

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

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

We the membership of the Lake Belair Property Owners 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.

Agenda

For Board Meeting October 17th, 2023 at 6.30 pm
at the North Adams Library

In Attendance:

Karl-R. Hermann, Pres. Sue Surducan, Vice-President,
Katherine Cerne, Secretary, Laurie Mickiewicz, Treasurer, Gerry
Brown, Director, Dave Black, Director, Patricia Giese, Director
 (Quorum? Yes No)
Committee Members /Guests: [Sue Rausch, Lynnea Bendixen](#)

Call to Order: at 6:28 pm

Pledge of Allegiance

Association Main Calendar Events 2023

- Charity Drive: Social Committee
- Sue Rausch will attend this meeting

[Sue R. discussed possibly sending out an email to the LBAPOA members to suggest charity donation possibilities in case residents would like to donate to charity for the holidays.](#)

Reports:

- Secretary: Minutes of September 2023 distributed by Katherine, to be approved

[Laurie motioned to approve the minutes of Sept 2023, Sue S. seconded and motion approved by all.](#)

- Treasurer's Report: October 2023, Profit and Loss - Budget vs. Actual.
Lien placements

[Laurie M. reported LBAPOA is under-budget due to lack of dredging and she recommended using the excess funds for continued dredging. Gerry B. motioned to approve the latest Treasurer's report and Pat G. seconded. Motion approved by all.](#)

- Communications (Secretary Katherine). [Nothing to report.](#)
- President's Report (below on all matters)

New Financial Transactions: None

Committee Reports: By Committee Chair:

Website: Sue Rausch:

- Sue continues to administer our website. She has up-dated with all minutes for January, April, May 2023. February minutes need to be posted, March was no meeting.

Sue, please change the name for the **Welcome Committee** from Beckie Ready to **Terry Brewer** in the “Quick Links” section of the website

Sue R. in attendance and agreed to address these issues. The February minutes have been submitted and will be posted on the LBAPOA website by Sue R.

Island Restoration/ Lake Environment: Mike Gustitus:

- Fish stocking budget was increased to \$ 500 for 2024. Mike requested volunteer donations by circular email with help of Lynnea. Mike has reported on present donations.

Board members discussed fish stocking budget for 2023 is \$350.00, but will be raised to \$500.00 in the 2024 budget. Board members also reiterated that any and all receipts for the fish supply be submitted to Treasurer Laurie M.

- Island Clean-up: Mike and his wife Sue and Sue Rausch have cleaned up the island. Beaver barriers are in place. Karl has sent a thank you email.

Welcoming: Terry Brewer

- Terry Brewer has volunteered to chair this committee. She is preparing welcome baskets for newcomers.
-

Pat G. updated the board. The new owner of 4452 Dawn Drive is Austin Thomason.

Weed Control: Dan Laws:

- **New to report** Spraying is done for the season.

Building: Neil Bendixen: Nothing new to report from Neil.

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 on 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.**

Gerry B. reported that 3 lake signs need new top boards and painting. He also reported that the ramp dock will be taken out this coming weekend, October 21-22, 2023.

Newsletter: Lynnea Bendixen

- Decide on winter newsletter with Katherine.

Board members discussed having Katherine C. continue Lynnea's work on putting together a newsletter of LBAPOA happenings to keep the membership informed as to lake news and events.

Lake Directory: Cathy Brown

- Cathy has updated the directory as per present time

Board members requested that new owner Austin Thomason be added to the directory.

Social Events: Sue Gustitus, Steve Sczytko, Sue Rausch

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

Board members reiterated that social committees must get approval from the board for any new financial requests, and must provide any and all receipts for Treasurer Laurie M.

Unfinished Business: (19.35 – 20.00)

- Navigation improvement/Dredging Inlet# 1: This project has been completed successfully. Thank you, Gerry.
- Continuation of Dredging: See below under New Business.
- New Regulations for "Declaration of Restricted Covenants: Legal advice from Lawyer Thomas Thompson concerning "Light Pollution" 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. No owner has yet come forward to lead a possible litigation action.

