

**White Birch Lakes  
Board of Directors Meeting Minutes  
April 9, 2022  
(Meeting conducted through GoToMeeting.com  
and at the Clubhouse)**

**I. Call to Order:**

President Boos called the meeting to order at 10:01 am.

**Board Members Present:** President Boos; Directors Brandle, Heiden, Cooley, Barnes and Bryant also, Secretary/Treasurer Lisa Trojanowski, and Manager Michelle Waters

**Board Members Attending by Teleconference/GoToMeeting:** None

**Board Members/Others Absent:** Director Simons

**Note: There were 12 Members listening to the meeting through GoToMeeting and approximately 18 Members in Attendance at the Clubhouse. (GoToMeeting was not operational for the first half of the meeting)**

The Invocation was given by President Boos.

The Pledge of Allegiance was recited by all present and listening through GoToMeeting.

**II. Additions/Deletions to the Agenda:**

1. Special Guest Christiane Rathke- Clare Conservation District
2. 5005 White Birch Lane

**SPECIAL GUEST- Christiane Rathke – Clare Conservation District Co-Operative Lakes**

Dawn Holzer made the introduction of Christiane Rathke from Clare County Conservation who is a Soil Erosion Agent, to talk about some things their program can offer on our lakes. Christiane presented the Board with a few informational sheets. Christiane was here to talk about the Cooperative Lakes Monitoring Program, which is a pretty new program. This is a program that monitors for baseline data such as shoreline health, your phosphorus levels, your Chlorophyll levels, our water transparency, and Aquatic plant watch. In the handouts, you can see more details and the price for the testing of each lake. This packet shows the monetary amount of each test and kit that is involved in the process. She also included a 2019 summary, as well as a report from Arnold Lake to show you what an actual report would look like. It was shocking that out of all the lakes in Clare County only 4 are enrolled in this program. Right now, Soil erosion had a really good year last year, like off the charts going back 10-12 years, it has never been this good and generated that much revenue, so she would like to put back into the community and thought this was a great way to partner with some of these lake associations just to get you guys going. So, for the first year start off, I am paying for half of the program. We have already missed the deadline for the Spring Phosphorus. There are 3 or 4 more tests that we can still do this summer. The enrollment deadline is May 1<sup>st</sup>. The fee for the rest of the tests for all 4 lakes is approximately \$1000, White Birch Lakes Recreational Association's cost would be around \$500.

**III. Approval of Minutes:**

1. *Director Bryant moves to approve the minutes from the March Board Meeting as presented,*  
2<sup>nd</sup> *by Director Heiden, All Ayes, motion carried.*

**IV. Secretary/Treasurer's Report:**

Lisa let the everyone know that On March 22, 2022 65 30-day notices Lien Warning letters were sent out. The total amount in back Assessment dues that are due is \$ 86,704.73. \$5,232.64 have been collected, with a promise of \$609.00 and 3 members have made payment arrangements. Also, on April 1, 2022, 453 members were assessed \$21 late/service charge fee totaling \$9513.00. Last year 406 accounts were charged the fee.

2. *Director Cooley moves to approve the financial reports for April as presented, subject to the Auditor's approval, 2<sup>nd</sup> by Director Bryant. All Ayes, motion carried.*

3. *Director Heiden moves to approve the April Payables as presented, 2<sup>nd</sup> by Director Cooley All Ayes, motion carried.*

**V. President's Report:** President Boos reported the following:

“We have a couple of weeks and the camper’s will be back and I am looking forward to seeing them. They bring a welcoming site to our community. Our staff will be busy preparing for their return. With the weather breaking all of us are ready to start cleaning up our lots, please make sure your fires are contained and not left unattended. As some of you have noticed Jeff Wheeler is back from his Winter break and we welcome him back for the camping season. There will be some confusion with the Lincoln Twp ordinances changes but together we will work through this.

**VI. Manager's Report/Maintenance:** Michelle Waters reported the following:

“Hello, we have seen more member traffic in the Clubhouse, that has to be a sign that Spring is on the way.”

“Martins Heating and Cooling came out this past Wednesday to check our air exchanger in the pool, a fuse had blown and was replaced.”

