

**FOREST LAKE PROPERTY OWNERS' ASSOCIATION
BOARD OF DIRECTORS
MEETING MINUTES
November 4, 2023**

I. CALL TO ORDER

Daniel LeFevre/President called the meeting of the Forest Lake Property Owners Association ("FLPOA") Directors to order at 9:01 a.m.

II. PLEDGE OF ALLIGENCE

III. 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"), Matthew Winberg ("Winberg"), Pat Gordon ("Gordon")

IV. REVIEW OF PREVIOUS MEETING MINUTES

Moved by Ross, seconded by Kelly, motion carried to approve the September 30, 2023, Meeting Minutes as presented.

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

V. DIRECTOR REPORTS

A. Dam Safety (LeFevre) - See November 1, 2023 Update attached hereto. Ninety percent (90%) design package submitted to EGLE last month, expect final design mid-November. Published minimum general contractor qualification requirements at the end of October. Hearing scheduled for November 29th (critical milestone) to establish SAD boundaries, notice letters went out to all property owners in the district. On October 13, 2023, GEI proposed a new cost estimate in the amount of \$10,000,000.00 due to material costs and contractor estimates rising. We are asking USDA/NRSC to increase our existing \$3,200,000.00 federal grant, will wait until construction bids are received. The project may qualify for up to \$4,000,000.00 in additional grants. The final 100% design will be posted on the website. The County Commissioners adopted a new resolution changing the lake level board. There are extensive conversations regarding this proposed change, and we are looking to retain an attorney specializing in Michigan Part 307 law to handle such legal matters. The current lake level limits are 722/727. Refers to spillway drawings. Received a quote in the amount of \$175,000.00 a few years ago to update stop logs, GEI recently quoted \$500,000.00, contacted engineers who submitted a revised quote of \$200,000.00.

VI. PUBLIC COMMENT (SPILLWAY ONLY)

Property Owner disagrees with cutting down the concrete on either side of dam so far (18") because in the summer wakes, etc. will result in unintentional water loss. Response: we will confer with engineers.

Property Owner asks if the State has any liability as to the dam/spillway damage, not being up to code. Have engineers looked into the rebar. Response, yes, engineers performed core drilling and the new spillway will be completely up to code. Once a legal lake limit is established the county is responsible and we have spent \$1,000,000.00 engineering this project properly. Property Owner further insinuates the government is liable. Response, we have received \$6,500,000.00 in grant funds thus far, with a potential of an additional \$3,000,000.00, the Board does not intend to pursue litigation against the State at this time. The FLPOA SAD of \$1,580.00 was allocated to be used for spillway/dam/docks/dredging and we intend to use the funds for dredging.

Property Owner asks if the spillway will be private or public? Response, the law states this is a county responsibility. FLPOA and/or its members own all real estate surrounding the lake, water owned by the State of Michigan. Property Owner asks as to the responsibility of those within the watershed. Response a lake is different from the watershed, once water reaches the lake it is owned by the state. Forest Lake is classified as a limited access lake. Property Owner asks if FLPOA has the responsibility of maintaining the spillway or would there be an economic advantage to being a public lake. Response, we apply for grants and receive them, nothing in the language stating being classified as a public lake would be of any benefit. We simply must follow Part 307 of the law.

Property Owner asks if there is concern grant(s) will expire? Response, there is a USDA Grant with August 31, 2024 expiration, NEDC and EGLE grants have plenty of time.

Property Owner asks with regard to the water entering our lake via watershed, can we expand SAD district out to those within the watershed. As FLPOA's dam's integrity saved those downstream on the river, curious why the State is not fully funding our spillway project. Response, the project was fully funded through October 13th, then we received another estimate increase of \$3,000,000.00 due to rising construction costs. Waiting to see as to additional grant funds.

Property Owner hopes every voter/Board member demands the government treat us the same way they treat waring nations and illegal aliens.

