

BEAR LAKE LAKE BOARD MINUTES
REGULAR MEETING
WEDNESDAY, NOVEMBER 10, 2021, 6:00 PM
N. MUSKEGON CITY HALL

I. Call to Order

The meeting was called to order by Chair, Darrell Van Fossan, at 6:00 PM

II. Pledge of Allegiance

III. Roll Call:

Present: Darrell Van Fossan, Brenda Moore, Craig Howell, Paul Pek, Doug Brown (at agenda item IV).

Absent: None

Also present: Mike Solomon of Restorative Lake Sciences

IV. Minutes

- a. It was announced that Pek will act as temporary recording secretary until one can be hired.
- b. **Pek made a motion to approve the minutes of October 14, 2021 meeting as written. Howell supported the motion. Motion carried by unanimous voice vote. The minutes will be placed on file.**

V. Budget/Expenditures

- a. Recently received invoices were reviewed for approval along with older ones already paid. **Howell made a motion to approve invoices. Pek supported the motion. Motion carried by unanimous voice vote.**
- b. Howell reviewed invoices to North Muskegon and Laketon Township for the parcels owned by the municipalities. Both municipalities have volunteered to be included in the assessment even though they are not required to by law.
- c. Howell discussed that we will have approximately \$160,000 back into cash due to the budgeted amount not being spent on the aeration project (less an overage for lake treatment). This will be reflected in the 4th quarter report and leaves considerable options for the years ahead.

VI. Reports/Updates

a. RLS Update (Mike Solomon)

- Congratulations to Brenda Moore on the Ribe drain (Bear Creek) project which received a state environmental excellence award.
- 2022 proposed contract has been provided to the chair for consideration
- Dr. Jones will be presenting the 2021 annual bear lake update/trends/summary in January
- Still no word on when the EGLE meeting will take place. Recommend walking through their letter, why they reached their conclusion, and speak to them on Phosloc and phosphorus pillows. Van Fossan commented that the Phosloc is being considered for Fenner's Ditch. Solomon said these will cost about \$1,100 per application and there would likely need to be 3 treatments. They are investigating the cost to treat the entire lake with Phosloc. Also need clarification on whether the BLLB can do projects in the watershed vs. lake.
- Resident educational opportunities. RLS will provide a session in the spring for aquatic plant identification, and how we might integrate this into future projects.
- Moore brought up that EGLE wants to have a meeting as early as next week via zoom. We can't have a quorum at this meeting unless we post it. For now, will be Moore and Van Fossan. Van Fossan asked if there's any way to get it face to face, but Moore doesn't feel this is possible, and may be including some folks from Lansing, and they have restrictions on travel.
- Van Fossan referred to the 2021 signed and 2022 proposed RLS contract in the packet and requested the Board review and send him comments by Thanksgiving.
- Moore brought up that some of the things RLS does are non-negotiable because they are required by the permit or because we need to collect certain data, or it's required for our projects. Solomon said it's good management practice. If you're treating significant portion of the lake, there are extra requirements, but the levels of treatment for Bear Lake so far does not require this.
- Brown asked to confirm that the 2021 contract was actual, and that 2022 contract was not to exceed. Solomon said some extra things could cost more, but those are rare.
- Van Fossan mentioned that we need to watch the contract closely and get everything we can out of it.
- Van Fossan mentioned grant writing and how that wasn't in 2021 contract. We have talked about it, but we need someone to write them. Solomon said they take a lot of work, and many agencies employ a grant writer. Solomon said it's hard to get grants. Pek mentioned a small grant EGLE is offering for \$3,000 for signage at boat launches. Moore feels a PhD limnologist may not be the best, cost-effective way to write grants. Pek mentioned Kathy Evans.
- Van Fossan mentioned Kathy Evans is retiring and asked what she would be doing afterwards. He told her she would be a great asset to the Board. She said to wait a couple of months and she will see what she wants to do.

