Merry Lake Property Association

Annual Meeting

The Pavilion (West Side)

Date: September 17, 2023

Called the meeting to order: 1301

Pledge of Allegiance

Roll Call:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Kyle | Terry | Sian | Teresa | Julie | Mark | Gail |

Board members absent: none

**Visitors (First & Last Name):** Maria Rhodes, Maureen Drewes, Matt Word, Robert Franks, Ken Janicki, Mary Janicki, Jan Striggow, Coleen Schultz, Dave LeFevre, Kathleen Nelson, Butch Zimmerman, Cheryl Zimmerman, Kathy Fretter, Cheri Culpert, Barbara Ridge, Renee Wank, Greg Leja, Gary Carson, Yevette Callahan, Tim Tennyson, Steve Smith, Robet Dobbelaere, Rick Nowak, Sue Nowak, Mike Killian, Karen Lowe, Moki Glidden, Lucinda Glidden, Yvonne Kendall, Brian Tobey, Beth Tobey, Jack Stewart, Jeff Prisza, Dave Kapelanski, Neal Applin, Ellen Wood, Tracy Brown, Joseph Black, Heather Harris, Michael Harris, Greg Kreczko, Dave Kaiser.

**AGENDA ITEMS:**

Gary Carson: Stated he ran across newspaper clippings where it was reported that Belleville received 15 million dollars in infrastructure that included the construction of a footpath around the lake, a bike path, and free breakfast and lunch for the students for five years. Let’s get our dam fixed as a total replacement policy. He reminded everyone that we got hit with the cost of sewer system and surmised that many retirees like himself, would likely not want to be faced with having to absorb the cost of the dam for the next forty years. The money is there, we just need a grant writer to apply for it. He attended the Amboy township meeting and encouraged Matt and Kyle to attend these meetings.

An attendee asked, “Is there an agenda here, because I don’t fully understand what you’re talking about or what?”

Barb stated to Kyle that she requested to speak on the topic regarding the dam.

Kyle shared that Matt Word was here to speak on the matter pertaining to the dam and that we should all listen to the information that will be provided.

Kyle then agreed to give Barbara the floor.

Barbara introduced herself and shared that she was a former grant writer for Southgate Public Schools, in downriver area, Wayne County. She stated she had done some research in applying for grant monies for the dam and that there were a few things she would like all to know. *“In order to apply for a grant, you must have 10% down on matching funds from the community. For 2023 and 2024, all applications have ceased. Through December of 2024, there are no grants available. It’s not a matter of just saying, “Hey we want a grant!”, there’s a multiple of things you have to be required to do.”*

Kyle stated, *“We are on a good path if that is available, but we gotta be careful what we ask for in doing more that could be assessed for and things like that.”* He expressed concern that if a grant application is applied for and turned down, we could run the risk of having repairs made much sooner. He went on to state that we are assessed every year for repairs and maintenance. *“We can maintain $10,000 in there without us having to vote on that…that’s a year. We barely see it on our taxes. I see where Gary is at if we have to put three million dollars into this thing, we’re gonna see that.”*

Steve inquired if we were to pursue funds for this, if it could mean losing private status.

Kyle: *And that’s why I’m saying we gotta be careful what we ask for, if there are strings attached. I would imagine the community would come down and vote on that. At that time, like Gary is saying, there’s not a lot going on at the township thing, but we should probably be more present there when it does involve our community maybe. I’m not saying go if you’re not interested in going. I showed up late… I was the third one late, but I did make it there. He [Gary] was saying that there was a bunch involved and when he got to the meeting, there was one other supporter and of course, me being late to the meeting I guess didn’t help, but we figured out it needs to be at a different level which is county level.*

Kyle gave Hillsdale County Drain Commissioner Matt Ward, the floor.

Dam Inspection & Information (guest Matt Word): Provided clarification regarding Gary’s remarks. *“The grants Gary was speaking on is in regards to the dam that exists here at Merry Lake. This dam has a court ordered legal level, so whenever there is a dam that has this court ordered legal level, the maintenance and operation of that dam is under the jurisdiction of the drain office (myself). There are fifteen lakes in the county that we have control over, that have that court ordered levels. As Gary pointed out, he was looking into grant options, basically because, and a correction to Kyle, the dam requires inspection by the State every three years, by EGLE, which was last completed on October 20th, 2022. It was completed by a certified Engineer that was coordinated by the drain commission.”*

A brief overview of the inspection report was provided.

