

**FOREST LAKE PROPERTY OWNERS' ASSOCIATION  
BOARD OF DIRECTORS  
MEETING MINUTES  
December 9, 2023**

**I. CALL TO ORDER**

Daniel LeFevre/President called the meeting of the Forest Lake Property Owners Association ("FLPOA") Directors to order at 9:06 a.m.

**II. ROLL CALL**

Board Members Present: Daniel LeFevre ("LeFevre"), Ron Swagman ("Swagman"), James Kelly ("Kelly"), Tracy Reitzloff ("Reitzloff"), Gene Ross ("Ross"), Vito Manzella ("Manzella"), Debra Wojie ("Wojie"), Pat Gordon ("Gordon")

Board Members Absent: Matthew Winberg ("Winberg")

**III. REVIEW OF PREVIOUS MEETING MINUTES**

**Moved by Kelly, seconded by Ross, motion carried to approve the November 4, 2023, Meeting Minutes as presented.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,**

**Voting No: None**

**Absent: Winberg**

**IV. DIRECTOR REPORTS**

**A. Dam Safety (LeFevre)**

i. December 7, 2023, Spillway Report attached hereto. Two (2) important milestones: 1. On November 29, 2023, the 23<sup>rd</sup> Circuit Court for the County of Arenac established a lake level special assessment district for Forest Lake, and 2. On December 5, 2023, the Michigan Department of Environment, Great Lakes and Energy ("EGLE") water Resources Division posted a notice of application that runs through December 25, 2023, after which Phase 1, downstream stabilization work may begin. We submitted an additional \$3,000,000.00 grant pre-application request to EGLE on December 1, 2023 (2023-24 Dam Risk Reduction Program). If our project is selected, we will submit a formal application in early 2024 seeking funding for engineering and non-USDA grant eligible costs. We also plan to submit a request to the USDA for an increase to our existing \$3,200,000.00 NRCS-WP grant. GEI expects to submit the final Phase 2 design package to EGLE next week and finalize the contractor bidding process thereafter. We published minimum general contractor qualification requirements at the end of October and seven (7) contractors attended the information meeting. Qualification submittals were due late-November, due to existing work back logs/proposed project timeline only two (2) contractors submitted. Construction bids due mid-January, we expect to select a contractor. The plan remains to start the Phase 2 spillway reconstruction project in the spring of 2024, completed by the end of August 2024. The FLPOA BOD engaged attorney Scott Steiner of Rhodes McKee to represent its interests relating to FLLAB and the resolution adopted by the County Commissioners. Mr. Steiner has been in contact with the County attorneys addressing FLPOA concerns.

- ii. Project Cash Flow – Discussion
- iii. Invoices

**Moved by Ross, seconded by Manzella, motion carried to approve the FLLAB payment of YEO & YEO Invoice No. 584586 in the amount of \$5,268.00.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,  
Voting No: None  
Absent: Winberg**

**Moved by Kelly, seconded by Ross, motion carried to approve the FLLAB payment of GEI Consultants of Michigan, P.C. Invoice No. 5019999 in the amount of \$60,315.75.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,  
Voting No: None  
Absent: Winberg**

**Moved by LeFevre, seconded by Kelly, motion carried to approve the FFLAB payment of Fahey Schultz Burzych Rhodes, PLC Invoice No. 15495 in the amount of \$17,295.23.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,  
Voting No: None  
Absent: Winberg**

**Moved by Ross, seconded by Reitzloff, motion carried to approve the FLLAB payment of Fisher Contractor Co. Invoice No. 60606 in the amount of \$31,114.26.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,  
Voting No: None  
Absent: Winberg**

**Moved by Ross, seconded by Kelly, motion carried to approve the FLLAB payment of Spicer Group Invoice No. 224984 in the amount of \$51,578.25.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,  
Voting No: None  
Absent: Winberg**

**Moved by Ross, seconded by Kelly, motion carried to approve the FLLAB payment of Spicer Group Invoice No. 225463 in the amount of \$28,392.65.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,  
Voting No: None  
Absent: Winberg**

- iv. FLLAB-Braun Kendrick

**B. Legal, Lake Ecology, Fish Stocking, Insurance (Swagman)** – Seder inlet drone spray of dense weeds and harvesting complete. Discussion to have Savin Lake Services conduct a presentation at an open meeting in the spring.

**C. Campground, Office, Activities (Kelly)** – Discuss office. Discuss placing rental house for sale.

**Moved by LeFevre, seconded by Kelly, motion carried to authorize the current Forest Lake Property Owner Association President, Treasurer and Vice President access to its PNC Bank safety deposit box(es).**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,**

**Voting No: None**

**Absent: Winberg**

**D. Parks & Recreation (Reitzloff)** – Meeting with Parks Committee today. Drafting a survey.

**E. Maintenance (Ross)** –

**Moved by Ross, seconded by Kelly, motion carried to approve contracting with Mitch Porter/Porter Tree in the amount of \$3,800.00 for removal of 100 stumps in the parks.**

**Voting Yes: LeFevre, Swagman, Kelly, Reitzloff, Ross, Manzella, Wojie, Gordon,**

**Voting No: None**

**Absent: Winberg**

**F. Security, Communications (Manzella)** – Equinox involved in a one (1) car accident, drivable, minimal damage, decided no repair due to expenses. Security is now using the office conference room for their paperwork. Second annual tree lighting tonight 6:00 p.m., doors open at 4:30 p.m.

