

**FOREST LAKE PROPERTY OWNERS' ASSOCIATION  
BOARD OF DIRECTORS  
ANNUAL MEETING MINUTES  
July 8, 2023**

**I. CALL TO ORDER**

Daniel LeFevre/President called the Annual Meeting of the Forest Lake Property Owners Association ("FLPOA") Board of Directors to order at 9:00 a.m.

**II. PLEDGE OF ALLEGIANCE** – Alyce Oertel leads the Pledge of Allegiance.

**III. INVOCATION** – Alyce Oertel

**IV. ROLL CALL:** Present - Daniel LeFevre ("LeFevre"), James Kelly ("Kelly"), Vito Manzella ("Manzella"), Gene Ross ("Ross"), Tracy Reitzloff ("Reitzloff"), Ron Swagman ("Swagman"), Daniel Mancani ("Mancani"), Matthew Winberg ("Winberg")

Not Present: Debra Wojie ("Wojie")

**V. INTRODUCTION OF THE SERGEANT OF ARMS** – Thomas Hughes, Sergeant of Arms

**VI. OWNERS QUORUM:** Article VI, Section 4 of the Bylaws states: "The presence of fifty (50) members, either in person or by proxy, shall constitute a quorum for the transaction of business at an Annual Meeting".

**VII. PARLIMENTARY PROCEDURES:** The President did not receive any correspondence ninety (90) days prior to the meeting date, therefore, according to Article VI, Section 5 of the Bylaws, the Agenda will be as set forth, unless motioned otherwise by a Board member.

**VIII. PURPOSE OF ANNUAL MEETING:** To elect candidates to the Board of Directors.

**IX. INTRODUCTION OF CANDIDATES:** James Kelly and Gene Ross.

**X. DIRECTOR REPORTS**

**A. Dam Safety (LeFevre)** – July 5, 2023, FLPOA Spillway Project Update (attached for reference). FLLAB and Spicer met, continue the process, review of the \$677,000.00 project funding to date; \$6.7 million of estimated construction/engineering costs; and committed funding of \$7.4 million. Spicer Group is seeking additional funding from the USDA. Early-July 2023, grant funds have differing requirements, YEO & YEO, CPA will place systems in place to report/track funding sources/project expenses. Mid-July 2023 Meeting date to be determined for FLLAB to review invoices, project status and other business items. July 13, 2023 - special assessment district informational webinar. FLPOA does not have authority to perform work on the dam/spillway property, possible easement agreement/document outlining maintenance of the property and docks along the dam road. Early-August EGLE, GEI, Spicer, USDA-NRCS and FLLAB Chairman will meet to discuss a Potential Failure Modes Analysis, summary will be provided. Spillway demolition permit, Spicer confirmed drawings are complete to remove concrete and reroute siphon water, final review, and submission to EGLE soon, work may begin next month. A final design proposal is expected to be

submitted to EGLE in November, work beginning over the winter months.

**B. Legal, Lake Ecology, Fish Stocking, Insurance (Swagman)** – All insurance policies have been reviewed, updated, and revised to reflect current assets, adequate coverages, appropriate liability limits and current replacement costs calculations. Policies in effect are general liability, commercial vehicle, workman's compensation, flood, and umbrella liability. All policies are updated and paid for in full. Our insurance agency has been instructed to continually shop for the best value. The dredging permit from EGLE has been approved and Savin Lake Services is under contract to construct a holding cell for lake dredging spoils on Association owned property in the Highlands. Completion of the cell is expected in August. A contract for dredging work to be performed in 2023 will not be awarded until borrowed funds have been returned to the FLPOA Special Assessment project for dredging. The access road construction contract for the sediment pond at Seder Inlet has been awarded, work started, completion expected end of August. This will complete the sediment pond construction at all five (5) inlet locations as recommended by the lake management company.

**C. Parks and Recreation (Reitzloff)** – Will be meeting/working with a few members to discuss future park ideas, volunteer day/clean up. I will be drafting a parks survey. A few ideas presented have been a kayak launch, dog access area, pickle ball court net/court, fitness trail. Thank you to the Garden Club for its help beautifying the parks.