- Van Fossan reiterated the EGLE meeting should take place within the next month with Moore, Van Fossan, RLS and EGLE. Moore discussed the “laundry list” that would be discussed with suggested topics by members of the board. The Board should get her anything more to add to the list. We want to know what they will approve.
 - Van Fossan discussed the brochure and RLS education. He would like RLS to look at it and see if there are other educational opportunities.
- b. Educational Opportunities
- Van Fossan brought up educational materials that we could have RLS help with. Requested Solomon look at the brochure.
 - Solomon mentioned they have frequently put on educational sessions and invite riparians to a park with plant materials and literature. They try to get EGLE, DNR fisheries, PLM, MSU extension so people can circulate
 - Van Fossan shared an article for Michigan State online courses. There is a up a 6-week course he took in the past “Introduction to Lakes”. He encourages others to investigate this if they want more info.
 - Moore asked if we could grant scholarships for riparians to go to a course like that. Solomon said it’s a very good course. Moore also mentioned Michigan Lakes and Streams emails she has forwarded to the Board and feels the BLLB, or members should become members and encourage riparians to also become members.

VII. Communications

- a. n/a

VIII. Old Business

- a. Bylaws (Moore)
- Moore prepared a draft bylaws document based on previous bylaws work for planning commissions work she used to do, as well as the Bear Lake Preservation Association bylaws sent by Van Fossan.
 - The board is to send comments to Moore by Thanksgiving, and she will create a 2nd draft. Then have a working session to go over the 2nd draft.
 - Pek questioned whether an attorney should look things over as well. Board discussed reviewing with attorney after the working session.
- b. Website/Communications (Pek)
- Pek shared the “BLLB Communications Update and Recommendations” document he prepared (on file) covering the areas of Website, Online Documents, Email, Notifications, Newsletters, and Lakefront Owner Welcome Packets.
 - BM mentioned a work session to go over this in more detail
 - Board is okay with Paul creating a shell website and sending out good reference for various lake board sites.

- c. Recording Secretary (Howell)
 - Meeting with NM City Manager and potential candidate next. Will be hiring them through North Muskegon.
 - Van Fossan shared draft job description for this position
 - Howell would like input on what the Board would like this person to do. Please get any comments to Howell prior to Monday, so he has them prior to his meeting.

- d. Open Meetings Act Training (Van Fossan)
 - Van Fossan spoke with the BLLB attorney about a training session on the Open Meetings Act. It will cost \$500 for a 1-1.5 hour training session.
 - Moore brought up Michigan Township Association and the county association. some other organizations and government departments that have training sessions that we may be able to piggy-back on. There are all sorts of people who do this training.
 - Brown mentioned that maybe we can have the attorney review bylaws at the same time if there is time.
 - This would be treated as a work session, open to the public. Would likely be Jan or Feb timeframe.
 - **Brown made a motion to approve spending \$500 for attorney to give the Open Meetings Act training and bylaw review recommended by Van Fossan. Brown made a motion; Howell seconded the motion. Roll call vote was made with all members approving.**

IX. New Business

- a. 2022 Meeting Schedule
 - Van Fossan shared proposed 2022 regular meeting schedule (on file). This included switching to a single location at North Muskegon City Hall, due to confusion in the past.
 - **Moore made a motion to approve 2022 regular meeting schedule as proposed. Brown seconded the motion. The motion carried by unanimous voice vote**

- b. Maintaining BLLB Files
 - Van Fossan met with past-Chair Kim Arter. He received a manual on processes and notifications, agendas, minutes, etc.
 - Van Fossan thought it would be good to have the new recording secretary be responsible for maintaining these books.
 - Moore brought up that she feels these books should be housed either at North Muskegon or Laketon Township for proper public access. Howell will talk to NM City Manager to see if they can be kept at City Hall

