, if they still wish to assist and if they want to be mentioned in that section.

Island Restoration/ Lake Environment: Mike Gustitus:

- No new matters to report from Mike.

Welcoming: Beckie Ready

- Becky has made a great effort already to visit various newcomers, with some success. She will continue, as some new owners are not living here permanently. Everybody with details should please advise Beckie (and Cathy Brown for the directory) because we have some new members for which we do not have complete contact information. Thanks for your good actions.

Weed Control: Dan Laws:

- Dan reports that 2023 spring water analysis is tentatively planned for end March beginning April.

Building: Neil Bendixen:

- No new matters to report from Neil.

Dam: and Ramp: Gerry Brown

- Lake Water Level: As in December 2021, same situation: Drain Commissioner advised Karl that they have again checked the correct calibration of the laser unit with Spicer. They have set the lake level at the legally required level of 1108 feet. All five boards are across the dam in the frame, except a full row of the upper boards. That will be the level for the years to come. **I repeat this matter in each forthcoming agenda, to ensure that we have a record on file.**
- Lake Association **Sign Boards:** All refurbished by Cindy Paget. Will need replacement in 2023 or 2024. Funds are budgeted.

What happens to the Assessment Funds which our Treasurer returned to the Township Treasurer (see June till December 2022 minutes).

- Karl and Laurie attended the Township Board meeting **January 9th, 2023** and this item was on their agenda. We learned that the Supervisor had reconciled the list for the assessment reimbursement and he had signed it, awaiting confirmation by the treasurer. However, **they have lost that document and will try to find it.** If they cannot find it, they will recreate it. Laurie has publicly offered to give professional assistance, if they want to accept that. She followed up with an email and received a response from the Township Clerk. However, no comment on the reimbursement issue was given.

Newsletter: Lynnea Bendixen

- The year-end newsletter was issued by Lynnea in December 2022.

Lake Directory: Cathy Brown

- Cathy has updated the directory as per January 12, 2023. Thank you, Cathy.

Social Events: Sue Gustitus, Steve Sczytko, Sue Rausch

- For organization and ruling concerning costs see minutes of April 2019.

Unfinished Business: (19.35 – 20.00)

- Navigation improvement/Dredging Inlet# 1: **Schlicht Ponds** has applied for a permit with EGLE personnel, who requested again more information on the “Bottom Lands Issue”. This was submitted by Mike Mercier and Karl to Gerry and then to Schlicht Ponds.
- Last week more controversial decision by EGLE (Maddie Orler) concerning area for dredging. Request for site meeting. As Gerry and Karl are absent in March, **Mike Mercier** and **Todd Roberts** volunteered to meet the EGLE lady, with Gerry available by phone. Thanks to everyone offering their help and special thanks to Mike and Todd for meeting with EGLE Maddie Orler.
- Finalization of Inlet #2 Dredging: The levelling of the land on Jeremy Bogнар’s 3 lots will be done in spring. Gerry has control.
- New Regulations for “Declaration of Restricted Covenants:
The Board had considered to add issues like “Light Pollution” and “Fallen Trees/Debris” into the official, legally binding “Restrictive Covenants”. We have obtained legal advice from Lawyer Thomas Tompson, who explained the lengthy process to amend /add something to the bylaws, so that the Association might be able to file a legal suit concerning the “light pollution”.
The lawyer indicates a greater chance for a success in a court ruling concerning the “light pollution”, if an individual person or a group of people would file a private suit based on a “nuisance complaint”.
- This legal opinion by the lawyer was distributed in writing to all those Association members, who are somehow affected by the “light pollution”.
To be **discussed** at a time, when the **full Board is personally available** (Probably April 2023?)

New Business: (20.00 – 20.15).