**D. Campground, Office, Activities (Kelly)** – FLPOA Funds overview as of March 31, 2023 (attached hereto for reference and available upon request in the office). Running on a budget of loss. FLPOA dues increase now necessary, no increase in almost twenty (20) years. Ox Roast returned this year, thank you to all that made this happen. Matthew Winberg took over the ice fishing contest.

**E. Maintenance (Ross)** – Road repair on Deepwoods completed next week per agreement and Welch incurred the cost for same. Due to the 2020 flood, Turtle Park's culvert has been eroding and caving in. DNR is involved, drawings, bids, permit to EGLE to begin repair, funding being explored as it is FLPOA property but open to public which may allow for additional funding. Two new basketball rims/nets were installed, and kids are using it frequently. Thanks Rodney, Phil, and Ed, for their hard work.

**F. Security, Communications (Manzella)** - There have been questions as to the necessity and value of security patrol. Security is not law enforcement but has community value; they are eyes and ears/presence. If there is an emergency, please call 911 and they will contact Security. Security works 9:00 a.m. – 5:00 p.m. Security performs house/wellness checks, provides EMS escorts to residences quickly, monitors beaches/launches, assists fire department adjusting fire danger signage, calls in down lines quickly, assists with trash and money collection. An ATV (golf cart) accident occurred in the Highlands involving underage operators. The Sheriff responded, patrolled the area, and issued multiple citations. Moffat Township Ordinance states that there are to be no underage operators of ATVs (golf carts) and owners are responsible for adhering to the laws. Website is updated on a regular basis and all documents/forms are available on such.

**G. Refuse, Merchandise (Wojie)** – See report.

**H. Clubhouse, Storage Area (Mancani)** – Today is Mancani's last official FLPOA Board meeting and he thanks all who voted for him. Mancani thanks the Board members and the Board/community thanks Mancani for his service. Due to the FLPOA special assessment obligation, seven (7) lots have been turned over to FLPOA and subsequently sold.

**I. Liens & Foreclosures (Winberg)** – Addressing the delinquent dues list, \$18,065.00 owed as a result of the top ten (10) delinquencies. These properties have liens and a plan to foreclose will begin.

**XI. ELECTION RESULTS:** James Kelly – 245 votes and Gene Ross - 231 votes. Nine (9) individuals were nominated, two (2) accepted nominations.

**XII. NOMINATION TO APPOINT TWO (2) DIRECTORS:** During the May 13, 2023 Board of Directors meeting, an oversight occurred, pursuant to Article VII, Section 2 of the FLPOA Bylaws which states, “Directors chosen to fill a vacancy shall hold office until the next annual election and until their successors are duly elected to complete the unexpired term of the director originally elected to a three (3) year term.” Since Matthew Winberg was appointed to fill a vacancy on September 10, 2022, his term has now expired. Further, there are now two (2) vacant positions on the Board of Directors, those previously held by Daniel Mancani and Matthew Winberg. Therefore, the Board of Directors may nominate candidates at this time.

Board Nominations: Matthew Winberg and Pat Gordon.

**Moved by Manzella, seconded by Mancani, motion carried to appoint Matthew Winberg (nominated) and Pat Gordon (nominated) to the FLPOA Board, each serving a one (1) year term.**

**Voting Yes:** LeFevre, Manzella, Reitzloff, Winberg, Ross, Mancani, Swagman, Kelly

**Voting No:** None

**Absent:** Wojie

**XIII. PUBLIC COMMENTS:** To insure all in attendance may participate, the President will call on members in the order seated with one (1) question or comment limited to three (3) minutes per member. Additional questions or comments will be allotted after all members have had the opportunity to speak. In the event the Board members are unable to answer a question without further research, we will publish our response both on the FLPOA website as well as printed responses available in the office.