B. Legal, Lake Ecology, Fish Stocking, Insurance (Swagman) – Employed Savin Lake Services to handle excessive weed growth at Seder inlet. Treating very dense weeds (12'-14') before dredging begins. Treated overgrowth via drone with a spray (not round up) and a video of the application is available on the website. The second phase of this process was to mechanically remove the weeds after die back.

C. Parks & Recreation (Reitzloff) - Drafting a parks survey (opinions, comments suggestions). Looking for parks committee volunteers. Thank you, Bill Hunt, for the Pickleball court/net. Thank you, maintenance, for your help/work with the parks. Dangerous/dead trees located in/around the parks and FLPOA buildings will be removed. Looking for volunteers to help decorate the trees prior to the December 9th tree lighting.

D. Campground, Office, Activities (Kelly) - Campground will host its Halloween event next year on October 12, 2024. The Campground is now officially closed. Thank you Tammy for your help with the Annual Dues Increase Report.

E. Maintenance (Ross) – Many dead/diseased trees posing threats/liability in and around our parks/common areas, most are black oaks and are being removed. Make sure to sign up for snowplow club through mid-November. Hammertyme will remove accessible brush along FLPOA

shorelines, call to schedule work on private property, they are starting this week. The Maintenance Department started cutting weeds at the West End/Boat Launch, big project, brush hog has been helpful. December 9th is the FLPOA tree lighting, looking for volunteers to help decorate trees beforehand.

F. Security, Communications (Manzella) – The 25mph speed limit issue has been addressed and proper signage reflecting 25mph within Forest Lake will be installed by the end of the month, delayed due to county truck breaking down. Forest Lake consists of multiple “subdivisions” and Michigan law dictates a 25mph speed limit within all subdivisions. Images of someone trying to force entry into a private residence near west end, please lock your doors. The burn pile is having serious issues with people placing construction debris into the pile. EGLE has warned us that if this practice continues, they will force us to close the burn pile permanently, therefore, restrictions are now in place. There is a camera installed and we are monitoring the pile. Security vehicle in shop, needs starter. Reminder that all FLPOA forms are now available online (webpage under Board Forms) for your convenience.

G. Refuse, Merchandise (Wojie)- Two (2) dumpsters have been closed at the trash site and the two (2) at the campground are closed now for the season. People continue dumping their trash at the campground and there is no longer pickup. Reminder, you can walk your trash bags into the main trash site when it is not manned/open. There is also an area available to collect returnables which will be donated to a local dog rescue. Tom Hughes states the rescue is low on funds, and need help, so we are collecting bags of returnables and will deliver them to the rescue. Please put your clean/empty cans/bottles into bags when donating. Merchandise, nothing purchased so we can get rid of old stock, new purchase in the spring. Candy Atwell is setting up a table in the clubhouse for food (nonperishables) and hat/glove donations for Alger Parks & Recreation.

H. Clubhouse, Storage Area (Gordon) – Clubhouse carpets need cleaning. Received information from Tom Hughes/office regarding current status of storage area, updating processes.

I. Liens & Foreclosures (Winberg) – Contacted top seventeen (17) delinquencies, knocking on doors, sending certified letters. Contacted by one (1) person who donated their property back to Forest Lake which will be sold. Have received other payments and making progress.

VII. PUBLIC COMMENT

Property Owner asks if brush/weeds will be removed at Whippoorwill. Response that there are four (4) areas and the work performed at Seder inlet will determine how these areas will be handled, Whippoorwill is on the list. Swagman will email the property owner once a plan is in place.

Property Owner asks if trash needs to be in plastic bags? Response, yes. Property Owner states a truck entered the trash site with construction materials, stating it was ok because it was for a Board member. Response, construction materials are not accepted.

Property Owner asks as to dredging plans and where will it occur. Response, the full dredging plan is on the FLPOA website. Professional Lake Management Company supplied dredging recommendations as to where would be most beneficial.

