

LBAPOA, July 18, 2023 Lake Bel-Air Property Owners Association

Board of Directors Meeting Minutes July 18, 2023

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.

Board Meeting at the North Adams Library July 18th, 2023 at 6.30 pm

In Attendance:

Karl-R. Hermann, Pres. Lynnea Bendixen, Secretary, Laurie Mickiewicz, Treasurer Sue Surducan, Vice President Gerry Brown, Director, Dave Black, Director, Patricia Giese, Director (Quorum? Yes No)

Committee Members /Guests: Dan Laws, Mike Mercier

Call to Order: at 6:30 pm The meeting was called to order by President Karl R. Hermann with everyone reciting the Pledge of Allegiance.

Association Main Calendar Events 2023

- AGM prepared for August 12th, 2023

Reports:

- Secretary: Minutes of June 2023 already distributed by Lynnea on June 23rd. The Minutes from June 23rd meeting were reviewed and a motion made by Sue Surducan with a second made by Gerry Brown to approve the minutes as presented. All were in agreement.

- Treasurer's Report: July 2023, Profit and Loss - Budget vs. Actual-

Current balances as of July 15: Checking = \$34,129 & Lake Improvement Fund Savings = \$26,507

Budgeted funds not yet spent = \$32,513

A motion was made by Pat Giese to accept the Treasurers' Report with a second by Dave Black. All were in favor.

Discuss Assessment Returns and special cases. Lien placements. Discuss

Currently it looks like there are 5 property owners who will have liens placed, several others have requested a payment plan, the offer of which has been accepted.

- Communications (Secretary Lynnea). A summer newsletter should go out before the AGM so everyone gets that reminder of the meeting time and date. The nominating committee has sent out two communications. The first was an encouragement to serve on the Board including an application for nomination. Then the nominating committee sent out the notice for the AGM, a roster of the 4 candidates for the 3 available positions and a ballot which members can review &/or submit if they are not able to attend the AGM on August 12.

- 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, minutes of 2023 "under construction"

Island Restoration/ Lake Environment: Mike Gustitus:

- Any news to report, Mike?

Welcoming: Beckie Ready

- Terry Brewer has volunteered to chair this committee, since Beckie Ready is out of town till October. Terry has/will connect with Kathy Knight. Thank you, Terry. Lynnea should get with Terry and help set up a plan for catching up with new people.

Weed Control: Dan Laws:

- Dan will advise all members of PLM spraying plans in July. Dan cannot attend the AGM, so we need to send a proxy form at the right time. So far half of the weed-control budget has been used. We are right on target.

Building: Neil Bendixen:

- Anything new to report, Neil? A building permit has been dropped off with Ruth Higginson, the new owner of Joe England's house.

Dam: and Ramp: Gerry Brown

- Lake Water Level: As in December 2021, same situation: Drain Commissioner confirmed in a meeting with Gerry and Karl and Spicer engineer ton May 4th, 2023 that they have set the lake level at the legally required level of 1108 feet. 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.

Newsletter: Lynnea Bendixen

- Shall we consider a newsletter before the AGM? Discuss... yes

Lake Directory: Cathy Brown

- Cathy has updated the directory as per present time. She also has compiled a shortened copy for submitting at the AGM. Thank you, Cathy. Lynnea will make copies to be given out at the AGM.

Social Events: Sue Gustitus, Steve Sczytko, Sue Rausch

- For organization and ruling concerning costs see minutes of April 2019.
- Independence Day Boat Parade was a great success. Thanks to Sue, Steve and Dolores

Unfinished Business: (19.35 – 20.00)

- Navigation improvement/Dredging Inlet# 1: Contractor Schlicht Ponds dredged Inlet#1 lots last week. Gerry to report. The silt has been scooped up as much as could be reached while keeping within the parameters set by EGLE which is less than what we had petitioned and had hoped would be cleaned out.
- Continuation of Dredging: Discuss next areas to consider dredging. Karl to report on talk with Chris Lehman and Collen Cavanaugh. We'll look over inlets 3, 4, & 5 and see what is most needed for continued navigation and consider where we would have the best shot at obtaining the required permits. Once a Permit has been granted, it is good for 2 years.
- Connection with MLSA: Gerry has drafted a letter and Karl will mail to MLSA management (checking on photos from Gerry).