- c. Roberts Rules of Order

- Van Fossan presented a “Roberts Rules Cheat Sheet” for a nice summary of key aspects of parliamentary procedure. Discussed possibly making an attachment to our bylaws.
- d. Michigan Association of Lakes and Streams
- Moore feels it would be good to be a member of this organization which focuses on issues for lake boards and riparians. There’s a magazine and conference. Good to have to show professionalism
 - It used to cost \$15 per person and may have an organization package that may be \$100 without the magazine.
 - Moore suggested we recommend it to all lakefront riparians to help educate
 - Moore will gather more info
- e. BLPA President
- Van Fossan announced his intention of stepping down as President of the Bear Lake Preservation Association due to additional obligations with the BLLB.
 - Has not met in 1.5 years, but has a \$4-5,000 fund balance
 - Moore mentioned the BLPA may be precious to the BLLB for grants to use as a fiduciary, considering the BLPA’s 501c3 status.
 - Van Fossan recommended everyone spread the word to find someone interested in joining the BLPA.
- f. Revised 2022 Lake Treatment Process
- Van Fossan brought up this topic as an initial discussion starter. Would like to get a process in place which is more efficient and productive. Important to make this timelier, and wanted to throw some ideas out for discussion, and will continue discussion and possibly finalize at the next BLLB meeting.
 - Pek brought up water temperature being a major factor for invasive species and algae outbreaks, and each year this timing is different. He stated that this past year did not go well. The RLS survey was in April, mid-May residents started to complain, Van Fossan brought it up at the June BLLB meeting, and no substantial treatment until after the 4th of July
 - Pek discussed desire to give the Chair the authority to initiate treatments based on feedback from residents up to a certain spending limit. With that, we could quickly treat before things get out of control.
 - Van Fossan asked RLS about surveys and how often. Solomon indicated they typically start with a spring survey and this past season it was early due to the light winter and early warmup, and then they didn’t treat because the weather cooled down. They typically work from south to north, but they can get a survey crew out if requested.
 - Solomon also shared a thought that they do get feedback from residents. He stated there is often misidentification. Some know what milfoil looks like, and others don’t. He gave Fenner’s ditch as an example. He said they could do the

initial survey, and then post that to residents, and then plan to not treat for a week and seek input from residents to adjust treatment to make sure they address those areas.

- Solomon discussed that posting ahead of spraying but discussed this is hard due to weather conditions delaying treatments. PLM is good at posting on the day of spraying.
- Pek brought up again that this past year did not go well. Residents started raising concerns in May, and it really didn't get treated well until after the 4th of July, and that's when residents went crazy because they couldn't use their boats.
- Van Fossan indicated he spoke with PLM. Reviewed the survey process prior to treatment. He discussed giving them authority to treat things they notice which were not indicated on the earlier survey. He stated that it might add \$300-400 to a treatment to cover potential additional areas not part of the survey. This does pose some budget concerns, and that we could look at changing the budgeted amount for treatments as the current budget was based on already having aeration in place. Will continue discussion with Howell on the budget.
- Solomon gave an example that it costs \$400-500 per acre to treat for Milfoil.
- Solomon indicated the first treatment was May 27. Pek clarified that was a limited treatment for milfoil in a small area, and that it was getting bad around the entire lake, which was not treated.
- Solomon indicated that with other boards, they often give a "not to exceed" budget for treatment, and they stick to that amount. If more treatment is needed, they go back to the board. He recommended BLLB consider a budget not to exceed figure for the initial treatment. Van Fossan mentioned the issue is that process of coming back to the board may take a month. Moore commented that she liked Pek's suggestion of giving the Chair authority for treatment up to a certain amount.
- Moore asked how specific the permit is if the applicator sees other things that could be treated. Solomon indicated things are very open on treatment of milfoil, as that's an invasive species. He said algae is a lot trickier, as EGLE has tighter rules surrounding where you can treat for algae. Moore stated that if you see milfoil you can treat it, but you can't just spray algae if you see it. Solomon answered that the lake is marked for algal treatment, but there are constraints on where and when you can spray. Moore suggested this as an education topic on why we can't spray all the time.
- Solomon discussed a recommended educational program. He said milfoil is easy to identify and residents could assist in identifying areas. He said they came out to look at Fenner's ditch due to milfoil complaints and it was some things that looked like milfoil, but it was bladderwort. He also confirmed the algae was bad.
- Moore had a question on citizens being trained and if there is credence to that. Is there value in having citizens helping? Pek brought up whether the first survey could be dependent upon citizens monitoring. Solomon indicated that the chemicals are not effective until 56 degrees. Moore asked if citizen testing could

sample to help predict algal blooms. Solomon said it may help to plot it every year to see if we can learn anything. Van Fossan indicated how much the algae moves with the wind.

