

Minutes of 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 September 19th, 2023 by email
Conference Meeting from Florida

In Attendance: **Karl via phone**

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: _____ **Terry Brewer was also in attendance**

Call to Order: at _____ 6:29 ___pm

Pledge of Allegiance

Association Main Calendar Events 2023

- Charity Drive: Any plans for the fall, Social Committee

Sue Surducan decided to contact Julie and Sue Rausch about whether they will organize the walk.

Discussion for scheduling the AGM 08/24/24. Pat Giese motioned to make AGM 08/24/24 Laurie Mickiewicz seconded, all board members in favor. Check will be made out by L.M. for \$200 to reserve Adams Township Hall for 08/24/24 AGM.

Reports:

- Secretary: Minutes of July 2023 distributed by Lynnea , to be approved **Motion and seconder** and agreement, please. **Result: Laurie M. motioned to approve Minutes of July 2023, Dave B. seconded, all in favor.**
- Secretary: Minutes of Extraordinary Meeting and AGM Minutes distributed by Lynnea. Sue motioned, and **these minutes should be approved.** **Result: Laurie M. motioned to approve AGM Minutes and Minutes of Extraordinary Meeting 08/12/23...Pat G. seconded, all in favor.**
- Treasurer's Report: July 2023, Profit and Loss - Budget vs. Actual, Laurie distributed 3 forms with details.

Treasurer Laurie M. reports LBAPOA is under-budget due lack of dredging. She submitted a Treasurer's Report dated Jan 01 to September 18, 2023.

Sue S. motioned to accept Treasurers Report, Gerry B. seconded, all in favor, motion passes.

Karl suggested putting liens on several properties...6 properties, due to delinquency on LBAPOA fees.

Laurie suggests Hammonds stop getting weed spraying service since they are not members and they haven't been paying dues, but no lien for Hammonds.

- Communications (Secretary Lynnea).

Discussed making Lynnea Bendixen Chair of Committee For Legal and Administrative Matters for Liens. Laurie M. makes motion to do so, Pat G. seconds. All in favor, motion approved.

- 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. March was no meeting. [Laurie M. is reviewing minutes and will get back to the board.](#)
- Sue, should we eliminate the section "Lake Pleasant Road Bridge Replacement" under Board Information? (old matter, no longer important) [Tabled](#)

Island Restoration/ Lake Environment: Mike Gustitus:

- Mike suggests to raise the budget money for fish stocking. Board to decide on raising budget to \$ 500/year, as Gerry proposes to be reasonable. **Discuss**
- Circular email was sent by Lynnea requesting donations for fish stocking. [All board members agreed to \\$500/year, beginning in 2024.](#)

Welcoming: Terry Brewer

- Terry Brewer has volunteered to chair this committee, since Beckie Ready is out of town. Terry has/will connect with Kathy Knight. Karl spoke to Terry, thanking her.

****Board suggested having Karl add a permanent section on the monthly board meeting agenda for Welcoming Committee....keeping track of who's selling and who's new. New owners name and/or address...yes, no.... welcome basket....yes, no. Include up for sale, people who have moved/leaving or have died.**

Weed Control: Dan Laws:

- Dan will advise on cattail spraying.

Pat G. reports the weed control company isn't dispersing the weed control measures very well in her channel, and she's considering not voting for this company again. All spraying for the year is finished.

Building: Neil Bendixen:

Nothing new submitted.

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. says LBAPOA boat launch dock will come out late October.

Newsletter: Lynnea Bendixen

- AGM Re-Cap was mailed by Lynnea to all members.
- Decide on winter newsletter with Katherine. **Discuss**

Karl will provide comment from president, and will include water quality from Dan Laws. Further discussion on upcoming newsletter will happen at October board meeting.

Lake Directory: Cathy Brown

- Cathy has updated the directory as per present time.

There are four member updates from the annual meeting to lake directory, Gerry B. will get new info and send it out this week.

Social Events: Sue Gustitus, Steve Sczytko, Sue Rausch

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

Karl says for approved social events, expenses are in the budget, but additional events will need budget approval if they are to be considered for receiving LBAPOA funds.

Unfinished Business: (19.35 – 20.00)

- Navigation improvement/Dredging Inlet# 1: Contractor Schlicht Ponds dredged Inlet#1 . Leveling of areas being planned.

Gerry reports inlet one is done. Gerry paid an extra \$600. of his own money to the contractor to move sediment to road side, for his property improvement.

- Continuation of Dredging: Gerry and Karl to connect with Schlicht Ponds mid October for next area, (Inlet # 4 and # 5) considering comments from Chris Lehmann, Dr. Patel, Collen Cavanaugh. Tammy Lewis. See new situation below.

See below minutes from meeting with the MLSA Board, helping to deal with EGLE. MLSA could potentially help get a five year permit for dredging lake to maintain how it was originally approved.

- New Regulations for “Declaration of Restricted Covenants: Legal advice from Lawyer Thomas Thompson concerning “Light Pollution” was distributed in writing to all Association members. Legal advise is the Board should not pursue the issue, however residents would probably prevail if those chose to file suit in this case.
- Connection with MLSA: Response from Executive Director, Melissa DeSimone, referred us to Board member Paul Sniadecki. Gerry and Karl sent email September 4th to request further guidance on steps to be taken with Environmental Permit Review Commission (EPRC) and (Environment Great Lakes and Energy) EGLE in order to achieve the creation of reasonable regulations for human-made lakes. Conference phone call with Paul Sniadecki on September 8th. See Minutes from Karl. **Continuation under New Business** See attachment minutes below

New Business: (20.00 – 20.15).