- New Regulations for "Declaration of Restricted Covenants:

The Board had obtained legal advice from Lawyer Thomas Thompson.

This legal opinion by the lawyer was distributed in writing to all Association members. It is left to an individual or a group of land owners to proceed with a law suit. Karl tries to obtain lot owners opinion in view of them leading the steps for litigation. (See also the latest situation concerning lawyer Hotchkiss under New Business)

New Business: (20.00 – 20.15).

- Regulations Review: The temporary "Regulations Review Committee "with 6 participants under guidance of Laurie (Board member required per Bylaws) Mickiewicz had meetings. Laurie will report. Check on our needed actions for the AGM. This ad-hoc committee did not manage to reach agreement within the task at hand. Meeting attendance was poor. Due to circumstances Laurie is not able to continue to Chair this temporary committee so at this point the "Regulations Review" committee is dissolved with no decisions or outcome accomplished.

- Conference call with law firm White, Hotchkiss and Falahee PLLC, Jackson:

Laurie, Lynnea and Karl had a conference phone call with Lawyer Matthew Hotchkiss on May 30th on the DesJardin Light Pollution Issue. Karl's follow-up email of June 21, phone call on June 29th and second email reminder on July 10th have not been answered by lawyer Hotchkiss (as of July14th).

Also, Bonny DesJardin directed a response letter to Lynnea regarding what had been sent by the Nominating committee. Lynnea responded politely. No need to discuss.

Also, the building rules offenses by DesJardin: Laurie drafted a letter for Karl to be mailed as soon as we hear from Lawyer Hotchkiss on the Light Issue regarding the nuisance lighting.

Also: new email account via GMAIL: set up for Board use. LAKEBELAIRPOA@GMAIL.COM . This email is connected to the website. Laurie has added all current members email addresses. All billing system

email addresses match directory emails. All but one bad email has been corrected. The concept is to have a single place from which to send emails to the membership, so when the secretary changes, the email stays the same. The GMAIL account appears to have fixed the problem Lynnea was having with Comcast being viewed as spam and being rejected by some members' email accounts. This needs to be added to the SOP.

Also: Ellerbrock house on Dawn Dr. being used as an Airbnb. Reports from Pat Giese and Jean Glover on use of the house and from the cleaning ladies. Karl has seen to this being taken care of. The house will be put on the market by the owner.

- AGM preparation:
- Nominations for Board: Until latest nominating date July 12th the committee received four nominations: Katherine Cerne, Karl-Rainer Hermann, Jay Knerr and Laurie Mickiewicz. Nominating Chairperson, Laurie, has mailed a letter with detailed explanations for voting, a Proxy and a Voting Ballot Form to all Association members on July 13th.
- Conducting AGM: Neil Bendixen has agreed to conduct the meeting, which will be presided over by Karl-R. Hermann.
- Gerry cannot attend AGM and will delegate reporting on dredging to Mike Mercier, who is familiar with the issue.
- Other AGM preparations: Discuss setting-up Township Hall, administering registration, proxy/ballot administering/counting etc. We need volunteers..... Lynnea will see to lining up volunteers to greet and man the sign-in table. They will also act as the tellers once the ballots have been cast. Hand-outs should include the agenda, 2022 minutes, directory distribution list, fresh copies of the By-Laws, any submitted written reports from committee chairpersons, etc. This year we will try using question cards which people can pick-up at the registration table. That way we will have their names along with the questions and perhaps less shouting out and speaking over one another.
- Association Members Open Forum: none

A motion was made that the meeting should be adjourned by Lynnea with a second by Sue Surducan. All were in favor. The meeting was adjourned at 8:30 pm

Respectfully submitted,

Lynnea Bendixen, secretary LBAPOA