

Bear Lake Improvement Board
June 21, 2012

Members in Attendance: Marvin Brisbin – Chairman, Robert Yates - Secretary, Carver Edwards – Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp. Rep., Ken Hilliard – County Commissioner Rep and Mike Solomon – Lakeshore Environmental Rep.

ALL PRESENT.

Minutes from May 17 meeting presented and approved with notation to note there is NO hybrid milfoil in lake.

Treasurer Report: Carver report bills paid year to date \$9919.00.
Current available bank balance \$139,079.69 as of June 21, 2012.
Approved as present – (attachment)

Public Comment: Mrs. Stick questioned if lake board had contacted Manistee County Commissioner for annual financial assistance?

Diana Pattison raised question – why Bear Lake Township action regarding lake board was mentioned in minutes.

Julie Griffis stated she attempted to partake in lake treatment process on June 14, 2012 – unable to make contact.

Old Business: Mike Solomon – reported results of lake survey May 22, 2012.

RESULTS: 50 acres of milfoil in main lake body
8 acres of milfoil in bay.

Mike reported June 14 treatment consisted of 70 acres – dosage levels 120 lb per acre! (173 points of 600 pts required treatment – Lakeshore Environment will return 4-6 weeks to determine effectiveness.)

Lake posting was discussed and discussion regarding lake water for watering yards etc.
Reviewed.

New Business: Mr. Stick questioned formulation of lake board and concerned 98% persons in township has no voice in process – further discussion ensued. Stacie Hissong (Attorney for Lake Board) then reviewed entire process and history of board formulation.

Stacie then reviewed with board entire “Public Hearing” process July 19, 2012.

Motion was presented to accept special assessment roll for Improvement Board – (attached) – roll call vote took place. All in Favor.

Resolution to hold public hearing July 19, 2012 introduced – roll call took place – all in favor.

Motion was presented to allow attorney (Stacie Hissong) and Chairman – (Marvin Brisbin) to draft question and answers for public hearing letter – roll call vote – All in Favor.

Public Comment: No further discussion!

Bear Lake Public Hearing

July 19, 2012

Call to order:

Members in Attendance: Marvin Brisbin – Chairman, Robert Yates – Secretary, Carver Edwards- Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp. Rep., Ken Hilliard – County Commissioner Rep. All Present.

Others in Attendance: Jennifer Jermalowicz- Jones and Mike Solomon – Lakeshore Environmental, Stacey Hissong and Helen Mills – Attorneys for Fahey, Schultz, Burzych and Rhodes PLC – (Improvement Board Legal Staff).

Treasurer Report: presented by Carver Edwards

Approved Expenditures:

Fahey Schultz - \$2529.50

Lakeshore Environmental - \$3250.00

Current available balance: \$133,300.19

Report approved as presented. **FULL DISCLOSURE ATTACHED.**

Presentation took place by Jennifer J. Jones – Lakeshore Environment regarding what had taken place last 5 years – plus presentation of up and coming program (2013-2017).

Much discussion from public regarding the need to continue – general consensus that Board should continue.

After all testimony a motion to proceed (attached) with Lake Board – roll call took place

Gerald Stick – No

Mark D. – Yes

Don Brisbin – Yes

Robert Yates – Yes

Carver Edwards – Yes

Ken Hilliard – Yes

Motion Carried.

Review of special assessment roll (Assessor Certification attached) took place – much discussion and public comment – then motion to establish collective amount (\$150.00) –
Roll Call:

Gerald Stick – No
Carver Edwards – No
Don Brisbin – Yes
Robert Yates – Yes
Mark D. – Yes

Motion Carried.

A motion to adjourn the hearing on confirmation of special assessment roll for a later date, time and location as scheduled by Lake Improvement Board with the adjourned hearing to be performed in the same manner as today's hearing.

All in favor.

Bear Lake Improvement Board Meeting
August 16, 2012

Call to order.

Members in Attendance: Marvin Brisbin – Chairman, Robert Yates – Secretary, Carver Edwards – Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp Rep., and Ken Hilliard – County Commission Rep. – ALL PRESENT.

Others in Attendance: Jennifer Jermalowicz Jones – Lakeshore Environment and Helen Mills – Attorney for Fahey, Schultz, Burzych, Rhodes PLC – (Improvement Board Attorney).

Minutes from public hearing – approved with correction. Ken Hilliard did cast yes vote on \$150.00 assessment.