Property Owner asks what the yellow tax signs are placed on some properties. Response these are county tax sale signs, approximately 9-12 tax sales.

Property Owner states Pat Gordon ran the ice cream social and thanks her, sold 247 sundaes. Rough idea as to what properties FLPOA sold. Response, a summary will be prepared and posted.

Property Owner asks how a final project budget will be ready in October when final approval not scheduled until November. Response, going to go to bid, approval should be a formality.

Property Owner states rebid spillway construction? Fisher no longer involved. Response Spicer said if we did not use public funds, no re-bid. If we use special assessment bid necessary.

Property Owner asks if the FLLAB Webinar will be projected at the club house Thursday. Response yes.

Property Owner submits a photo of a building on campground, asks maintenance to review. Response, it is fascia on maintenance barn, building needs work and it will be handled.

Property Owner asks if Board decided on any dues increase proposal. Response a tiered dues concept was not well received. Looking into the process, will hold a public meeting(s) to receive input. Property Owner states the last due increase process took almost one (1) year. Response, proper procedures will be followed.

Property Owner states road condition on Wilderness very rough. Is this a county obligation? Response, yes, Wilderness is scheduled for paving.

Property Owner asks if there will be another special assessment. Response, there is not a plan for another FLPOA special assessment. However, we are not in control of FLLAB and assessments.

Property Owner asks about the weed overgrowth in the lake, what will happen when lake level raised and can property owners remove brush, etc. Response, property owners can and should maintain their waterfront. The lake management company stated there will be non-floating aquatic nuisance growth that may cause propeller entanglement problems, but most weeds will eventually die and vegetation decay will cause some short term water quality problems. The concern is the trees that are growing in the lake bottom area and should be removed by pulling out by the roots. Otherwise, it is recommended to employ the use of a brush hog to remove overgrowth.

Property Owner thanks Board members for their time and asks if FLPOA insurance policies are available for review. Response, yes, policies are available for review in the office. Property Owner states if the dam had failed, damage would have been huge, does our insurance cover property damage if it fails. Response, the dam has been added to county insurance policy, will look to coordinate policies.

Property Owner asks as to the difference between a meeting and a webinar. Response webinars are generally informational, meetings conduct business.

Property Owner states that there will not be any FLPOA assessments relating to the spillway/dam but there will likely be future assessments placed on to the tax roll by FLLAB. Looking to create an assessment example. Assessor has received requests to combine lots, combine now as it will have impact on future assessments, base rate plus footage.

Property Owner asks for the Board to address rental properties as she is disturbed on a regular basis. Can the Board send information/notice to property owner regarding rules (noise, garbage, residential area, etc.). Response reviewed Bylaws/Restrictive Covenants, understand case law in Michigan does not side with us on this issue, very time consuming and courts are not supporting our position.

Property Owner states the cornhole tournament has been cancelled due to rain. Will hold tournament over Labor Day, weather permitting.

Property Owner states rentals can become a problem for neighboring residents.

Mancani thanks the property owners, we appreciate you attending meetings and giving feedback.



Manzella states trailers in storage area are being evaluated. If you have not paid, audit being performed, and delinquency notices will be sent out.

#### **XIV. ADJOURNMENT**

**Moved by Mancani, seconded by Ross, motion carried to adjourn the July 8, 2023, Annual Meeting of the Forest Lake Board of Directors at 10:05 a.m.**

**Voting Yes: LeFevre, Manzella, Reitzloff, Winberg, Ross, Mancani, Swagman, Kelly**

**Voting No: None**

**Absent: Wojie**

  
**Tracy L. Reitzloff, Secretary**  
**Approved: September 30, 2023**

# Annual Director Report for July 2023

Presented by Ron Swagman, Director of Ecology, Insurance, and Legal

## **Insurance**

All insurance policies have been reviewed, updated, and revised to reflect current assets, adequate coverages, appropriate liability limits, and current replacement cost calculations. Policies in effect are General liability, Commercial Vehicle, Workman's Compensation, Flood, and Umbrella Liability. All policies are updated and paid in full. Our agency has been instructed to continually shop for the best value from competitive insurance companies.

