Lake Bel-Air Property Owners Association

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.

A descriptive history of Lake Bel-Air

Lake Bel-Air was created in 1965 by damming the stream Beebe Creek which flowed through the wetland/ farmland of the area owned by the farmer, Mearl Kayser. After the dam on Lake Pleasant Road was built, the area filled with water so quickly that trees and bushes could not be removed from the entrance quickly enough. At that time, no one had an idea of the large watershed area of that lake. Those tree stumps were a hazard in the extensive area at the start of the lake for many years. Analytical studies later defined a "Watershed Ratio" of 127: 1. The water depth was 15 feet at the deepest spot and an average of 6-7 feet.

The Lake Bel-Air Property Owners Association (LBAPOA) was incorporated in January 1972.
By Court Order of May 1966, the Hillsdale County Drain Commissioner was ordered to keep the lake level at 1108 feet (+/- 2 feet) above sea level and to administer the maintenance of the dam according to the Michigan Department of Environment and Quality (DEQ) rules and regulations as per Michigan Act 315.?

In April 1985, an Inland Lakes Improvement Board was formed for Lake Bel-Air, consisting of the Chairperon, the County Drain Commissioner, a county Commissioner, a DEQ member and the President of the Association. They decided that the maintenance and removal of aquatic plants was arranged and paid for through tax assessments to all membership by the Adams Township.

Lake Improvement Efforts 1999 – 2007:
SEE PDF DOCUMENT " Dredging History 2001-2007" for details

In order to find ways of securing a good lake environment, the Association ordered a "Water Quality and Watershed Management Study by Wallace E. Fusilier, Water Quality Investigators. A 183-page document of August 1999 gave

all analytical details, specifying the size of the lake as 123 acres, boatable (min 5 feet and deeper) 70 acres, maximum depth 11 feet and mean depth 5,7 feet. 43% of the lake is 5 feet deep or less. The lake flushes once every 17 days, or almost 22 times every year. Much was written about phosphorus, herbicides and other chemicals, but no mentioning of dredging was found in this long report. No action was taken by the association, except that weed control was continued, administered by Adams Township.

In April 2001 the Inland Lakes Improvement Board, with the approval of the Lake Association (by vote of 87 to 20, verified by LBAPOA and County Assessment roll), authorized another study to look into "Dredging Possibilities".
Following recommendations of the Fusilier Study Watershed Management Plan, the project contacted landowners around Beebe Creek with guidance for how to get public funds to plant filter strips along the creek to minimize sediment flowing into Lake Bel-Air, with limited success.
Gove Associates, Inc. of Kalamazoo used a lot of the Fusilier data and suggested to take the DEQ-required sediment samples at the main inlet of the lake (Inlet #1). Inlet#1 is the southeast corner of the lake where 85 % of the water enters from Beebe Creek. The sediments carried in had formed a big area of silt. The water there was not more than 4 feet deep, not navigable. From Eco-Marine Dredging of Luna Pier, MI, approximate costs of $ 40,000 for 4000 cu yards of hydraulic sediment dredging were quoted. This sediment was to be pumped into bags on Larry Snoes land adjacent to the lake and Mr. Loriaux's old gravel pit across Mauck Rd. Sampling was done by Aquatic Technologies at $ 28,000 cost. The sample contained too much arsenic for DEQ regulations, and that department indicated that such sediment deposited on landwould require a deed restriction. Landowners did not want the deed restrictions.
In October 2003, The Inland Lake Board and the LBAPOA explored getting financing from a bond issue through the North Adams Twp, but the process was too difficult, and they looked at having the Inland Lake Board issue the bonds instead.

Despite much effort by the project team, a draft permit that had been prepared by Gove expired in 2006. In May, 2007 Linda Tyler, President, and the outgoing Board recommended that "the new board of officers of Lake Bel-Air establish a direction in which to proceed and make application in going forward before bringing the project back to the Inland Lakes Improvement Board."

The new LBAPOA BOARD determined they "would be allowed only to dredge enough material to fill a 40 cubic yard container for $500,000 which

equated to one mouth of one channel. It was voted by the membership to make this go away. It was DesJardin's duty as the President of the Board to go to the attorney to discuss options to disolve the Inland Lake Board and to have the township balance the account (money collected compared to the money paid out). The Inland Lake Board was not in compliance with the states requirement for the board members and it was recommended to dissolve the Inland Lake Board; this was done at an Adams Township Board meeting."

The Township lawyer advised the Township that weed control assessments were not their obligation, and the Lake Association had to take the weed control and financing into their own hands.

LBAPOA Dredging Plan from 2007 to 2011:
SEE PDF DOCUMENT "Lake Improvement Plan Nov 2007"
(President Bonnie Desjardin), another effort was made to dredge, possibly because the DEQ changed its guidelines on arsenic.
Hillsdale attorney Welper noted that

- assessments should be created "by benefit" i.e. by feet of frontage on the lake, not by lot.
- Since Lake Bel-Air is a private Lake, a new petition signed by 2/3 of owners of land abutting the lake would be required to be sent to the Inland Lake Board.
- He concluded that since over half the landowners voted down dredging at a Dec 2007 meeting, the Board should "take no further action concerning whether or not to dredge any part of the lake."

Three different areas with different volumes for dredging were discussed, and the membership did not approve any of the estimated cost estimates from $ 400,00 to $ 1,000,000 (one million).
The lake continued to accumulate silt from Beebe Creek.