- Karl will discuss with lawyer Thompson concerns and questions about Bed and Breakfasts/VRBO/AirBnB’s as presented by some LBAPOA members at the AGM meeting of August 12, 2023.
- Correspondence with all Association members (Laurie’s proposal): The new email account LAKEBELAIRPOA@gmail.com was created by Laurie. She has added all current members to this account/address. It should be used for the website and for all official correspondence with Association members. This will also satisfy members, who, during the AGM, suggested **one single source** of emails. Board should decide that all official, circular emails, created by Board and/or Committee members, should be conveyed to the secretary and then sent from this one account to the membership.

Laurie will draft a standard operating procedure to deal with this proposal, and will have sent it out before the next meeting, and will vote on this next meeting in October.

Laurie offered to add such ruling to the Standard Organizational Procedures (SOP).

- **Island Cleaning:**

Suggested by **Mike Gustitus** through Sue Rausch at AGM. **Mike** should draft email asking for volunteers which then should be distributed through secretary.

Karl will talk to Mike and see if he has any volunteers lined up, or plans for island clean-up.

- **Legal Checking on Covenants:**

Motion from AGM member. Karl to check with lawyer, if covenants cover the prohibition of commercial activities such as AirB&B, VRBO and similar renting out. **Karl** in October with Lawyer Thompson (Cost approx. \$ 500.)

See earlier item discussing this.

- Future Dredging Project:

See minutes below of phone discussion with Paul Sniadecki, Board member MLSA. Actions required are mentioned and will be followed-up.

- Recording New Members in Minutes:

Sue Surducan suggested that the new members be listed in the minutes and followed ups also be done here. Suggested format for the agenda is below:

NAME	LAKE ADDRESS	MOVING OUT OR IN	NEEDS CONTACT INFO?	NEEDS WELCOME ?

- Bank Authorization: County National Bank Forms for accounts and deposit box signed by me and in hands with Laurie. To be signed by Katherine and returned to Emily in customer service.

Katherine signed and Laurie will deliver to Emily.

Gerry B. moved to adjourn at 7:45pm, Dave B. seconded and all approved.

Association Members Open Forum:

Lake Bel-Air Property Owners Association
Committee Meeting Minutes

Phone Conference Meeting with Paul Sniadecki, Board Member of
Michigan Lakes & Streams Association
On September 8th, 2023

Present: Gerry Brown, Mike Mercier, Karl-R. Hermann

Objective:

Paul Sniadecki had been advised by Melissa DeSimone, Executive Director of MLSA on our request for assisting in solving dredging permit problems with officials at EGLE. Paul arranged a phone conversation with Gerry Brown, Mike Mercier and Karl-R. Hermann on Friday, September 8th, 2023.

Discussion:

Paul was aware of our dredging projects and the history of Lake Bel-Air, after our email exchange of July 17^h and September 3rd.

As in his previous email, he again pointed out the importance of the Environmental Permit Review Commission (EPRC), the Governor appointed group of 15 independent, expert individuals, who have great influence on DNR and EGLE policy and regulations connected to permit applications.

Having heard of our past rejection of the permit for the "Silt Dam Project" and our experience with the permit for Inlet #1, Paul suggested that we should re-apply in the usual way, then wait for a few days and then file an official Petition for Permit Application Review with the EPRC, submitting all necessary documentation and evidence of the past applications. We should

include the legal proof for the court decision of 1975 (?) for Lake Bel-Air's requirement of a water level of 1108 feet and the administration of the lake by the County Drain Commissioner (obtainable from Matt Word HCDC?). Paul is convinced that EPRC can influence the EGLE decision process. He agrees that we could engage/inform him on our proceedings.

Committee's discussion/decision:

We agreed that we should not pursue the "Silt Dam Project" again, as the membership could possibly not be favorable of such idea.

Mike Mercier had prepared a very pragmatic plan for applying for a permit for the dredging **of the whole lake!** (Gerry and Karl have the concept email for discussion with the Board). We studied it and decided to go ahead in this way, instead of applying for the next step of Inlet #4 and #5: and we should request a permit for 5 years validity, as per Paul's advice email Sep. 8th (\$ 500.00 for the Assoc.). Before EGLE will administer and possibly reject such application, we will file a **Petition for Permit Application Review** with the EPRC (online form), with all documentation and reasoning available. No cost is involved according to Paul. They (and EGLE?) will request us for a meeting in Lansing, where we can give verbal evidence of our case.

After that, an administrative law judge (ALJ) issues a Final Decision and Order regarding a permit. We then may, within 21 days, complete an Environmental Permit Review Commission Petition for Review of a Final Decision of a Contested Case (see email Paul August 14th), if the decision does not suit us.

We concluded to go ahead in this manner.

Actions to be taken:

- These minutes to be distributed to Board, Paul Sniadecki, Drain Commissioner, Spicer Engineer, Schlicht Ponds, Mike Mercier, Mark Rodemeyer
- Gerry to communicate with Schlicht. Info and details for application process....
- Karl to communicate with Drain Commissioner. Advise Rich Graham, Spicer, ask for any assistance possible?
- Karl to connect again with Mark Rodemeyer on possibility of involving his son's father, Dan? the previous DNR VP Ecological Dept. person. Mark had advised him on our case of Inlet#1.

- Gerry and Karl to study Petition Form for needed details. Involve Mike Mercier.
- Karl to add item to agenda for September email/ phone meeting from Florida.

Karl

Karl-Rainer Hermann
Home: 517-287-5893
Cell.: 847-525-1003
krhermann12@gmail.com