## **Lake Dredging**

The dredging permit from EGLE has been approved and Savin Lake Services is under contract to construction the holding cell for lake dredging spoils on Association owned property in the Highlands. Completion of the cell is expected sometime in August. A contract for dredging work to be performed in 2023 has not been awarded until borrowed funds have been returned to the Special Assessment project for dredging.

The access road construction contract for the sediment pond at Seder Inlet has been awarded and work has been started. Completion is expected by the end of August. That will complete the sediment pond construction at all five inlet *locations as recommended by our lake management service.*



# Forest Lake

*Forest Lake Property Owners' Association  
6180 Bobcat Tr., Alger, MI 48610 989-836-2155*

## FLPOA Spillway Project Update July 5, 2023

Since the preliminary design selection was approved by the Forest Lake Level Authority Board on May 18<sup>th</sup>, our engineers and attorneys have been actively working on many steps needed to fully transition the project from FLPOA to FLLAB, organize the reporting requirements of each of our six funding sources, and provide guidance and information to GEI, Spicer and Fisher Contracting as they proceed with the project. In the weeks ahead some of the milestone events we anticipate are summarized below:

Late June 2023

FLLAB Chairman, Ray Daniels; FLLAB Treasure, Larry Davis; Arenac County Treasurer, Dennis Stawowy; and employees of Spicer Group met to continue the process to review the \$677,000 of project funding to date; the \$6.7 million of estimated construction and engineering costs; and the committed funding of \$7.4 million. On behalf of FLLAB, Spicer Group is seeking potential additional funding from USDA under the existing grants to further assist with the project.

Early July 2023

The Yeo & Yeo CPA firm is expected to deliver a proposal to FLLAB for (1.) recommendations to implement systems, procedures and reporting to track funding sources and project expenses, and (2.) annual audited financial statements pursuant to grant requirements;

July 8, 2023

FLPOA Annual Meeting where will provide summaries of the engineering design process along with our funding sources used to date and what is remaining;

Mid July 2023

Meeting date TBD for Lake Level Board to review invoices to date, project status and other business items that may arise;

July 13, 2023

FLLAB webinar to discuss the prospective special assessment district;

Late July, 2023

FLLAB and FLPOA will consider drafts of several documents to memorialize how the two organizations work together. Documents will include an easement from FLPOA to allow FLLAB access to work on the site, a grant fund agreement for spillway funding authorized to FLPOA, and possibly a maintenance agreement.