The dam is in “fair” condition. The concrete weir and earthen dam are considered part of the structure. There were approximately six to seven deficiencies. The engineer approved methods of repair (filled voids, filled small stones. Removed trees and brush off embankment. Repaired cracks on spillway) Concrete repairs generally require special equipment. Jim Albright previously made repairs, but has since undergone taking steps towards retirement. Engineers are working to come out and assess needed repairs. Some residents including Kyle, were able to make minor repairs here and there. Matt went on to share that if he and his crew had to come in and do this, it would have come at a cost to every property owner. The court order was put in place in 1967. The Drainage area of Merry Lake encompasses twenty-seven miles. There are no concerns with the spillway.

There were questions regarding the potential in receiving a grant based on information that another lake was able to do so. It was explained that a grant had been applied for another lake via EGLE to secure funds for a structure that is quite different than the one at Merry Lake, that was deemed to be in poor condition. The grant request was for the repair(s) of failing dams. It cost $5000 for the Engineer to write a grant proposal, because EGLE requires extensive information not limited to, but involving billable work and estimated repair costs. The application for the grant was ultimately denied. Matt shared that they are always looking into grant programs, but it often requires meeting certain criteria.

Gary asked who owned Merry Lake. Matt stated that the drain commission does NOT own the lake. The drain commission owns the property where the dam is as well as the easement (dam and spillway). Kyle added that the State owns the waters and that Merry Lake Association owns the lake bottom.

*Who pays for the assessment?* There is a special assessment district for Merry Lake. Special Assessments vary from lake to lake. Mery Lake contains approximately 500 parcels which yields about ten to thirty dollars per parcel, depending upon size of parcel or direct access to the lake, public or private status of the lake.

Steve asked that if Hillsdale County owns it (the dam and spillway) why is the property owner responsible for the cost. Jurisdiction was received via Court Order. Ownership is more specific to the easement involved to get to the access of the dam.

*How much is this going to cost?* It was shared that an amount was not known at this time as the Contractors needed to come out and assess the repairs. It appears that only minor repairs need to be done.

Kyle added that we need to be careful as Steve Albright was a small company, where as now, we will need to hire a bigger company that specializes in just dam repair on lakes, which will come at a higher cost. He encouraged everyone to remain frugal in coming together as a community to do what we can in minimizing some of these costs by assisting in the clearing brush or removal of trees…all of which are all done in communication with Matt, to include the raising and lowering of the dam. Kyle shared that when repairs are being made, the Board will do their part to communicate this to the property owners.

Gary Carson stated Brad Benzing seemingly indicated that $8k may be available to help pay for maintenance in the form of a grant. Matt stated that he believes Brad was referring to the assessment fund that he himself, keeps track of for Merry Lake and that there is approximately $5288 and some change that is available. The existing funds are made available for repairs as needed. Matt stated all owners will be assessed $2500 total to help build up the fund (maintaining $10,000.00 for any needed repairs), which is obtained from across all of the parcels.

*When do they plan on doing the inspection for this year?* Matt has been working with Engineer that made the inspection report to reach out to the contractor that would make the repairs. Both were reported to be at the same conference in California, but it was expressed that we needed to know where we sit with all of this.

Kyle stated that we will stick with our current lake levels and the processes in place for opening and closing the dam that involved communicating/working with Matt. If high rains occur, he would contact Matt to open the dam. There are no known repairs expressed by residents that would require lowering the waters. In regards to closing the dam this year, a trespass occurred where someone had closed the dam. Kyle shared that this should not be done, as the dam opening and closing is done in communication with the county.

*Why does the dam get closed and opened?* Kyle stated it is to preserve seawalls that are affected by the freezing/thawing of ice and allow for property owners access to maintain/repair them and helps to preserve the spillway. Matt added that there are specific variances in the court order that specify a draw down of two feet of lake level water. One of the reasons listed in the court order, is for ice and maintenance.