“I have met with 2 concrete companies to get quotes for the campground corn hole pads and walk way. I have received one bid so far from Shuff Concrete for \$ 3963.00. I am waiting for the other companies to send me their pricing. This was approved at the 8/14/21 meeting to spend up to \$5000.00 for 2 corn hole games and concrete. The corn hole games were purchased last year for \$2350. This is the amount after the \$600 refund for the decals. Which only leaves \$2650.00 for concrete work.”

“A member reported a beaver on Timber Lake, I have talked to Dale Schmid and he can start trapping on Monday. His price this year is \$350.

“As stated in the January meeting, Lisa and my computer need our operating systems updated from Windows 8.1 to 10. This needs to be done prior to Lisa renewing the QB program that expires in May. I contacted Larry from Clare Computers. The cost is \$400 per computer for the hard drive back up, license to update Windows and to reinstall everything and make sure it runs properly. He can come out Wednesday April 13 with Board approval. The total cost is \$800.”

*4.. Director Cooley made a motion to have the two computers updated from Windows 8.0 to 10 in the Clubhouse at the cost of \$800. 2<sup>nd</sup> Director Heiden. All Ayes, motion carried.*

“The order for the fish has been sent in and as soon as the lakes are warm enough, they will be delivered.”

“Discount dumpsters is scheduled to bring in their dumpsters the last week of April and start picking up May 2, 2022.”

“The grader was down for a couple of days. AIS came out to diagnose the problem. It was a fuel shut off solenoid. The total cost was \$2443.23.”

“I am getting quotes for electric to be run in the campground bathrooms for hand dryers.”

“Jess was able to go out this past week with a break in the rain and work on grading the roads.” Jeff and Justin have been working on repairing the Sterling and the GMC.”

## VII. Committee Reports:

**EPC Committee:** Marty Perkins reported the following

“We had a couple contiguous lots with circle driveways that needed tree removal, I was sick and Steve Brandle came in and backed me up and took a couple requests. What I do want to ask the Board is, that we on EPC have a list of 62 violations given to us from the White Birch Protection Group, who that is we still don’t know. But I have gotten a couple of emails from them, and I went around and looked also, and there are violations out there from campers leaving stuff. We knew how we were going to handle this this year. So, what I need is names and addresses that go with these numbers, so that I can talk to each person. Anyways, we made a motion at the beginning that the EPC and the Board were going to work together on this so I am coming to you for permission to get the names and numbers.” President Boos told him to give it to Lisa or Michelle and he will get what he needs. Marty than stated “As soon as the campers come in, we are going to address all these violations, we are going to meet each one of these people and talk about our policies and try to reason instead of threaten. It seems like a little honey and a handshake work better than threats and reports to the Township.”

**Campground Committee:** Fred Witchell reported the following

“I came back a little early from Florida, and one of the things that happened this winter, and I got with the Manager about this, was in our storage area there was a gentleman camping out. You cannot camp out in our storage area at any time, and he was doing it for a little while. He tried to tell them that he came into the office and got permission but of course he didn’t. We got that situation taken care of. I want everyone to know that back in that storage area, the area is tore up really bad, and not sure if it can be put back before they start taking campers out. We are going to try. Also, when are we putting the dumpster back up?” Michelle stated the last week of April. “I would like to also see if one of the Board members to go to the first house on the left coming into the Association. I would like to get a time to get with the owners, I am sure we can get with some people to volunteer to fix it. The campground may not be perfect, because the weather is really slowing us down.” As soon as weather permits, maintenance will work on that area.

**C & R and By-laws Committee:** Tim Vajcner reported

Tim handed out a hand out that the committee had summarized and asked the Board to consider to make a decision. What we would like to happen is:

### Possible WB Board Action

- **Shorter Term:** The Board has the authority to interpret and clarify to members the application of the current C&Rs
- **Deem:** During the allowable camping season, the following are not classified as 'a temporary house, garage, or other outbuilding' or structure and is considered a camping accessory
  - Portable temporary canopies, for any use except for use as a dwelling
  - Utility trailers (open and enclosed)
- Therefore, the following is permissible during the allowable camping season on all lots.
  - Portable temporary canopies for any intended use except for use as a dwelling o Utility trailers (open and enclosed) o 'Subject to any restrictions and permitting imposed by Lincoln Township ordinances

Longer Term

Include in future C&R Amendment

### Summary

Last updated: 4/8/2022

Conflicts within the various sections of the C&R's on the same topic

C&R's: No word definitions identified

C&R's: Does not state that titles and or bolding of words are not a priority

Building Codes Through International Fire code allows for use of portable canopies for recreational, camping purposes for any purpose (people or storage)

## ● **State of Michigan of Appeals 2015 (Based on 1998 Settlement)**

... the development would feature substantially unfettered camping activities during the specifies camping season. **When this looked up the words are pretty broad.**

**C&R Section V.G Restriction on Temporary Structures.** No temporary house, garage, or other outbuilding shall be placed or erected on any lot.

