

**White Birch Lakes
Board of Directors Meeting Minutes
August 8, 2020
(Meeting conducted through GoToMeeting.com and at the Clubhouse)**

I. Call to Order:

President Bryant called the meeting to order at 10:07 am.

Board Members Present: President Bryant; Directors Brandle, Dombrowski, Hassberger, Bridges and Allen;
also, Secretary/Treasurer McClusky and Supervisor Wheeler

Board Members Attending by Teleconference: None

Board Members/Others Absent: Director Simons

Note: There were also 4 Members listening to the meeting through GoToMeeting.

The Invocation was given by Director Hassberger.

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

*(1) Director Bridges moves to officially appoint Steve Bryant and Steve Brandle to the Board of Directors after they were elected at the 2020 Election, 2nd by Director Allen.
All Ayes, motion carried.*

II. Additions/Deletions to the Agenda:

New Business: President Bryant – New Telephone System for the Clubhouse
Director Dombrowski – Seal Coating the Tennis Court

III. Approval of Minutes:

*(2) Director Bridges moves to approve the June Meeting Minutes as presented, 2nd by Director Brandle.
All Ayes, motion carried.*

IV. Income Statements-Treasurer Reports:

*(3) Director Brandle moves to approve the financial reports for June as presented, subject to the Auditor's approval,
2nd by Director Dombrowski.
All Ayes, motion carried.*

*(4) Director Hassberger moves to approve the financial reports for July as presented, subject to the Auditor's approval,
2nd by Director Brandle.
All Ayes, motion carried.*

*(5) Director Hassberger moves to approve the August Payables as presented, 2nd by Director Allen.
All Ayes, motion carried.*

V. President's Report: President Bryant reported the following:

“First of all, I would like to thank all the Members that attended the Annual Meeting. Much to my surprise we had a lot more than I thought would show up. My hats off to the Board Members that elected to put that \$500.00 prize up. I didn't think it would work, by golly it worked better than the hot dogs. Also, I am very happy to announce that the motion to allow Absentee Ballots to be counted for the quorum was passed. That is a great thing, we won't have to worry about not having a successful meeting in the future. Thank you.”

“On behalf of Steve Brandle and myself, I want to thank the Members for their support in electing us. I know that we are both committed in doing the best we can for the Association.”

“Also, I would like to send my condolences to John Pryde with Faith's passing. My prayers go out to him and his family and our prayers go out to Jeff and Jamie on their situation with Jamie's health. We give them our prayers for a speedy recovery.”

“The situation with the virus has made it very difficult for this past year, at least the past 6 months anyway, with the Board. It has made it difficult for the employees. We are going to get through it, hopefully we will get some relief and that will probably show up after the election, who knows.”

“We have a lot of work to do in front of us and we are going to attack it full force. I would like to report that, I guess it is on the Agenda, I don’t know who put it on there but, I was down at Holiday Lake last night and it’s down a little bit more than ½ foot. The water coming in from Bertha Lake has been shut off, turned back on, and the person in charge of that is trying to balance or juggle the ball between the two of us and we are seeing some good results. There is a whole bunch of stuff in the Board’s packets addressing how that line got put in there and it is something that is going to require some more talking and investigation. I don’t know if Sharon has anything to share. I will ask the Board when we get down to the motion for that from what I was able to read, and by the way I will mention that Vicky has been under the gun here and we weren’t able to get our packets until late last night, so I may appear to be disorganized just because I am.”

“I have had conversations with Vicky and she reported to me that packets are supposed to be ready on Tuesday but she was not able to do so with the way the dates fell and everything that had to be done from the Annual Meeting. In the future, we will have our packets available to us by Tuesday before the meeting so we can be informed.”

“The Board’s duties are to make sure that the Covenants and Restrictions are overseen and have people adhere to those Restrictions. I know that at the Annual Meeting there were some things brought up to make some changes to those but that is the procedure. I want a commitment to those that want to make changes that the effort will be made to provide you the materials to try and make some changes. It requires a 50 percent plus 1 Member to make the changes, and that is the total Membership. Any changes that you desire, I’m sure there are some people that are under the misunderstanding that a motion made at that meeting is the rule, that is not the case. You have to have 50 percent plus 1 Member of the entire Membership to make changes to the C & R’s. I just want you to know that we are committed to go with the majority of the population and do what we can to assist those that want to make changes.”

At this time, Director Bridges added that even if a Member is not in good standing, their vote would count because the C & R’s run with the land. Director Dombrowski asked Vicky if she could give a number as to how many Members there are. Vicky replied that she couldn’t give that number as of that time as she doesn’t have that information in front of her. It was explained that each lot that pays a yearly Assessment fee counts towards the total. The number will be reported at the next meeting.