Matt encouraged anyone to contact him if there were any questions or afterthoughts. If he and his staff are unable to answer any questions, there were many resources available to help obtain answers.

(The floor was returned to Kyle)

Steve asked if information can be emailed regarding when the work on the dam is being done or if help is needed. Sian stated that this can be and is usually done via E-mail blasts or on Facebook.

Kyle expressed the need in everyone working together and communicating questions or concerns, as opposed to contacting EGLE directly.

**Reminder:** Upcoming Chili Cook Off & Sweet Treat Bake Off: October 7th at 3:30pm. Details will be posted on the website and Facebook page as well as through email blast.

Kyle reported that most of our events this year have gone very well….the fishing derby, karaoke, cook out. These meetings have been enjoyable!

**Brush Pile:** Kyle shared that property owners may drop off natural vegetation to his large (compost) brush pile. He does not want your used love seat! Maria asked if lake weeds can be dumped and Kyle stated “yes”.

**Dredging:** This continues to be a slow and steady process.

**Park on East side:** This garnered some attention. Survey was completed for boundaries. There was concern over the Board spending $50k for park equipment. We don’t have a budget set for that yet. The Board is seeking opportunities in receiving donated items or repurposed equipment. Morenci is taking a park out next year. It is hoped that we could obtain the equipment and relocate it here. Darryl Williamson and Liz Taylor will look to head up a committee for the development. We may use some of the budget to pour concrete and things of that nature, but there is no current budget set for that at this time. Kyle reported he has two benches that can be placed at the new park.

**Beautification Program (offered suggestion):** With the empty lots at the front of the lake, it was suggested we coordinate a group who can contact owners for the placement of trees and things along the roadside or on the lots as opposed to driving in and looking at open fields and sheds. A committee has yet to be formed. In an informal vote, Kyle asked in a show of hands, whether that would be something the community might be interested in. Barb asked if this could be tied into the Memorial Fund. Kyle stated “no” as the Memorial Fund is set up specific to that purpose. Barb went on to state that a [monetary] donation was sent in for Karen Ridge – we just wanted a tree planted… that hasn’t been done yet. She felt that the placement of the tree in the vacant lots (East side) would be a perfect spot for that. Kyle stated that the Board had not yet viewed or received information prior to today and feels the Board needed further discussion on this matter. Terry expressed concern that property owners may later decide to remove the trees planted from their property and further provided a potential scenario where a current land owner agrees to it, but then later sells the property to someone that would want to remove them. Terry stated, *“You’re putting a lot of money into something that may or may not last”.* Kyle suggested the ability to repurpose or relocate trees. Easements must be considered, which Kyle stated he “thinks” are 33 feet from the center (66 feet total). The question is, can you plant a tree that won’t get cut down by the county? More research will be done on this.

**Thank You’s:** Kyle thanked all of the volunteers that have assisted in various projects throughout the year as well as all those that contributed monies in excess of their annual dues. Mike & Yvonne Kendall for monitoring and reporting the operation of our tornado siren. The Cutlers, who maintain our Port A Johns, The Rendel’s who maintain our parks, Mark & Maria are maintaining sign areas. Kyle reported that many people are stepping up to help and acknowledged everyone in the community for doing their part. Additionally, he thanked Steve for the use of Lake View Church, in allowing the Board Members to convene for the monthly board meetings.

Kyle motioned to move to the nomination of officers.

Barb stated she had a question regarding the Treasurer’s Report, but was asked to hold her question for the Open Forum.

She went on to state, *“I just thought that before officers are nominated that there’s….that the Secretary and Treasurer are paid positions, so maybe somebody needs to know that before they are nominated or set to run.”*

Gail Cleghorn stated, *“But we, you don’t run for Secretary or Treasurer - you run for the Board. Maybe I end up being Secretary, which I would not.”*

Kyle stated, “So she’s right with that. They do, because of the work and things they have to do, they do get paid. Now once you guys pick the Board, we have a meeting after the meeting to select the officers. So, that could change…the President can change, the Vice President could change. All of that is subject to change.

Barb thanked Kyle for explaining.