Applies to all lots (homes and camping) **When this interpreted, this should be equal for both homes and camping.**

### **EPC Powers (C&R Section VI.C)**

No dwelling, building structure or improvement of any kind... without written permission approval of the EPC. **So again, this is stating that EPC has authority.**

### **C&R Section II. Residential Character of the Development**

**In General,** Every numbered lot in the Development is a residential lot and shall be used exclusively for single-family residential purposes. No structure be erected, placed or permitted to remain on said lots, except a single-family dwelling house...

### **C&R Section II.B**

**Residential Use of Accessory Outbuildings Etc. Prohibited.** No accessory outbuilding shall be erected on any said lots prior to the erection thereon of a single-family dwelling house. In no event shall any accessory building or temporary structure which may be constructed upon such lot under these restrictions ever be used as a residence or dwelling house or place of human occupancy or habitation. **So, is a temporary canopy and OUTBUILDING? This section if you focus on this section is saying that a temporary canopy is a building.**

Conservation Committee: Dawn Holtzer reported the following

“This is from Toni Maize, who is a member in here, she has provided some information on the Gypsy Moths. She has spray maps that she has finalized in White Birch that we should post in various areas. The Freedom of Information time has passed. The time to have trees taped is approaching, the egg masses could hatch any time after May 15, depending on the temperatures and the rain. The weather. This has been an odd year for temperatures in April and if the trend continues the hatch could be a little bit later. The last two years, the caterpillar nightmare continues on until about July 15. Spraying will occur immediately after the hatch begins during a dry time and when the leaves have partially come out.”

“The Conservation Department has received 3 FOIA requests for “Opt Outs” in White Birch. Please be respectful if you plan to discuss the “Opt Out” situation with a neighbor.”

“There will be an Order Form on the bulletin board for Reusable Gypsy Month Traps. You place these (2 per acre) on your property early August. Their purpose is to trap the male moths preventing them from fertilizing the egg masses. They are \$13.00 each. I will deliver them to the next Board Meeting or you can email me at [ClareGMCO@macd.org](mailto:ClareGMCO@macd.org) and we can arrange a different pick-up time. These do work.”

Conservation Department will be hiring 6 responsible adults for the egg mass counts in Fall 2022. If interested contact Toni Maize at 989-588-6401, for more information.

**Activities Committee:** Lisa Cooley reported the following

“We had an egg hunt, it was a whole lot of fun, we did donuts after. I think we had approximately 15 children. We had Easter dinner after. It was a whole lot of success, there is nothing better than a potluck and food is always better when someone else cooks it. We are working on some things for the next couple months. We have bingo tonight, we have candy and Easter baskets, so come on up and have some fun. This summer we will get together and have lots of fun and make new friends too. Dawn Niemeyer has asked to join activities; she is a full-time resident up here now and will be a great asset to us. We welcome her and can’t wait to get her involved.

*5. Director Brandle made a motion to add Dawn Niemeyer to the Activities Committee. 2<sup>nd</sup> Director Heiden. All Ayes, motion carried.*

## **VII. Comments from the Floor:**

1. Mikki Cochran, Lot 854, “I know this permit is a Township thing, but I know it is requesting where your camper is, where the lot lines are and where temporary structures will be. It appears to me that the Township is saying, we want to know where your well is and where your septic is but this paper isn’t asking for that. People won’t know unless they call and find out. So, do we need all this information? People that are not on Facebook, have no idea about what is going on with this. Are we going to do anything to inform them?”

2. Marty Perkins, Lot 1095, “My comment is about the lakes and this person that just came in and talked. We put a lot of money into these lakes, we fish and stuff, I think it would be nice to know if our water is right for them.”

3. Deb McDonald, Lot 38, “We have the lakes treated for weeds and all that, but do we have someone that comes in and pulls it out? We are losing our lakes by fertilizing to help grow more weeds and cattails.” It wouldn’t hurt to do it every other year or every 3 years, just to get some of it out of there.”