Silt Dam Project 2017 -2021: At the AGM in 2017, upon an urgent motion by the member, Steve Sczytko, the membership agreed that money should be spent to investigate the creation of a "silt dam/ catching basin" where Beebe Creek enters the lake. The construction firm, Spicer Engineering of Monroe, MI, performed testing and analysis, and suggested to build a "Sediment Dam" at a cost of "affordable" $ 34,000 with maintenance of $ 5000 every 4 to 5 years. The DEQ appeared very supportive of the plan. The LBAPOA membership, via petition, agreed to pay through an Assessment, levied by the Adams Township. The Board coordinated with the Township and legal representation to provide

information for the assessments, and the Township created the process to create and manage the Assessment.

- As part of this project, LBAPOA member Neil Bendixon walked the shores of BeeBe Creek to review the amount farmland along the creek. This was done to determine if buffer zones should be erected along the creek as part of the project. It was determined that although buffer zones are standard for Watershed Management, since there was no farmland abutting the creek, it would not be needed as part of the project.
- EGLE did not request additional sediment testing.

During this four year effort, the DEQ was restructured and renamed Dept. of Environment Great Lakes and Energy = EGLE). The new personnel indicated to the Board that they were not inclined to give a permit for this project to Spicer Engineering. The Board involved our local Government Representative in Lansing, Andrew Fink, who was the lawyer of Adams Township and knew all details of our project, to motivate EGLE for a permit. EGLE refused with the reasoning that it would not work. The Board abandoned this project in 2021.
County Assessment Funding Issues: Some LBAPOA members were very concerned that the Township had not followed their fiscal process regulations, but the Lake Board had followed the directions of the Township, and could not affect their decisions. The Board had assessed the $5000 for maintenance when they thought the project would be approved. After several Township meetings, the lake association membership received their money back from Adams Township. This was a frustrating situation for the LBAPOA Board and membership, but the Board to plan dredging as an alternative.

Five Year Dredging Plan, 2021:The Dredging Committee came up with a 5 year plan to dredge the inlets, because EGLE indicated that they would permit limited volumes of sediment dredging with the reason of “navigational purposes”, so that boats could move from ramps into the lake. The 5 year plan was approved by Association members. LBAPOA applied for the partial dredging of the shallow inlet # 2, which EGLE granted in 2021. Members and owners of three lots, Theo and Kerie Sawyers, agreed to take the spoils on their property. It was a smooth and successful job done by Schlicht Excavators of Monroe, MI, and Theo and Kerrie were pleased with getting their steep lot improved by levelling the land, seeding grass and improving the area to their liking. All achieved without expense for them, paying by the Association for the sake of improving our lake.

The Board then applied with EGLE for the dredging of the shoreline of Inlet #1, the main inlet of water supply, where lot owners had difficulties to get their boats launched into the lake. After back-and -forth negotiations for 6 months with new contacts at EGLE, they granted a permit for much reduced areas, only around the boat ramps, to dredge for “navigational purposes”. The project was done in 2023 and the lot owners who took all the spoils on their property, were pleased with the results. However, now in July 2025, the shore line has filled with new sediment again, and two lot owners cannot move their boats from the dock into the lake.

End 2023 the board applied again through Schlicht Contractors for the next project, dredging inlet # 4 at the north end of KIm Drive. EGLE challenged the application for a permit. Following the advice of Michigan Lakes and Streams President, The Board applied for a special hearing in Lansing to have an independent panel possibly reverse the EGLE position. The hearing did not help but Board negotiated a site meeting. During the hearing, the Board was told:

- Many inland lakes have similar issues
- Watershed management is the best solution.
- Dredging is the most disruptive solution.
- The Association should change its Mission Statement and delete the words “as it was originally developed” because EGLE would never issue a permit for that extensive a project.

2024 Site review by EGLE:
Karl Hermann, President LBAPOA, asked them to inspect all inlets to determine if they would be willing to approve dredging permits. In July 2024 the regional decision-maker from Jackson and her Lansing superior inspected by measuring and taking lake bottom samples. They concluded that dredging was not necessary, because “boat navigation” was possible, in Inlet #4, but they pointed out all areas where they believed could be dredged. After several week’s discussions, after they reduced the requested area by more than half, they indicated their willingness to permit dredging for limited areas around boat docks in Inlet #2 and Inlet #3. Lot owners agreed to take the spoils on their lots. Schlicht excavating dredged these areas after the boating season in September 2025. Since the dredging areas are smaller than the original plan due to EGLE’s increasing reluctance to allow dredging, the cost was lower. Therefore year 3 of the dredging assessment was postponed.

2025 and Future plans for the maintenance of Lake Bel-Air:

The lake is becoming shallower by sediment accumulation from Beebe Creek. In order to avoid more lake areas returning to swamp and "wetland" , the LBAPOA needs to look into a major dredging of the silted area in Inlet #1. If this area can be dredged, it will substantially reduce the accumulation sediment into the main lake area. For financial reasons, and EGLE restrictions, the Board is not looking at a plan for dredging all lake areas. So, we have consulted various dredging companies for advice. The first "hurdle" is EGLE demands for Sediment Testing of the area to be considered for dredging. That will cost about $ 34,000. If the analytical results are accepted by EGLE to permit dredging, the area at the inlet, which is full of sediment and moving constantly into the main lake area, is at least 10,000 cubic yards to dredge for obtaining a 4-foot water depth. The full project cost for sampling, licensing, and dredging is pending and to yet to be determined following a final review and approval by EGLE.