- (Temporary) Regulations Review: The LBAPOA Board is very interested in getting input from the membership. We would like to create a temporary committee to review the existing regulations for clarity and reasonableness. The expectation is that there would be very little time involved (may be 1 or 2 h. Our goal is that our meetings) that would result in a recommendation to the Board regarding the value of existing regulations. The committee can decide, if they want to continue to be involved after that point, if they think there should be any changes. Our goal is that the committee will meet and make a recommendation to the Board by the end of June 2023, in order to report to the membership at the Annual General Meeting.
- We recognize that there are many different opinions about the lake and its operations. We hope that owners who are neither current Board or Committee Chairs will volunteer.
- The Lake members who have volunteered for this committee are: Linda Tyler, Jay Knerr, Michelle Roberts, Todd Roberts, Mark Rodemeyer, Molly Branyan, Chris Lehman, Walt Surducan. All are not Board members. Laurie Mickiewicz will chair

the Committee as per the bylaws committees must be chaired by a Board member, but she will not vote.

- Laurie will email contact information for the 6 to all of the committee members. Dan Laws gave his copy of the Lake directory to Linda Tyler.

Association Members Open Forum:

Linda Tyler spoke about her concern that only 42 LBAPOA members received Karl's Lighting issue email, and that is why sent an email to that group of 42 headed "Targeted by our Lake Board". Karl had sent the email to those he believed were the interested parties, and that he would forward the email to the rest of the membership to address Linda's concern. She also said that the Board should take an active role in spearheading the Members' legal response. The Board declined because they do not have By-Law authority to do so. The Board was only acting as a response to many members' complaints. Colleen Cavanaugh said she did not want the Association to spend resources on her behalf because she disagreed with those member complaints.

Linda Tyler said that the Board should attend all of the North Adams Twp monthly meetings. As Deputy Clerk she gave an update about the status of the reimbursement of members' silt dam assessment. The Township Supervisor and Treasurer will not approve the Township Clerk's reconciliation without verifying that it is correct. The Board had this update before the Township meeting, and that is why there were no Board members at the February meeting. Karl assured her that the Board had been active in trying to get the funds returned, but without success so far. The Board has no leverage over the Township.

Pat G asked Linda about her authority and role as Deputy Clerk.

Laurie M explained to Linda that every move by the Board was done after reviewing information with an attorney to make certain there were no Board violations. Public Act 188 governs the process of, and the actions of the Township. No Board member requested a violation of that Act. The Board had no control over the Township Boards handling of the assessment process

Pat G. had some questions for Linda, but she did not answer because she was leaving. Linda, Vickie, and Colleen left the meeting.

A motion was made by Laurie M. with second by Dave to adjourn the meeting. Motion carried. The meeting was adjourned at 7:56.

As an addendum to the February Minutes and since there wasn't a March in-person meeting I would like to have it minute-ed this response from Mark Nichols to Laurie with regards to the question of the tax refunds so I'm sticking it here below along with some March business items that were addressed.

I texted Mark and asked him if he had an update from Pat, the treasurer about the property tax refund for the Lake members because I could not go to the meeting Monday. This was his reply:

No. I have not hounded Pat about action. She has used the excuse of gathering taxes and settling with the County (and of course she has in recent weeks/months has some pretty serious health issues/surgeries)but she has a knowledgeable (I believe) Deputy Treasurer so I really don't know why the holdup.

Stephanie states she has given figures (amounts) to be refunded. I have not seen those myself and feel that that is up to Pat to facilitate. I believe that the Lake and the people at large should be questioning or putting pressure on the Treasurer. I don't feel I have direct oversight to "tell" Pat what to do, but would have the same responsibility as every board member to look out for the overall good/direction of the Township.

Feel free to communicate further if you so desire.

Other business from February which was addressed in March would be the updating of a Lake Bel Air email account. The account that was linked to the web-site "contact us" was either not used very often or was not being monitored/responded to. Laurie has created a new gmail account which is looked after by Sue Surducan. It is LAKEBELAIRPOA@GMAIL.COM . There had been a complaint from Bonny Desjardin that her emails through the website had not been addressed. When Sue Rausch checked the web-site email inbox, she found it empty. So hopefully this new email address will help with resident communications.

Laurie hosted the first gathering of the Temporary Regulations Review Committee on April 2.

Other business that came up for the month of March was the on-site walk through with EGLE and Mike Mersier and Gerry (on the phone from Florida).

Also, lots of communications between Gerry and Maddie, our new EGLE helper person.