- Van Fossan indicated he and Pek work on drafting a revised treatment process. Others are to get their ideas to Van Fossan, and this will be a good discussion topic for January when Dr. Jones is present.

X. Public Comments

- a. Van Fossan mentioned the board is considering having earlier public comments on agenda items, and then later public comments open to non-agenda topics. Moore mentioned that a lot of boards are doing this approach now. Pek also brought up that NM has their public comments at the beginning and residents can say their comment and then leave if they want.
- b. Christina Achterhoff
 - Is the Clerk for Laketon Township. She has recently taken on a part time job as district rep for Michigan senator Jon Bumstead. She is the contact if we need anything from the state or Bumstead.
 - Brown indicated that he contacted Bumstead about potential leftover funds from the Marathon cleanup. Achterhoff will speak to him about it.
 - Commented on how nice and productive the meeting was and she likes how the board is moving forward.
- c. Steve Olsen, 820 Oakmere
 - Commented that it was a well-run meeting
 - When we post for lake treatment, we know as residents to stay off, but residents see boaters come in through the channel who may not know about the no-contact restrictions. Some discussion about hanging a sign on the bridge. Olsen brought up discussion if we have any liability, and to get input from attorney.
 - A lot of money in the fund balance with aeration. 2022 the assessment ends. Now with aeration off the table, the \$500 per year seems excessive. Does the board want to reduce it? Olsen recommends not ending it, but greatly reducing so residents still realize it exists, and despite a large surplus, we need money in case a project does arise. Van Fossan indicated we don't know yet what future costs will be, but we do need to regroup.
 - Olsen brought up that the assessments are supposed to go to a specific project. Pek brought up an article he read that indicated that surplus assessment funds more than 5% must be refunded and recommended we get input from the attorney on this. Discussion around recommendation from City of NM to continue with a much smaller assessment and pull from surplus funds
 - Are there other experts we should look at to get a 2nd or 3rd opinion to see where we are at with the lake?

- Olsen mentioned that the Milfoil was really bad this year. However, he feels the clarity has improved
- d. Van Fossan
 - Answered Olsen’s question by stating that the next meeting will have Kathy Evans and Al Steinman. Both agreed to come and give a presentation. He also spoke to RLS and encouraged them to be there to hear it as well.
 - Moore mentioned there is a new MSU extension specialist that could help.

XI. Next Meeting

- a. Van Fossan announced the next meeting is December 9, 2021 at 6 PM at NM City Hall.
- b. Two planned presentations (Kathy Evans and Dr. Alan Steinman).
- c. Moore discussed there is a new Lake Health Specialist who is with the MSU Extension Office and they are starting a program to help manage lakes. Moore will be asking Dallas to investigate this more.
- d. Van Fossan shared a report from Al, and indicated the summary is easy to read. Van Fossan asked that we send any questions to him to give to Kathy and Al by Thanksgiving.
- e. Discussion to have all comments on various topics in by the end of Thanksgiving weekend.
- f. 2022 RLS Contract will be discussed
- g. Moore brought up work sessions (website, bylaws, Open Meetings Act, etc.) that would work well in a working session. Discussion was for January for some working sessions.

XII. Adjourn

- a. Pek made a motion to adjourn, which was seconded by Brown. Motion carried by unanimous voice vote.
- b. Meeting adjourned at 7:37.

Submitted:
Paul Pek

Approved as corrected by the Bear Lake Lake Board on: **12/9/2021**

Signed: _____