VI. Supervisor’s Report: Supervisor Wheeler reported the following:

“Congratulations to Steve Bryant and Steve Brandle for making it on the Board. I would like to start by informing the Board of Directors on the Campground that someone decided to take 3 shower heads from the Men’s Bathroom and looking at the camera, it doesn’t show anything. This costs the Association money to replace them. That is why we went with the more expensive locking shower heads that cost about \$17.00 each.”

“Even with the street name signs, there are a lot of them missing. You are costing the Association money which in turn costs you, the Members, to replace this stuff.”

“We have been getting quite a few complaints about the roads being tore up and just like the shower heads, you are only costing the Membership money when we have to go out and fix them.”

“Just a friendly reminder, if your Storage is not paid for by August 14, 2020, on August 15, 2020 we will no longer hold your spot in Winter Storage or Campground. Winter Storage will be first come first service basis. If you want to secure your spot, call Bambi at the Clubhouse at 989-588-2853.”

“I just want to thank everybody for the prayers and the get well wishes for my wife. She has Stage 3 cancer. I just want to thank everyone from the bottom of my heart for all the wishes.”

“We have 4 applicants for the Clubhouse Attendant position, 3 live inside the Association and 1 outside the Association. On Monday, I will be calling them for interviews.”

VII. Appointment of 2020-21 Committee Members and Committee Reports Combined:

1. Campground Committee: Fred Witchell-Chairperson, Kevin Dombrowski-Board Liaison and Dawn Smith

Campground Report: Fred Witchell reported that the storage area is now open and almost ready to go for Winter Storage. More spaces are being made as time allows for more spaces and also bigger spaces to accommodate larger campers. Paint needs to be purchased for the lines. Jeff Wheeler stated there is a Member asking if the spaces in the back can be angled to be able to get campers in easier. Fred answered he will look into that. New signs are being made because some of the signs from last year were destroyed.

2. **EPC & Conservation Committee:** Dick Hassberger-Chairperson and Board Liaison, Steve Brandle, Jeff Simons, Dawn Smith and Marty Perkins

EPC & Conservation Report: Director Hassberger reported that for the months of June & July, there were 15 Tree removal requests, 5 driveway requests, 1 addition connecting a Breezeway to a Garage request and 1 detached Accessory Building request that were all approved. There was 1 tree removal request denied due to excessive trees to be removed and 1 tree removal, driveway and Accessory Building request is pending Member's changes. Dick also stated that Members need to be aware that the EPC Committee follows the Covenants and Restrictions for their approvals or disapprovals and also that a Member can appeal to the Board if their application is denied.

3. **Financial Committee:** Dawn Holzer-Chairperson, Steve Brandle-Board Liaison, Marty Perkins and Dick Hassberger

4. **Election Committee:** Sandy Getz-Chairperson, Sharon Bridges-Board Liaison, Marty Perkins, Mary Dombrowski and Louise Hopper

5. **C & R and By-Laws Committee:** Jeff Simons-Chairperson, Dick Hassberger-Board Liaison, Dawn Smith and Melissa Andrews.

6. **Activities Committee:** Marney Frank-Chairperson, Steve Bryant-Board Liaison, Nancy Buchholz and Willa Coombe

Activities Report: Marney Frank reported that there were 9 people at both the June and July Bingo and social distancing was observed. There will not be a Plant Exchange this year. The Committee has decided to plant a barrel which will be placed at the Clubhouse. The Labor Day event has been cancelled, as well as the Hay Ride, Halloween and Trunk or Treat events unless something changes with the Executive Orders before then. Also, there is no coffee and doughnut get togethers right now. Director Bridges stated she feels it is the appropriate thing to do right now unless things change and she doesn't see that happening for the rest of the year.

7. **Safety Committee:** Dick Hassberger-Chairperson, Sharon Bridges-Board Liaison, Jim Trojanowski and Bob Pelfery

8. **Policy & Procedure Update Committee:** Kevin Dombrowski-Chairperson, Richard Allen-Board Liaison and Jeff Simons

NOTE: The Committee Sign-Up sheets will be put back up on the bulletin board in the Clubhouse for more Members to sign-up and additional Members will be appointed at the September Board Meeting.

VIII. **Comments from the Floor (both Agenda Items and For the Good of the Order):** Available for viewing in the office when open and also available by email if requested.