A short 10-minute break was taken at this time. The GoToMeeting was fixed and backup running.

## **IX. Unfinished Business:**

In regards to the Agenda item of “Common Property Taxes Court Docket,” There is nothing new. We will leave on the agenda until we do get something.

In regards to the Agenda item “Short Term Rental Legal Opinion” There was an opinion letter from another Attorney that President Boos emailed to the Board to be reviewed and Lisa stated that “the insurance company had talked to the underwriter and cannot give a definite answer because they have not had a case like this before. We would have to wait until it happens. They are still trying to look into this but asked me to refer to our Attorney who stated that it was up to the Insurance company to decide if this was a covered item.”

In regards to “Vending Machines,” An email was sent to the Board, we will need to get the electrical taken care of for the machines, but they are going to fill it, maintain it and take back the cans. The company is going to contact Michelle for a delivery date.

In regards to the Agenda item “5005 White Birch Lake,” Director Heiden stated there has been multiple discussions about this and it is getting tiresome with people spreading falsehoods about this situation. What can we do as the Board to enter the property and clean it up? It has been stated previously that we cannot enter anyone’s property. What is the answer, if we have the right to do it, then I am ok with going on the property and clean it up. It was determined that we need to find the legal paperwork to determine if we are allowed to enter anyone’s property to clean it up, or if we need to get a court order. This situation will be looked into and the results will be presented back to the Board.

**X. New Business:**

In regards to the Agenda item “Mother’s Day Breakfast, Fred Witchell, presented that the Mother’s Day Breakfast, two years ago, we used to have a Mother’s Day Breakfast and it used to cost around \$300, for all the food and flowers for the mothers and then we have volunteers help cook. We have pancakes, sausage and cereal for any little ones, toppings such as cherry and apple filling is also purchased. We also need a permit from Clare County Health Department to cook and serve in the Clubhouse. The permit is \$96. This breakfast would be on Sunday May 8, 2022 on Mother’s Day.

*6. Director Heiden made a motion for this Mother’s Day Breakfast up to \$500. 2<sup>nd</sup> Director Barnes. All Ayes, motion carried.*

In regards to Agenda item “Annual Meeting Planning,” Michelle stated that “it was thought that if the board wanted food there, we need to get prices and someone on the calendar. Also, instead of using the stamps (that kept coming off last year) we thought we could use wrist bands, this would make it easier to determine who is eligible to vote. We can get 500 of them for approximately \$10 on Amazon.” We have \$3500 in the budget for the Annual Meeting, so we need to make decisions. President Boos stated that he thought that the food idea was first suggested to entice members to come to the meeting but since we don’t have that problem anymore, we could use the money elsewhere. President Boos has no problem getting a food truck for members to purchase food and Lisa Cooley will look into those options.

*7. Director Brandle made a motion to ratify the email motion to accept the updated bid of \$2501.25 for a handicapped unit at Holiday Lake and the others. 2<sup>nd</sup> Director Brandle. All Ayes, motion carried.*

*8. Director Brandle made a motion to ratify the email motion to buy 50 tons of gravel from Fisher’s for \$752.60. 2<sup>nd</sup> Director Cooley. All Ayes, motion carried.*

In regards to the Agenda item “Township Zoning Ordinance Changes,” President Boos stated that the permit does state that you need to put the location of the well and septic on the form. Director Brandle had requested this be put on the agenda with the reason that the Township would have more information given to us, we have been in contact with them. We have asked for the actual verbiage of the new amendment or ordinance; they keep referring us back to the last two meetings with the Township. We cannot decipher what they are trying to say, we don’t have a lot of instructions on this. Any questions about these new procedures are going to have to be directed to the Township. Director Heiden stated “In my opinion this all happened because someone stirred the pot and ran to the Township, we need change, people need to get involved at the Township level.”

In regards to Agenda item, Memorial Day Gathering,” Lisa Cooley wants to put something together for a Memorial Day gathering, it may be a BBQ with a dish to pass or a food truck, we are still working on the details. We would like to do a gathering for each holiday.”

*9. Director Cooley made a motion for a Memorial Day Gathering, Saturday May 28, 2022 up to \$600. 2<sup>nd</sup> Director Heiden. All Ayes, motion carried.*

The Board discussed the presentation that was made earlier in the meeting by Clare County Conservation and made a decision to at least get a baseline reading of our lakes. Dawn Holzer will contact them and make the necessary arrangements.

