

# LAKE OGEMAW SUMMER RESORT ASSOCIATION

## BOARD OF TRUSTEES MEETING

July 20, 2024

Rick Sinclair opened the meeting with the Pledge of Allegiance.

**ROLL CALL:** Rick Sinclair (present); Frank Barretta (present); George Buhler (present); Jaime Ibarra (present); Brent Gilbert (present); Greg Quigley (present); Susan Kiwak (present). There is a quorum.

A motion was made by Frank Barretta to approve the minutes of the June 16, 2024, Board of Trustees meeting. Jaime Ibarra seconded the motion, and it was carried unanimously.

**Treasurer's Report:** Frank stated that total income for the month of June was \$1,970.17; expenses for general operations were \$5,731.77; lake maintenance cost was \$23,029.25; property maintenance sub-total cost was \$6,154.42 bringing total expenses to \$34,915.44. Checking account is at \$162,547.13, savings \$2,402.79, and the high yield account total is \$82,592.92 giving us a total budget of \$247,542.84. The general CD savings are \$159,525.91 and the Dam & Spillway fund balance is \$139,527.22.

### **Old Business:**

**New Business:** The board has been enforcing no boats from STRs and some of the boat launch cards have been shut off. The gate is doing a good job and there have been less boats on the water. We still need the Marine Patrol for the safety of all lake members. Our attorney has stated that Sommer Dorf is included equally within the Association and would be included in the prohibition of short-term rentals. We have shut off cards with votes through email to board members, does this violate the open meetings act?

A motion was made to rescind the 4 votes needed to shut off a card for disciplinary action, changing that to only 3 trustee votes needed. The motion was made by Rick Sinclair and seconded by Jaime Ibarra. The motion was passed with 6 yes votes. Having only the votes of 3 trustees does not form a quorum and we are legal with the open meetings act.

A motion was made by Rick Sinclair to table any action on prohibiting short-term rentals. The motion was seconded by Frank Barretta. The motion was passed 4 to 3. The boat launch gate is working, and we are seeing less boats on the lake, which was the biggest concern, so we would like to continue monitoring the situation before taking any further action with the short-term rentals. Jaime Ibarra stated that we still need the sheriff on the lake to keep everyone safe even if there are fewer boats on the lake.

A motion was made by Rick Sinclair to ask the attorney's opinion if the board of trustees is covered under the Michigan open meetings act and are we in violation if we hold email votes between meetings. Jaime Ibarra seconded the motion. Our by-laws state that we vote for officers in private, is this legal?

Policy #2 of 2024 outlining the cutoff date of applications for the board of trustees, and under what circumstances the date would be extended. The board would rather that members vote on a candidate than the board assigning a seventh trustee. Also of concern is any board member having a conflict of interest when voting on said issue. This was put on hold until the wording is modified and reviewed.

Adoption of rule #3, lake rules that were put in place in the year 2000 were put on hold until the next meeting so that a definition of "no wake" could be included. Dan Hunter stated that MI wake laws do not

include daylight savings time when considering the no-wake times. We were also asked to include the boat launch bay in these rules.

Rick stated that there were two boats on the dam filled with garbage and a trailer for two weeks. The DNR was going to come and impound but suddenly everything disappeared. The docks on the dam have deeded access to the island owners. The question is which islands have access around the dam and which docks they own as there are 5 owners with each owning one fifth share. We need to find out who the fifth owner is. They own from the edge of party store driveway to the edge of fence on dam.

Rick Sinclair made a motion that we advertise to get bids for a gas generator for the clubhouse. The clubhouse is our biggest asset, and it has hot water heat, we do not need the pipes to freeze and burst all the plumbing. Having a generator, we could use this as a warming station during future power outages. Frank Barretta seconded the motion, and it was carried unanimously.

### **Committee Reports:**

- **Lake Coordinator/Maintenance** - Gary Christenson stated the lake looks good. He has it on schedule to go around the lake and check for hot spots of any weeds and the next spray will be done in August.
- **Dam & Spillway** - Brent Gilbert stated that the survey was done and when doing they measure to ¼", nothing at the dam has moved. The survey goes to the state to be sure that everything is healthy, and he will post on the LOSRA website. Also, Brent has placed Platt maps of property in Lake Ogemaw Association in the office for anyone who wants to see them.
- **Fish Committee** - Jaime stated he will be meeting with the fish committee members soon and there is nothing to report at this time. He asked that members please continue to post pictures of fish as they catch them.
- **The Parks Committee** - Chris Craib stated he will need approximately \$450. to clean up trees at Simas Park and thankfully Consumers saved us half the work and cost. Chris sent a notice concerning parking at the boat launch where all the fresh gravel is, that area is for renters of the boat docks at this location. He is working on getting the kitchen window fixed. He has also scheduled August 17th as the date to clean up the yard around clubhouse, clean out the shed and the basement. He will need a dumpster and volunteers if he has the approval of needed funds. Chris was given approval of necessary funds. Chris also asked why they park on the dam? We do not own the dam; we have an easement there.
- **Men's Committee** -
- **Health & Safety** - Cathy Adamski asked for funds to get a First Aid Kit and a Blood Spill Kit. Frank told her to go ahead and get it ordered.
- **Dock Committee**- Gynell Rock stated there is a dock at Gull Park that is severely twisted and looks like it got hit, this dock needs replacing. There might be one in the yard that could be used. Chris Lanzon can weld but he needs inside space to do the work on any docks needing repair. Chris and Gynell plan to have a survey of all docks and ramps complete by October so that we will know which docks need repair or replacement.