Treasurer Report: (full disclosure attached)

Two expenditures:

Fahey, Schultz, Burzych, Rhodes PLC - \$3264.91

A&T Service \$30440.00

Current Balance - \$99595.80

Public Comment: None

Old Business / New Business: Jennifer commented that she will examine Lake end of August – first of Sept will report to board as to need for further treatment this year.

Mr. Brisbin then made certain each board member had copy of methodology of who's in and who's out – with that Mr. Jack Sawka provided further explanation as to the formulation and establishment of this methodology. The entire formula was re read and reviewed. Helen Mills then provided each board member with updated proposed assessment roll.

The board noted that all questions/discussion from the July 19 hearing were reviewed by at least two board members, confirming that the special assessment methodology had been accurately applied.

The board added the following to the proposed assessment roll:

Pleasanton Twp.

Parcel 51-12-421-702-03
Patrick & Kimberly Riley
8201 Mannington Rd
Canton, MI 48187
Add 1 unit.

Parcel 51-12-221-701-07
Joseph Pellegrio Trust
14309 Provim Forest G
Shelby Twp., MI 48315
From .5 to 1 unit

Bear Lake Twp.

Parcel 51-02-005-300-18
Jon & Mary Jerore
12243 Jacobs Lane
Bear Lake, MI 49614
1 unit

Parcel 51-02-005-300-17
Michael & Teresa Hayes
6329 Argintine Rd
Howell, MI 48855
.5 unit

Discussion also took place regarding Parcel in Bear Lake Twp (Parcel #51-02-004-275-00) assignment will based on ownership determination.

Resolution of Lake Board to hold public hearing on special assessment roll for maintance of Lake Project. (Attached) to take place September 20, 2012

Roll Call – **ALL IN FAVOR**

Public Comment: None

Meeting adjourned – Next meeting public hearing September 20, 2012 at Bear Lake Public School.

Bear Lake Improvement Board Meeting
September 20, 2012

Call to order

Members in attendance: Marvin Brisbin – Chairman, Robert Yates – Secretary, Carver Edwards – Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp Rep., and Ken Hilliard – County Commission Rep. – ALL PRESENT

Others in Attendance: Jennifer Jermalowicz Jones – Lakeshore Environment, Helen Mills and Stacey Hissong (Legal Counsel) for Improvement Board.

Minutes from August 16, 2012 meeting read and approved with one noted change the maximum assessment not to exceed 150 per unit.

Treasurer Report: Total 2012 expenses \$51015.00
Current Available balance \$97983.03

Jennifer Jones provided update on lake condition – all appears good.

Marvin Brisbin read letters of objections from following individuals: (all attached)

- (1) William Turner
- (2) Thomas Arntz
- (3) Robert & Joann Hommes
- (4) Lisa Pellegrino and Lisa Pellegrino Trustee – (Richard Marttila property)
- (5) James Takacs

Additional Verbal Questions:

- (1) John Marin
- (2) William Turner
- (3) Jane Burley
- (4) Ron Cowden
- (5) Thomas Arntz
- (6) Robert Holt
- (7) Denise Hubbell
- (8) Teresa Stick

Public comment then closed.

Motion by Mark –

Having heard public comment and the Board's discussions and reviewed the special assessment roll, I move to approve this resolution, which generally:

1. explains that the Lake Improvement Board has met the legal requirements of Part 309 for purposes of publication and notice, and proper creation, availability, and certification of the special assessment roll:

2. confirms the Board's decision to continue with same methodology:
3. confirms the roll (with any corrections the Board has approved here today):
4. Confirms that we've set the maximum assessment at \$150 per unit and that we will decide each year how much to assess.

Seconded by Ken Hilliard.

Roll call taken – ALL IN FAVOR – No Nays

Next meeting September 27, 2012

Bear Lake Improvement Board Meeting
September 27, 2012

Call to order

Members in attendance: Marvin Brisbin – Chairman, Robert Yates – Secretary, Carver Edwards – Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp Rep., and Ken Hilliard – County Commission Rep. – ALL PRESENT

Meeting from September 20, 2012 read and approved with note of change – under verbal questions – name correction to John Martin.

Public Comment: Mr. Sawka thanked board for efforts and added special thanks to Mark DiBenedetto and Ken Hilliard.

Mrs. Manning commented full disclosure of public objections and questions from September 20, 2012 meeting was good thing!

