

BEAR LAKE – LAKE BOARD

REGULAR MEETING

Thursday, February 10, 2022

6:00 P.M.

N. MUSKEGON CITY HALL

- I. *Call to Order:***
- II. *Pledge of Allegiance to the Flag:***
- III. *Roll Call:***
- IV. *Approval of Agenda (additions/modifications)***
- V. *Public Comments (Request to Speak Form Completed/3 min limit)***
- VI. *Minutes:***
 - a. Review/Approve Draft Minutes for 01/13/22 Mtging
- VII. *Budget/Expenditures: (C. Howell)***
 - a. Updates/Modifications to 2022 Budget
 - b. Revenue/Expenses Update/Invoices Needing Approval
- VIII. *Communications: Houghton Lake Conservation Foundation***
- IX. *Unfinished Business:***
 - a. Website Development/Resident Communications (Paul)
 - b. Potential Lake Grant (Brenda)
 - c. Resident Survey/Next Steps
 - d. Waalken's Drain
- X. *New Business:***
 - a. Key Outcomes from Lake Management Workshop 2/7/22
 - b. BLLB Continuation Process/Attorney Questions
- XI. *Next Meeting:***
 - a. *March 10, 2022 at 6 p.m. N. Muskegon City Hall*
- XII. *Adjourn***

**Bear Lake Lake Board
Regular Meeting
Thursday, January 13, 2022
North Muskegon City Hall**

Meeting called to order by Chairperson Darrell Van Fossen at 6pm.

Pledge of Allegiance

Roll Call

Present: Paul Pek, Brenda Moore, Darrell Van Fossen

Absent: Doug Brown, Craig Howell

Also Present: Mike Solomon and Dr. Jennifer Jones of RLS

Approval of Agenda for December 9, 2021

- a. Brenda Moore Motioned, Paul Pek Supported, Motion carried unanimous roll call vote**

Request for additions to tonight's Agenda

- a. Brenda Moore requested to discuss Midwest Glacial Partnership Grant**
- b. Motion was made by Brenda Moore to adjust tonight's Agenda. Paul Pek Supported. Unanimous roll call vote**

Budget/Expenditures

Darrell Van Fossen discussed PLM Lake & Land Management Invoice from 9/21/21 for Algea treatment of Fenners Ditch for \$561.83.

- a. Paul Pek made motion for approval of invoice. Brenda Moore supported. Unanimous roll call vote.**

Reports

RLS Dr. Jennifer Jones and Mike Solomon presentation Bear Lake 2021 Aquatic Vegetation, Water Quality, and 2022 Management recommendation Annual Report.

Communications n/a

Old Business

a. RLS/BLLB Contract Review

- 1. Darrell Van Fossen would like to see a Rep at every meeting**
- 2. Need to have workshops/update/newsletters**
- 3. Education on Septic Systems**
- 4. Oversight**
- 5. Surveys**

Brenda Moore commented she feels comfortable with contract. Stated it was well rounded program.

Paul Pek commented that several residents did own Investigation on aeration project and were disappointed with project overall. Paul Pek would like to look at different Consulting firms.

Darrell Van Fossen suggested tabling vote on contract until entire board was together.

Old Business continued

- b. Work shop with attorney Ron Bultje needs to be planned to discuss By-laws.**
 - 1. Paul Pek motioned to approve Workshop with Bultje to discuss by-laws not to exceed \$1000 fee.**

Brenda Moore supported. Unanimous roll call vote
- c. Open Meetings Act Workshop for Monday, January 31, 2022 subject to change due to attendance. Darrell Van Fossen looking into different date.**
- d. Paul Pek plans to have website development plan for end of January. He's organizing government facebook page for notifications and continuing BLLB website for reminders.**
- e. City of North Muskegon Memo regarding Recording Secretary duties. Brenda Moore requested the email be changed into memorandum form for future reference.**
- f. Darrell Van Fossen posted BLPA President/Leader posting on Bear Lake Property Owners website.**

New Business

- a. PLM/EGLE Treatment permit was discussed. Pricing of chemicals going up.**

Brenda Moore made motion to get contract with PLM not to exceed \$1600 fee to apply for annual EGLE Treatment Permit. Paul Pek supported. Unanimous roll call vote.
- b. Resident Survey Options.**

GVSU can conduct resident survey for fee of \$9400
Paul Pek suggested Survey Monkey was a great option.
Board will look into other options for resident survey.

Additions to Agenda

- a. Brenda Moore discussed the Midwest Glacial Lakes Partnership Grant Due February 14, 2022. Grant works with MS4. Broadens work on Bear Lake. Offers a match to Grant.**
- b. Darrell Van Fossen discussed Beyond 2022. Board needs a 5yr. plan, a budget and formalized agenda.**

Public Comment

Steve Olsen 820 Oakmere asked if Board worked with attorney. Darrell Van Fossen commented Board worked with attorney Ron Bultje. Mr. Olsen stated the residents at Channel Pointe Condos wondered why they were put in Lake Board zone and that they shouldn't be assessed. Mr. Olsen also wondered what they get for \$2500 other than a fund balance. Mr. Olsen had question for Dr. Jones from RLS regarding Walkins Drain modification and ground water levels. Brenda Moore stated she plans to monitor ground water. Steve Olsen ended with that he liked the resident survey ideas and suggest Board needed to get 2 emails from residents for notifications.

Ron Taylor Fenners Ditch resident stated he can still smell oil where he lives. Ron wanted to also thank everyone for all the work done. He was happy to hear about the improvements being made during Dr. Jones RLS presentation.

Next Meeting

February 10, 2022 at 6pm.

Meeting adjourned at 8pm.

**Respectfully Submitted,
Marlene J. Slorf
Recording Secretary**

PROPOSED ATTORNEY QUESTONS
FROM THE BLLB
2/10/22

Assessment Related Questions

1. What are our options as we come to the end of the initial 5-year assessment with a significant balance? Do all or part of the balance have to be refunded? (\$300,000+)
2. If the balance leftover is because some planned projects were canceled or not completed, does this have any impact of whether to refund or not?
3. Can we carry on without an assessment and just use balance of current funds?
4. Can we initiate another assessment but at a much smaller amount as we have a large balance to offset new projects? What is needed to justify another assessment? Any recommendations?
5. When should we start work on the next assessment if we plan to do another one, and what is the process and steps involved?
6. Many questions from residents about their assessments have been asked. Some include 1) Why was the marina left off, why did the condo owners have to each pay the full amount, why was it done per parcel vs. lake frontage, why did some with double lots have to pay double, etc. Do current statues provide guidance to a Lake Board in this regard? What is the "law"? What latitude/options does a Lake Board have?

Lake Management Related Questions

1. Do we need to conduct a new feasibility study and retain an engineer to continue, or was that only something needed for the initial creation of the board? What is the definition of a "feasibility study"? What is the definition of an "engineer"?
2. What are the key tasks and timelines for proper/legal implementation?
3. What length of time is allowed to continue with new assessments, 3, 5, 10 years?
4. Are we required to have or retain a "Lake Manager", or can we work directly with providers of testing and lake treatment based on an established improvement plan provided by a qualified "Lake Manager"? May a Lake Board develop its own improvement plan/objectives then implement accordingly?
5. Our pasted "Lake Manager", RLS has resigned effective January 14, 2022. Are we required to go through an official bid process to hire another entity to develop an Improvement Plan, then allowing the BLLB to implement independently of a full time, retained "Lake Manager"?