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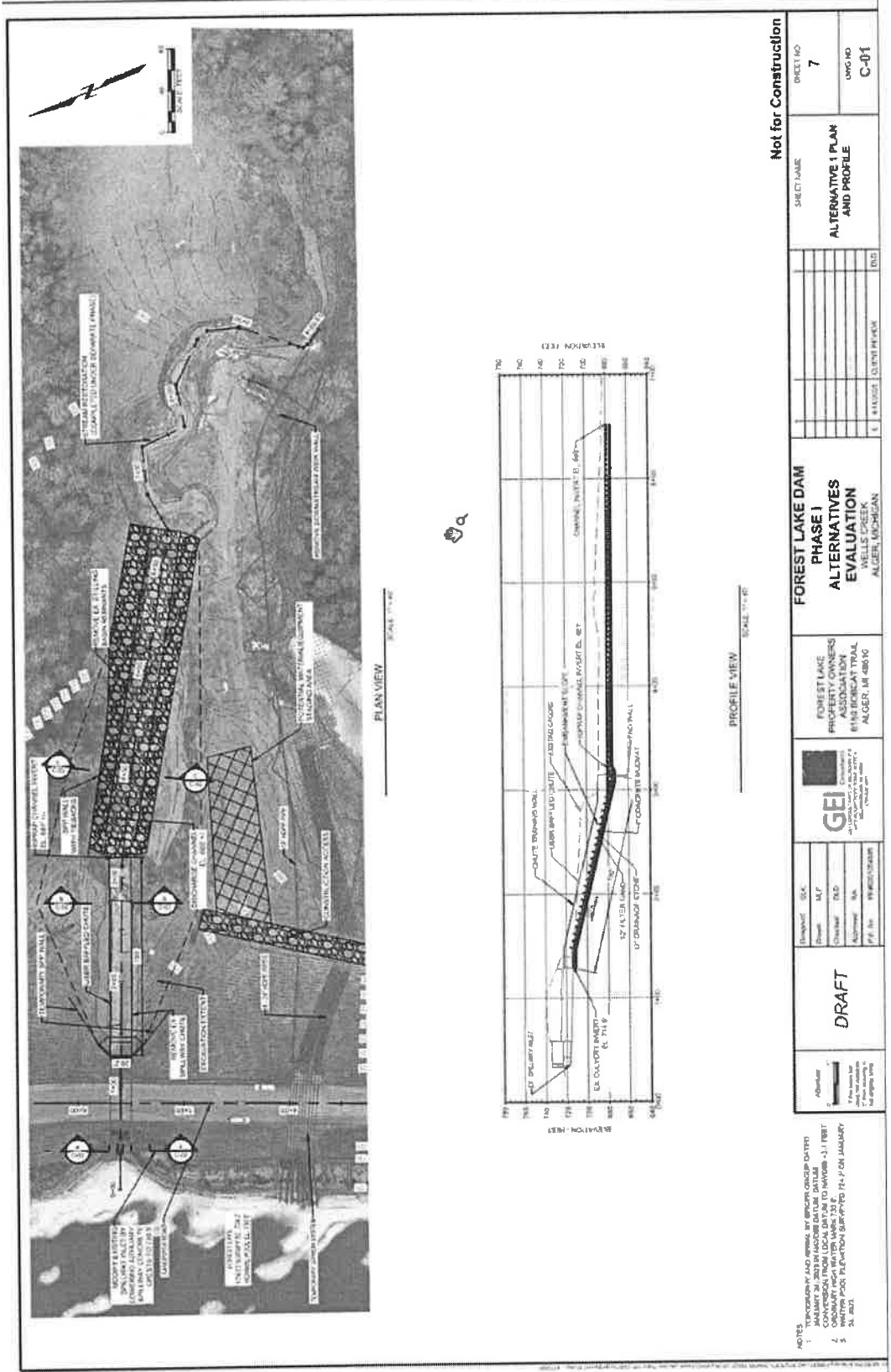
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|-------------------|---|
| Early August 2023 | EGLE, GEI, Spicer, USDA-NRCS and the FLLAB Chairman will meet to conduct a Potential Failure Modes Analysis meeting. This is an important, industry standard practice that requires feedback from those stake holders invited. A summary of the meeting conclusions will be reported after the meeting; |
| Late August 2023  | Preliminary design proposal to be submitted to EGLE for review;   |
| September 2023    | The process to rebid the spillway construction is expected during the month and subject to input from the engineering firms, legal counsel and the county may include opening the bidding process to multiple contractors;  |
| October 2023      | Approval of the contractor agreement is expected, including finalization of the project budget;   |
| November 2023     | Final design proposal to be submitted for approval consideration;   |
| Winter 2023-24    | Subject to the design considerations and funding availability, the project may utilize winter conditions and begin work on the project immediately following the issuance of a final permit from EGLE;  |
| August 2024       | Our USDA-NRCS grant expires and we are working to complete the project prior to this date subject to all of the above.  |



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*Preliminary DRAFT design concept shared with FLLAB -- presented for reference and subject to further changes*



# FAQs

## **FREQUENTLY ASKED QUESTIONS ABOUT FOREST LAKE RESTORATION PROJECT**

### ***Who is responsible for maintaining the legal lake levels of Forest Lake?***

Arenac County has the responsibility to maintain the established legal lake levels of Forest Lake under state law. The original legal lake level for Forest Lake was set in 1967 by the Arenac County Circuit Court. The Arenac County Board of Commissioners has named the Forest Lake Level Authority Board as the delegated authority to maintain the lake levels on behalf of the County.