**Fun Day:** Sandra "Shu" Chwierut oversees Fun Day, which is Saturday, August 31st and is always the Saturday of Labor Day weekend. Shu stated this is our biggest event and we need approximately 80-100 volunteers to run this smoothly. If you are a student or have been incarcerated, you can volunteer, and we have a form to give you with your hours donated. If you can even volunteer for 1 hour, we will find some way you can help and greatly appreciate your time. We have pie eating, corn on the cob, and watermelon eating contest. We have Plinko Ogemaw, a cake walk and many other games. We

need baskets and baked goods. We can use some box fans to help cool off the people working in the stable area games. If we can borrow it for the day, please put your name on it so we can return it to you. We always use Ernie's big tent and are wondering if maybe he is ready to sell it or maybe we can purchase one. Dave Galbreath wants a break from cooking all the hot dogs and we are looking for a lead person to take this position next year. Rain or shine, the show goes on. We really appreciate it when we have a group of people drop in to help with cleaning up. People for clean-up are extra appreciated because by this time all the other volunteers are exhausted and ready for sleep mode. Please call Sue Kiwak at 810.210.8514 if you can volunteer some of your time, call or text.

Cathy Adamski asked to purchase 3 new roasters for the Clubhouse as the others were no longer working. She will present an invoice and some details to make this purchase.

### **Member Comments:**

Pete Paxton works with Bay Lakes Northern Emergency management and stated they will be having an Expo August 27th, at Rose City Park from 9am-4pm. The purpose is disaster preparedness. All emergency equipment will be there and a few helicopters. There will be hot dogs and other food items available.

Penny Thomas stated she has complained for 2 years about blight around her on Cuyuga Trail. Our bylaws state it must be turned over to the appropriate agents of the county. Our bylaws section 2.6, 2.32 and 5.3.14 define blight, nuisance, and health concerns. Churchill has a blight officer. She says she must deal with rodents when going to her car and trash all over from the neighbor as they just open door and dump trash. On her other side are numerous broken-down vehicles and golf carts that don't work. Chris Lanzon lives across from Penny and stated that her concerns are legitimate, and she has been dealing with this for a long time. The violating neighbors are rude to her and just tell her to move. These properties are a health hazard. George stated that he is willing to go to the township with Penny and see if they can get anything accomplished.

A motion was made by George Buhler that a letter be written by the Association president to the township asking for assistance to clean up these blight issues. The addresses and lot numbers are to be included and the letter is to be copied to Ryan Veeter also. Jaime Ibarra seconded the motion, and it was carried unanimously. George also asked if it is legal to put fines on these offending properties.

Cathy Barton stated that not everyone can still participate in meetings, etc. due to health conditions, both Cathy and her husband have served on the board in prior years. She is concerned about Sommer Dorff as they have been here forever and the board trying to eliminate all short-term rentals. She states that we should cap the number of short-term rentals and DO NOT allow corporations to own them.

Brian Gilbert-Sheriff thanked the board for going after back dues for payment. Concerning blight keep pestering them, write letters to the county, give tickets, pester them continuously. He states it is a long process and does go to a judge. He states the str on S. Ogemaw is out of control, speeding, going the wrong way, and other violations. He thanked us for controlling the gate and shutting off the cards of violators, therefore controlling what goes into the lake. The marine patrol cannot be on the lake 24 hrs. a day 7 days a week.

Rick Cunningham stated he is trying to stay neutral but is concerned along with many others who DO NOT want Sommer Dorf shut down.

Rick Adamski reiterated the problem with the STR on S. Ogemaw, this home is owned by people in Tennessee. We have shut off their boat launch card and sent them a registered letter.

Rick Sinclair thanked Shu for all the hours she and other volunteers spend putting on Fun Day and make it a great event for all of LOSRA.

Rick Sinclair made a motion to adjourn the meeting. Frank Barretta seconded the motion, and it was carried unanimously. The meeting ended at 11:00 am.

Respectfully Submitted,

*Susan Kiwak, Secretary*