New Business: Renewal of contract with Lakeshore Environment was discussed – motion to remain with Lakeshore Environment for one more year introduced by Ken Hilliard – seconded Mark DiBenedetto.

Discussion took place as Mr. Stick had questions regarding application process on day of treatment (qualified staffing consistent with contract); Mr. Brisbin to contact Lakeshore Environmental for answers. All in favor of contract renewal.

Motion introduced, moved and seconded to authorize Jennifer Jones – (Lakeshore Environment) to obtain bids for lake treatment – (2013).

ALL IN FAVOR.

Assessment for 2013 was discussed and after financial analysis decided to assess 388 units @ \$100.00 per unit level.

Roll call vote cast:

Marvin Brisbin – Yes
Robert Yates – Yes
Carver Edwards – Yes
Ken Hilliard – Yes
Mark DiBenedetto – Yes
Gerald Stick – No

Next meeting to take place October 3, 2012 to adopt minutes so Mr. Brisbin is able to deliver final approved numbers to county offices for 2013 assessments.

Meeting adjourned.

Bear Lake Improvement Board Meeting
October 3, 2012

Call to order

Members in attendance: Marvin Brisbin – Chairman, Robert Yates – Secretary, Carver Edwards – Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp Rep., and Ken Hilliard – County Commission Rep. – ALL PRESENT

Other in attendance: Mike Solomon – Lakeshore Environmental

Minutes from September 27, 2012 approved as presented.

Public Comment: Mr. Sawka remarked on his view there were three (3) items of paramount importance:

- (1) Enjoy lake currently
- (2) Property values
- (3) Preserve lake quality for future generations

Current board satisfying all the above.

Mr. Brisbin than addressed terms and conditions of Lakeshore Environment Contract with regards to its execution. Mike Solomon then assured all his credentials were above and beyond to meet contract terms.

Public Comment: Mr. Sawka reminded all through treatment of lake is essential.

Mr. Brisbin stated he has received information regarding DNR supplying power equipment to be used at public launch – details to follow.

Next meeting December 20, 2012

Adjourned

**Bear Lake Improvement Board Meeting
December 20, 2012**

Call to order.

Members in attendance: Marvin Brisbin – Chairman, Robert Yates – Secretary, Carver Edwards – Treasurer, Mark DiBenedetto – Drain Commissioner, Gerald Stick – Pleasanton Twp Rep., and Ken Hilliard – County Commission Rep. – ALL PRESENT.

Minutes from October 3, 2012 meeting read and presented – approved as presented.

Public Comment: Mr. Sawka presented BINDER regarding his version of the LAKE IMPROVEMENT BOARD formulation history – copies were provided to each board member. Mr. Sawka was FIRST CHAIRMAN and extremely instrumental in formulation process of BOARD.

New Business:

(1) Mr. Brisbin presented a copy of letter he drafted which was sent to all real estate offices in Manistee County reminding them properties on **BEAR LAKE ARE SUBJECT TO A SPECIAL ASSESSMENT.** (Letter Attached)

(2) Mr. Brisbin passed out 2013 Bear Lake Improvement Board Meeting Schedule. (Attached)

(3) Mr. Brisbin informed board the Turner Appeal will take place April 2, 2013 – Robert Yates from board will be present at hearing.

(4) The board was informed our active rep. (Jennifer Jermalowicz-Jones) from Lakeshore Environmental has formed new company and has agreed to perform same services at the rate \$12,500.00 per year – due quarterly = \$3125.00. Note this is reduction of \$500.00 per year. New company name will be Restorative Lake Sciences LLC. Contract was presented roll call was take all agreed to make switch pending legal counsel review by Fahey, Schultz, Burzych, Rhodes PLC – legal counsel.

(5) The results from bid process to perform lake treatment was reviewed – it was determined AT services was again the best price and option to do work – (fee tabulation summary attached) roll call taken – all in favor.

(6) Mr. Brisbin presented his recap of year in review. – (attached)

(7) A copy of "Bear Lake State of Lake & Annual Report 2012" was provided to each board member – in summary lake is in best condition ever!

(8) Communication from attorney confirming their responsibilities in preparation for Turner Appeal – roll call took place to authorize Fahey, Schultz, Burzych, and Rhodes LLC to proceed in this appeal process – all in favor.

Old Business: None

Next meeting April 18, 2013.

Meeting Adjourned.