Property Owner asks if he wanted dredging in front of his property, can he pay out of pocket.

Property Owner states a lake study/recommendations conducted several years ago costing \$35,000.00, has the Board reviewed? Property Owner believes we are not following these recommendations regarding erosion, boat speed, no wake zones, no fertilizers on lawns, use of chicken wire/native grasses along erosion areas. Response, we now use Savin Lake Services who performed updated lake studies. The problem remains funding, there is no money to perform recommended work. The Spillway project has been all-consuming, as it is an additional full-time job for Board members and there is no money for the lake at this time. Property owner believes the financial responsibility should extend outside of just FLPOA, maybe to those within the watershed. Swagman further responds the Study property owner is referring to was from Restorative Lake Services which we no longer use, but still use their recommendations. There are twenty-six (26) square miles of watershed drainage coming into the lake causing problems. Based on recommendations, we have addressed by creating check dams/sediment ponds at each inlet to the lake from the watershed, this controls what drains into Forest Lake, removing problems before they enter the lake.

Property Owner suggests placing no hunting signs in the logging area off Wilderness as he encountered a bow hunter on common property. Would also like to know the number of special assessment/annual dues delinquencies. Winberg responds there are 146. Ross states eighteen (18) active hunting blinds/stands were found on the Standish School District property and Standish School District has notified DNR. If anyone is hunting this property, remove blind/stands immediately.

Property Owner asks if clearing storm drain culverts along the roads is FLPOA's responsibility or property owners'. Response the County maintains the culverts. Property Owner asks if there is a FLPOA property owner/parcel directory and delinquency/foreclosure list available? Winberg responds there will be. Property Owners asks for local real estate appraiser suggestions and gives the Board credit for what they are doing and have done.

Property Owner states asks what four (4) areas of the lake are being brush hogged, boat docks at dam road? Response, we are doing boat launches/docks, wherever we can safely operate the brush hog and will also weed whip.

Property Owner asks if the Board has considered dissolving the Forest Lake Property Owners Homeowners Association? Response, no. If the Association were to be dissolved, it goes to the Township, management company/employees would be hired on a fee basis, shifting the burden to a third party. This would leave property owners with zero control as opposed to now having control/vote with a Board of Directors who are not paid. Property Owner states the Board is doing a good job but if there is no money it cannot continue.

Property Owner asks when the lake was last dredged? Response 1989-90. DNR recommends we dredge every 12-15 years, has not been dredged in 33 years.

Property Owner ask Winberg how much delinquent dues/assessments have been collected. Response, well over \$3,000.00-\$4,000.00.

Property Owner asks if the people not paying their storage area fees are being evicted. Response, we are gathering information as to who has and has not paid and a plan will be put into place.

Property Owner has storage stickers for her boat but does not know what boat is hers.

Property Owner asks that if your dog is off your property, please leash it.

VIII. NEW BUSINESS

An annual dues increase is long past due, and we tried waiting for the spillway project to begin before implementing. FLPOA currently has approximately \$200,000.00 in reserve funds. There are two (2) options, increase the dues or do not increase the dues and dissolve our Association turning it over to the Township. Looking for property owner input. We need to maintain FLPOA assets (common ground/buildings, etc.) and dues have not been raised since 2007. We came up with figures using an inflation calculator which brings us to \$285.00/year, then we added future capital expenditures/repairs. The Board has received overwhelming feedback that we need to pass/present this increase. Ultimately, however, the voters decide. We have approximately 1,100 members in good standing, the Bylaws state one (1) vote per lot up to three lots. The Board discussed amending the Bylaws giving property owners one (1) vote per property owner regardless of the amount of lots owned. The Board decided against changing our Bylaws at this time. Review the Dues Increase Proposal. We are introducing an initial increase to \$320.00/year and \$10.00/year increases for four (4) years, ending at \$360.00/year. This will secure the Association and build a savings. The Board looked at neighboring communities' dues schedule (available on website) for reference and summary of financials. Manzella states the comparison sheet was created to understand what other associations are doing, many charge per lot and we will leave ours at one due and additional lots at zero, many members own and/or live on multiple lots. Kelly states up to three (3) votes, most of people with multiple lots tend to vote more, leave Bylaws as is.