Board members discussed that this issue has been pursued and a legal remedy has been suggested to residents. Legal advise is Board should not pursue this issue however residents would probably prevail if they chose to file suit in this case.

- Correspondence with all Association members: At the September meeting, it was concluded that all informative correspondence with the membership would be done via the email address LAKEBELAIRPOA@gmail.com carried out by the secretary, Katherine

Cerne, thus ensuring that every member will obtain the same information from one single source.

As per the AGM meeting of 2023 and Treasurer Laurie M.'s announcement that LBAPOA households will be limited to one email address, Gerry and Cathy Brown are working on making sure each household has one email address.

- As per Laurie's email of October 9th, Board discussed the AGM request for a correct directory email list with 1 email per household, as Laurie has described it in a draft SOP addition.
- Connection with MLSA: Conference phone call by Mike Mercier, Gerry Brown and Karl-R. Hermann with Paul Sniadecki on September 8th. See Minutes from Karl. Mike Mercier created a detailed document describing the necessity of dredging the total lake, in order to avoid continuous silting and the lake returning into wetlands. [See minutes below....](#)

New Business: (20.00 – 20.15).

- Continuation of Dredging: Mike Mercier has drafted a comprehensive description for a dredging plan of the total lake. Gerry has submitted this document to the contractor Schlicht Ponds. This document will be attached to the permit application by Schlicht at EGLE for the next dredging project.
- Next Dredging Project: Gerry and Karl inspected the areas around inlet # 4. We discussed with Chris Lehman his requirements. Vicky Masserant, Lot # 85 & ½ 86 had declared "No Interest" in taking sediment on her lot to Karl in April. Colleen Cavanaugh, Lot # 87, had declared "No Interest" in taking sediment on her lot to Karl in July. The following lot owners on Kim Drive near Inlet #4 are interested in dredging and willing to take the sediment on their lots: Laurie Mickiewicz, Lot # 80, Susan Risk/Ryan Briner, Lot # 81 and Juliana Simonds, Lots # 82 & 83 & outlot.

[Laurie M. made motion to move forward and begin dredging Inlet #4, Pat G. seconded it. All members agreed, motion approved.](#)

- We have not yet considered Inlet # 5, as there could be problems for dredging equipment being placed. We inspected the area, talked to Harry Shaffer, and had obtained information from Dave, the Schlicht Engineer.
- Gerry and Karl had an inspection meeting with Schlicht Ponds engineer, Dave, last Monday.

[Gerry B and Karl H. reported they are looking into the possibility of dredging inlet #5 for 2024 and will discuss this with the Inlet #5 owners.](#)

- We plan to use the recommendations of Paul Sniadecki of MLSA and report our proposals for our human-made lake as an official Petition for Permit Application Review to the Environmental Permit Review Commission, probably shortly after Schlicht Pond's permit application. Karl to check with Paul Sniadecki.
- Karl spoke with Drain Commissioner Matt Word.

Karl H. reported that Drain Commissioner confirmed in a meeting with Gerry and Karl and Spicer engineer on 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.

- Legal Checking on Restrictive Covenants re B&B and/or rental: Motion from AGM attendant. Karl and Gerry had a meeting with lawyer Thomas Thompson concerning the question, if the "Restrictive Covenants" cover the prohibition of commercial activities such as B&B and similar renting out. We were advised that the Michigan Supreme Court had ruled, as recently as January 2023, that short-term rentals and renting for Bed& Breakfast and similar ways **are considered not residential**. We have a copy of this Supreme Court ruling of Susan Aldrich...vs. Sugar Springs Property Owners Association (8 pages). Karl and Gerry reported.

Karl H. and Gerry B. reported after checking with Attorney Thomas Thompson that short term rentals such as AirB&B are NOT allowed per a Michigan Supreme Court Ruling as of January 2023, as they are not considered residential and are instead considered commercial. However the two reported that per Attorney Thompson, long term rentals are considered residential.

Association Members Open Forum:

Motion to adjourn board meeting at 8:21pm by Laurie M. seconded by Katherine Cerne, all approved, motion passed.