**G. Refuse, Merchandise (Wojie)**- Merchandise sale.

**H. Liens & Foreclosures (Winberg)** – Dealing with the top 17 delinquencies. Re-sending certified letters as regular mail. Moving forward with foreclosure process. We have secured some payment plans and payments in full. One delinquency may forfeit their property to FLPOA. Continuing placing liens on properties, some going to foreclosure for non-tax payments. We continue making progress.

**I. Clubhouse, Storage Area (Gordon)** – The clubhouse carpeting will be cleaned on December 15, 2023. Working on gathering storage area information from several sources, goal is to have all information on one (1) spreadsheet, color coded. The clubhouse kitchen needs a garbage disposal.

## **V. NEW BUSINESS**

**A. Draft Rhoades McKee letter addressing the legality of the July 2021 Special Assessment.** The Board authorizes the HOA attorney to respond to a FLPOA property owner's letter

challenging the legality of the 2021 FLPOA special assessment. The Board will post the attorney's conclusions for all FLPOA members' information, clearing up the special assessment situation.

**B. Member correspondence regarding dredging spoils at holding cell.** A member is concerned as to the dredging "spoils" disposal affecting his property and is requesting compensation.

**C. Annual Dues Vote.**

- i. Update on total votes received - As of today we have twenty percent (20%) quorum
- ii. Timing of the ballots cast and final count - All ballots must be received by April 1, 2024.
- iii. Campaign to encourage voter participation - Suggestions to get information out to members, calls, etc. Two (2) mailings will go out to members who have not yet voted.

**D. FLPOA Board of Director Terms (for reference only)**

- i. **Expiring 7/2024: Swagman, Wojie, LeFevre, Gordon and Winberg.**
- ii. **Expiring 7/2025: Reitzloff, Manzella**
- iv. **Expiring 7/2026: Ross and Kelly**
- v. **BOD Nominations for 2024 Annual Meeting open from 4/1/2024 – 4/14/2024**
- vi. **BOD Nominees must accept by 5/1/2024**

**VI. SCHEDULE OF UPCOMING MEETINGS:**

- a. January 13, 2024 at 9:00 a.m.
- b. February 10, 2024 at 9:00 a.m.
- c. March 9, 2024 at 9:00 a.m. (open to all members)
- d. April 13, 2024 at 9:00 a.m.
- e. May 11, 2024 at 9:00 a.m. (open to all members)
- f. June 8, 2024 at 9:00 a.m.
- g. July 13, 2024 at 9:00 a.m. (Annual Meeting)

**VII. ADJOURNMENT**

**Adjourned at 12:01 p.m.**

  
**Tracy L. Reitzloff, Secretary**  
**Approved: January 27, 2024**

Forest Lake Spillway Report  
December 7, 2023  
By: Dan LeFevre

Since our November 1<sup>st</sup> report we reached two important milestones; (1.) on November 29<sup>th</sup> the 23<sup>rd</sup> Circuit Court for the County of Arenac established a lake level special assessment district for Forest Lake, and (2.) on December 5<sup>th</sup> the Michigan Department of Environment, Great Lakes and Energy (EGLE) - Water Resources Division posted a notice of application that runs through December 25<sup>th</sup> and after which the Phase 1 - downstream stabilization work may begin. Since the May 19, 2020 storm our community has invested three and a half years of hard work to reach this important stage. I am thankful for all of the efforts put forth, and excited that in a few weeks we will see the long-awaited start of construction.

There remains important work to be completed. On the funding front we submitted a \$3 million grant pre-application request to EGLE on December 1<sup>st</sup> for their 2023-24 Dam Risk Reduction program. If our project is selected we will submit a formal application in early 2024 to seek funding for engineering and non-USDA grant eligible costs. We also remain in contract with USDA and plan to submit a request for an increase in our existing \$3.2 million NRCS-EWP grant. The goal remains to fund as much of the project through grants as possible.

GEI expects to submit the final Phase 2 design package to EGLE next week and then finalize the contractor bidding process immediately thereafter. We published minimum general contractor qualification requirements at the end of October, and seven contractors attended the required information meeting. Qualification submittals were due in late November and due to existing work backlogs and the proposed project timeline only two contractors submitted. While the contractors are preparing their bids GEI will continue to gather data from recently installed monitoring wells to clarify sub-surface factors impacting the design. Construction bids will be due in mid-January when we expect to select a contractor and negotiate a contract. The plan remains to start the Phase 2 spillway reconstruction project in the spring and complete by the end of August 2024.

With respect to the Forest Lake Level Authority Board and the resolution adopted by the County Commissioners in October, the FLPOA BOD engaged Scott Steiner of the Rhodes McKee law firm to represent our interests. Mr. Steiner has been in contact with County attorneys to discuss FLPOA's concerns.

Board Report 12/9/23

D. Wojie

**Refuse:**

Things are going well at the trash area. I look **forward** to thanking Sue Hughes and all our other hard-working employees at the upcoming Forest Lake Christmas party.

**Merchandise:**

In an effort to clear out some really old merchandise, the office is having a 20% off sale on long sleeve apparel. This will help make more room for new items in the Spring.

**General Questions:**

It was brought to my attention that we have a person running an activity that has not paid their special assessment. It was brought to my attention last month and I totally forgot about it and now they are posting for another such activity. What are the board's thoughts on this?