Property Owner would like to see a delinquency list of non-payments/names.

Property Owner asks how the increase amount in dues came about. Response, first applied a inflation calculator and then discussed capital improvements/repair needs. We did not want to double the dues.

Property Owner wants to dissolve the HOA, via petition? Not happy with the non-private aspect and what goes on at the beach. Forces him to go elsewhere as a result. Response, there is a provision in the Restrictive Covenants/Bylaws regarding this issue, first petition, support. If the vote on annual dues passes, we will know what members wants or does not.

Property Owner will my vote count. Dues paid and have paid \$400.00 of the \$1,580.00 special assessment? Response, concessions cannot be made for one without making for all. We will discuss and post the criteria.

Property Owner refers to comparisons. We do not have the same amenities available to us. Response, we did not list our amenities on this comparison, beach, community events, lake, parks, club house, office, campground, common ground, security, maintenance, etc. Services have been cut due to lack of funds and without funds more cuts will be made.

Property Owner asks if she combines her lots, would she only be charged one (1) lot fee. Response, if parcels are combined at Township level that does not affect Forest Lake lots. Property feels those with multiple lots should be grandfathered in and not have to pay additional lot fees.

Property Owner asks what the 60% threshold means. Response, lawyer states 60% of the members in good standing. Manzella states 1,163 members of that 146 not in good standing equal 1020, 60% of that number need to vote, then use multiplier 3x vote,

Property Owner asks if dissolving HOA makes the lake public. Response, possibly, yes and we lose all of our assets/control.

Property Owner asks about combing lots/SAD? Response, once SAD created/tax roll created, cannot combine lots, must be done now before tax roll is created. Combing lots does not change things at Forest Lake level/assessments.

Property Owner asks if we considered asking for less of a dues increase. Response if we do not get we need to be, not beneficial. The Board determined via inflation and upcoming expenditures, etc.

Property Owner states paid \$30.00 a year in 1968, \$360.00 does not seem like enough of an increase.

Property Owner asks how people will receive information (Dues). Response, mail, email, website, office. We will place a Dues Proposal link directly on the website. Property Owner asks will people receive all the information via US mail and will this information as include why it should not be done? Response, the Board is recommending an increase, will include why and a ballot.

Property Owner asks if the Board has considered fund raisers for the dam/spillway.

Property Owner, multiple lot owners up to 3, do we need to submit 3 ballots. Response No, 1 ballot. One vote per member, multiple lots will be calculated.

Moved by LeFevre seconded by Reitzloff to engage attorney Scott Steiner to serve as FLPOA counsel and work with the County to work through spillway issues.

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

Moved by Manzella seconded by Reitzloff to rescind Motion 2: Changing the number of votes per member in Article III, Section I of the Bylaws.

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

Moved by Manzella, seconded by Wojie to authorize the distribution to the members in good standing of the Annual Dues Vote Ballot included on page 5 of the Annual Dues Plan revised as of October 2023, pursuant to Section 6 of the Restrictive Covenants of Forest Lake Subdivisions and Article III and Article VII of the Revised Bylaws of Forest Lake Property Owners' Association of Arenac County.

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

Property Owner would like to wish Board member Pat Gordon a Happy Birthday.

IX. ADJOURNMENT

Adjourned at 11:20 a.m.



Tracy L. Reitzloff, Secretary
Approved: December 9, 2023

Forest Lake Spillway Report
November 1, 2023
By: Dan LeFevre

We continue to make significant progress since our last update on September 27th. GEI is gathering and analyzing data to finalize the design. A 90% design package was submitted to EGLE last month, and we expect the final design to be submitted in mid-November. We published minimum general contractor qualification requirements at the end of October. Bid submittals are expected by early January. A hearing is scheduled for November 29th to establish the special assessment district boundaries and notice letters are going out to all property owners in the district this week. The plan remains to start the spillway reconstruction project in the spring and complete by the end of August 2024.