*10. Director Heiden made a motion to participate in the Conservation Cooperative Lakes Program at the cost of \$500. 2<sup>nd</sup> Bryant. All Ayes, motion carried.*

## **XI. Additional Comments from the Floor:**

4. Dawn Holzer, Lot 1103, "A couple of things that we need to be aware of when we are talking about the insurance company and going along with the Short Term. When we had the lawsuit that lasted 5 years, we could not find an insurance company that would insure us because we were in a lawsuit. So, just keep in mind should this all happen and they decide to cover us, who says they can't cancel us and then who is going to pick us up. Second on the house up front, the Township Ordinance enforcer Deb cannot mail Melody because no one is picking up mail and no legal address. She has to file a registered letter for her blight problem. She has been working on this. A lot of effort has been made to contact this gal and legally through the Township and she is no where to be seen. The property was up for tax sale, and the taxes had to be paid by March 31,2022 and she paid at the last moment. We called the Treasurer of Clare County to see if her address was on the check when she paid and there was no change so she must have paid in cash."
5. Phil Blaisdell, Lot 225," I just wanted to point out that being a part of the Township, I accepted a position about 3 months ago to be on the Board of Review and Steve Bryant and I are on it. One of the reasons why there is such an interest, on if there is septic or a well and electric on vacant lots is because when the assessor went through this year and assessed all the properties, they have several different ways they can go about this. What they did is they have two different categories on this, and what they did was they took all of the sales from the residence homes and that is how they determined the value of the homes, she did the same exact thing when she saw all these prices go up with vacant lots, so a vacant lot that has a well, septic and electric got assessed the same as a lot that is unapproved. So, what happened to me because I have a vacant lot and I have an improved camping lot tied to my home, my vacant lot which is a contiguous lot ended up being higher than my lot was that had a well and septic on it, and she has every right to do that. So, being on the Board of Review, anyone in White Birch Lakes that appealed their assessments got a reduction. The only one who didn't was Steve Bryant and we have no idea why. Steve pulled it after being on the Board of Review, and everyone in White Birch got a reduction with the exception of Steve. Steve and I were able to fight for the people of White Birch Lakes to get their taxes lowered. So, we talked to the assessor and she said of she knew the difference between a vacant and developed lot, she could create a separate category and bring those values down. Steve and I said, why can't we help in identifying who has these things on their lots so we can help her help us? So, anyone who is getting angry because they feel that the Township is going overboard or taking liberties to find out what people have on their lots, the reason that is there is we can help the assessor establish a separate category for vacant lots that are not improved and lots that do. Just wanted it on record that people that get on the township board isn't all about back deals but to help the community
6. Ostrowski, Lot 246, "Has anyone contacted the Heath Department on that house at the front gate? There appears to be children involved at that house. Has anyone filed a complaint with the Health Department, they have the right to come out and investigate if someone files a complaint and there are children living in improper conditions, they can take a lot more actions than any other board or area in the county? I think that the Board should file a complaint because it would at least get some action, and show that people are not going to tolerate raising a family under broken windows and inadequate venting and heating and things like that."
7. Steve Bryant, Lot 1, "I would like to expand on what Phil just said, I was asked by the Township to provide us a map which lots had homes, which lots didn't have and ones that were undeveloped. It was more than that, that needed to be clarified to help reduce the unfair tax situation that is going on. We have some lots that are just driveway and land, I have a number of lots as Phil had one with a driveway and electric that more than more than doubled in tax value and that is ridiculous for people that have no use on the property to pay what someone has that has a septic, well and electric. Maybe we can get some help from Lisa, that also benefits us to have the various amenities they have on their properties. It is really essential that we do this effort with the Township to make things fair."
8. Fred Witchell, Lot 648, "A couple quick things on our lake's checks, our Township, they do a water quality lake check every year and they send it into the State. We could look into this for another year since we are already doing the \$500 one this year."
9. Tom Mitchell, Lot 588-589, "As far as cleaning the weeds up and stuff, people we could look at just cleaning up the beach areas, like 30 -40 ft from the shoreline."

*11. Director Bryant made a motion to adjourn the meeting. 2<sup>nd</sup> Director Heiden. All Ayes, motion carried.*

The meeting was adjourned at 12:26 pm.  
Submitted by Lisa Trojanowski, Secretary/Treasurer