### ***Why does Arenac County need an easement for the dam?***

Because the Lake Level Authority Board (on behalf of Arenac County) is responsible for maintaining the lake levels, it is also technically responsible for maintaining lake level infrastructure including the dam. Accordingly, it is necessary to memorialize that the County can access the dam for limited reasons, including but not limited to, required maintenance, operations, and inspections as well as to construct the restoration project.

### ***Will an easement for the dam allow the public to use the dam as a park?***

No. The intent of the County obtaining an easement is to set clear expectations between the FLPOA and the County of how the County can access the dam for activities necessary for lake level maintenance. The County has no intent to try to obtain an easement to open the lands by the dam up for public access.

### ***What is necessary in Court for the Forest Lake Level Restoration Project?***

The Lake Level Authority Board on behalf of the County will need to amend the order in the Arenac County Circuit Court to properly establish the boundaries of a lake level special assessment district and to ensure that the order provides the correct elevations of the legally established lake levels.

### ***How will the Lake Level Authority Board plan to work with the FLPOA on this project?***

The Forest Lake Restoration Project will require significant infrastructure repairs/improvements. FLPOA and the FLLAB are working together to ensure proper use of grant funds to offset potential assessments to property owners for the project, among other cooperative tasks.

### ***How can I get more information as the project progresses?***

In an effort to promote full transparency, the Lake Level Authority Board authorized creation of a website to inform stakeholders here: <https://www.forestlakelevel.com/>. Interested persons may also call **989-318-4241** or e-mail [forestlakelevel@gmail.com](mailto:forestlakelevel@gmail.com).



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## FLPOA Funds Overview

As of March 31, 2023

General Operating Accounts .....	\$353,795
Includes:	
Reserve Funds - Logging Proceeds .....	\$143,325
Restricted Funds .....	\$18,225
Unrestricted General Operating Funds .....	\$192,245
Money Market Account .....	\$94,244
Special Assessment Account .....	\$283,867
(Includes \$50,000 Chippewa Indians Grant for Dam Upgrades)	
Dam Maintenance Account.....	\$71,709
<b>Total.....</b>	<b>\$803,615</b>
Special Assessment Funds – Arenac County .....	\$654,946

### Prospective Uses

- Reserves: Industry experts strongly encourage HOA's to maintain emergency funds. Also encouraged are reserve strategies to fund capital spending on a twenty-year rolling basis. **For example**, if we expect to spend \$200,000 in total over the next twenty years, we should budget to set aside \$10,000 per year.
- Improvements: Buildings, vehicles, equipment, furniture, supplies, roads
- Dredging: In 2021 based on lake ecology studies and the approval of an FLPOA special assessment, the BOD approved a plan to dredge five inlet areas that had accumulated significant sediment for more than twenty years since our last dredging project. Mechanical dredging proposals were sought, and no bids were received. Hydraulic dredging proposals were subsequently sought, and Savin Lake Services was engaged with much of the work subject to the return of normal lake levels. With the reallocation of \$655k to the spillway project in June of 2021, most of the work has been on hold until funding is clarified.

	Proxy Votes	Kelly	Ross
Votes for candidates		240	226
Anonymous Votes		5	5
Proxy Votes	25		
<b>TOTAL</b>	<b>25</b>	<b>245</b>	<b>231</b>



D. Wojie

Forest Lake Board Report for 7/8/2023

**Refuse:**

Thank you to Sue Hughes' for always being there at the trash area for the members of Forest Lake! For now, we will continue with 10 dumpsters for the summer months at the trash area. We will monitor this to determine if we are still in need of this many dumpsters.

**Merchandise:**

I made a purchase of t-shirts to have on hand for the Ox Roast. I will not be making any more clothing purchases for the remainder of this year. We have a lot of winter items on hand, except for throw blankets.