However, there have been changes.

Most notably, we received a revised project cost estimate of \$10 million on October 13th with a new \$1 million estimate for addressing ground water that they believe is likely to pool at the toe of the spillway, and another \$2 million in additional estimated construction costs. As noted previously, we expect to receive construction bids in January and our full project cost will be clarified less than 90 days. Two months ago we socialized the idea of asking USDA-NRSC for an increase in our existing \$3.2 million in federal grants, and after discussions we all agreed to wait until construction bids are received before requesting an increase. Based on current estimates it appears the project could potentially qualify for up to \$4 million in additional grants on top of the \$3.2 million already awarded from USDA; \$3.3 million from the State of Michigan (EGLE/MEDC/MI Dept. Treasury); \$50,000 Chippewa Indian Grant; and \$655,000 from FLPOA. We expect to formally request the USDA increase in January and will also explore other contingency options such as county bonds backed by the new Special Assessment District that is petitioned for approval on November 29th. Ideally, we will fund the project entirely with grants as has been our goal for at least the last two years.

Another significant change occurred last week when the County Commissioners adopted a new resolution (attached for reference) that changed the lake level board. In the last week I have had extensive conversations with FLPOA and FLLAB Directors, attorneys for Arenac County, the EGLE Dam Safety Director, and our project engineers. We all seem to agree on the following strategy:

1. FLPOA should engage an attorney experienced in Michigan Part 307 law to help us work with the County to proceed;
2. Finalizing the project design and the bid process must proceed as scheduled;
3. The November 29th hearing to establish Special Assessment District boundaries remains a critical project milestone;
4. Requesting an increase in the USDA grant must occur shortly after construction bids are received;

The FLPOA BOD has contacted four qualified attorneys and we plan to consider engaging Part 307 counsel at our November 4th meeting.

Tracy L. Reitzloff, Secretary

Parks Report/Future Budget

November 4, 2023

I am drafting a parks survey to be distributed to property owners.

Hoping to hold a clean-up day in the spring, will be looking for volunteers.

Received requests relating to the parks: designated area where dogs can access the water, kayak launch, and an exercise/fitness course/trail. Thanks to Bill Hunt for the Pickleball court/net. Net can be signed out in the office.

I am also in the process of drafting a Forest Lake Parks Survey to be sent out to property owners.

I want to thank the maintenance department for their help with the parks. I continue to work with maintenance on several issues at Whippoorwill and West End/Crane parks.

Dangerous and diseased/dead trees (Black Oaks) are being removed at several parks/association locations.

Looking for volunteers to help decorate the trees before the Forest Lake Annual Tree Lighting on December 9, 2023. Contact myself or Diane LeSage.

Forest Lake Board Report

11/4/2023

D. Wojje

Refuse:

Two of the 10 containers at the trash area in the storage were closed at the beginning of October. The two dumpsters at the campground were closed the last week of October/November. All dumpsters will be reopened in the Spring for the summer season.

Tom Hughes contacted me about collecting returnable cans and bottles at the trash site in the storage area. He and his wife Sue Hughes (thank you Sue for all your hard work at our trash area) noticed bags of returnables being tossed in the trash and thought something could be done with them. Tom suggested we collect them and take them to the Rea Family Anima Shelter on M-33 and M-55 in West Branch. Last week Tom was able to take a truck bed load of returns to the shelter along with \$40 in cash donations. (Refer to Tom Hughes to fill us in on this.)

Merchandise:

No new merchandise has been purchased for this winter, as we continue to try and sell the items, we must make room for new things this spring. The ladies in the office continue to rotate merchandise to display it and make it more visible for you to see and purchase.