Sian stated, *“I want to provide clarification on that. By “payment”, that is not a regular payment. It is a small stipend.”*

Kyle confirmed, *“The amount they are given is small compared to what they are doing and the time they spend volunteering…what they’re doing is beyond mine.”*

**Nominations for 2023 – 2024 Board Members:** Steve nominated each member of the current board. Terry asked if anyone was interested in receiving a nomination. No other nominations were received. A motion was made to close the nominations and seconded.

**Voting & Results:** Voting was not required as a unanimous decision was made to retain the current Board Members for 2023-2024 year: Kyle Schaffner, Terry Runyan, Sian Runyan, Teresa Bertke, Julie Anderson, Mark Rhodes, and Gail Cleghorn

Barb thanked everyone on the Board for their service.

**OPEN FORUM:**

Steve expressed appreciation for the information received in the electronic newsletter – liked the colors, etc. Kyle agreed and thanked Sian for getting the website out of cardiac arrest.

**Diesel Fuel:** The holding tank lasts about two years. It is used for the equipment (tractor) to clean up the roadsides on the lake.

**Memorial Fund:** Do we wait until it gets to a certain amount before we start acknowledging these memorials? This was implemented by DeWayne Rendel after Joan passed. Gail stated there was a portion of monies earmarked within the current fund totals that will be applied specifically to Rendel park. There are additional monies that were donated, which will require discussion to start a ledger that can keep track of those items. Kyle stated we needed to streamline the process better. Sian stated that monies have also been used to provide the donation of flowers or specified organization when a lake owner has passed. Kyle stated these funds should be coming out of the General Fund, so the Board will need to sort this out.

**Lake Weeds:** Concern was raised regarding the sudden proliferation of lake weeds. Kyle stated more research needs to be made of this particular plant/species. Terry shared that these weeds have been around the lake for a long time, but has gone away until recently. The reason they went away was because back in the day, there was a drag that was used behind the boats to drag it all away. There was a time when herbicide was used that killed it, but that’s a bad thing. He went on to state that we actually need to have some of those weeds in the lake. In using the herbicide, it caused the lake to become murky over the years. The weeds naturally clean and filter the lake water. The proliferation of these weeds is a result of the warmer water and they go crazy on your shoreline. The best thing one can do, is to get a garden rake out there and rake it up. Terry went on to state that the weeds are actually very beneficial to the water’s ecosystem.

**Parks:** Concern was raised about non-residents utilizing park. It was stated that they can be asked to leave, but to exercise caution. Hillsdale County Sheriff’s Department may be contacted for “trespass”.

**She-Shed:** There was a report about a She-Shed that was turned into a “Man Cave”, which was determined to NOT be a part of the Merry Lake Property Association.

**H20 Testing:** Question was raised about frequency of testing. Kyle shared that testing was not completed this year, but that the Board voted in a schedule for testing. Sian provided clarification that testing is conducted three years consecutively and if results are consistently favorable, the following year is skipped. The current re-test schedule is set to commence in 2024.

**Geese:** Concern raised over the geese population. Kyle shared that a “roundup” was conducted in previous years, but anticipates that the “Open Season” (hunting) may help to reduce them. DNR worked previously in helping to reduce the population.

**Wake/No Wake:** There have been issues regarding boaters not observing these specified areas. We continue to ask owners to educate their guests/visitors of our lake rules.

**Boating/Jet Ski Infractions:** Reports were made this season regarding the hazardous operation of vessels. Being a civil matter, the remedy for this is to contact the Hillsdale County Sherrif’s Department.

Lake Activities: Who comes up with the activities? Sian comes up with a lot of the ideas. The Board supports the events/activities, but Sian and Terry often head them up. Tim Tennyson did the hog roast for the picnic/potluck. Kyle stated, *“We work somewhat together as a group for these things, but between Sian and Terry, they’re usually the ones who heads them up.”*

Sian was recognized and thanked for the various activities being held at the lake.

Steve stated that if we would like to host a winter activity, that the Impact Center could be made available.

Appreciation was given to the Board Members for the work they do.

Several members of the board stated “Thank You” for the recognition.

Kyle asked if there were any other questions/concerns needing to be addressed. None were stated.

Motion to adjourn.

MOTION TO ADJOURN: (1) Terry / (2) Mark **MTG END TIME:** 1436