IX. **ManagerPlus Report:** Supervisor Wheeler reported the following:

1. We had some problems with the Entrance Gate back in July so we called Van't Hof to come in and fix it. Upon inspection it was determined that the inside reverse loop was shorting it out. After talking with the tech, it was decided to eliminate that loop. This loop was installed so if someone went through the gate and then backed up, the gate would stay open.
2. Cody Bauer has applied for the permit to repair the culvert at Timber Lake. It will take some time because EGLE is backlogged. This will be a slow process.
3. The old push lawnmower had to be replaced. It was about 20 years old.
4. Brine is scheduled for Monday, August 10th weather permitting.
5. Maintenance is getting some ditch work done and some shoulder work along with some gravel work. Some Members are not too happy with it. They believe the shoulders are fine the way they are. Maintenance has tried to explain to the Members but it just doesn't seem to matter.
6. The next culvert project will be at the corner of Mockingbird Circle and Elm Run.
7. Sometime in the fall we may need to dig the sewer up at the Campground. There seems to be somebody flushing a lot of the brown paper hand towels. It takes a long time for those to break down and it is costing the Membership money with Maintenance trying to break through the clog in the line, and if they can't, a professional has to be called in to break the clog in the line. It has happened 6 times this year already.

X. Unfinished Business:

Regarding the Agenda Item of "Coronavirus COVID-19 Update", President Bryant mentioned there haven't been any changes and if and when things change, we will notify the Membership.

In regards to the Agenda item of "Further Common Property Taxes", Vicky reported that Director Bridges and herself spoke with our Attorney, Paul Blanco, in regards to any further updates and/or suggestions and Vicky stated that Mr. Blanco recommends paying the taxes when they are due with the payment for each property to be paid separately with separate checks, including a clause that they are being paid under protest, for recording of the payments to be more clear for the Court and any comparables of like homes or lots outside of White Birch Lakes would be helpful when the Court hears our case. Director Bridges added an explanation for this in stating that homes or property inside of WBLRA are taxed higher than homes or properties outside of WBLRA and to prove that the properties inside of WBLRA are paying for the Amenities that a property outside of WBLRA are not taxed on. To help Members understand, Director Dombrowski added that for years and years and years the Association was never taxed on the Common Properties and when the new Township Assessor took over, now we are being asked to pay taxes on these properties. The total amount due as of September 14, 2020 is \$7,245.30. Director Hassberger added that there are 2 premise to this which are (1) The Members are already paying higher taxes because of the Amenities and (2) The Amenities and properties that the Township is assessing have no tax value. They cannot be sold and cannot be used by anyone but the Members and their Guests. The first step is to be heard at the Michigan Tax Tribunal Court and if we lose there, the case will go to the Appeals Court.

*(6) Director Brandle moves to pay the taxes on the Common Properties as required and suggested by our Attorney, 2nd by Director Dombrowski.
All Ayes, motion carried.*

In regards to the Agenda item of "Further Road Gravel Projects Discussion", President Bryant stated that because our "Trained Man" was taken off the roads, they need some work. He stated he has had several conversations with Supervisor Wheeler and because the roads are not in shape to have brining done right now, his recommendation is that before next month's meeting a proposal will be given to the Board as to how much work and how much time it will take to make the roads right and then maybe the Maintenance Personnel can maintain them. President Bryant also mentioned that maybe a lot of gravel can be pulled back onto the roads from the ditches.

In regards to the Agenda item of "Discussion of Accessory Building Limitation", President Bryant asked the Board if this could be tabled until the September Board Meeting to give the Directors a chance to look the proposed changes over before they are accepted or changed further. The Board agreed to table this item until the September Board meeting.

In regards to the Agenda item of "Holiday Lake Level Discussion", President Bryant stated he has spoken with the Clare County Drain Commissioner, Carl Parks, and also asked Director Bridges if she had contacted our Attorney. Director Bridges asked Vicky if the Attorney had been contacted and Vicky stated that all the information that the Directors have in their packets has been given to our Attorney, however, it has not been addressed as to whether any legal action would be taken. President Bryant stated he would contact our Attorney, with the Board's permission, to see what legal action needs to be taken regarding this matter.

*(7) Director Bridges moves to allow President Bryant to contact our Attorney, Paul Blanco, regarding the Holiday Lake Level issue, 2nd by Director Dombrowski.
All Ayes, motion carried.*

XI. New Business:

*(8) Director Dombrowski moves to ratify the email vote to approve up to \$15,000.00 for gravel and road improvement expenses, 2nd by Director Hassberger.
All Ayes, motion carried.*

*(9) Director Hassberger moves to ratify the email motion to approve the bid from Bauer Construction to repair the culvert area with a seawall at Timber Lake with the amount not to exceed \$5,000.00 and the funds to be taken from the Capital Improvement/Contingency Fund, 2nd by Director Bridges.
All Ayes, motion carried.*

*(10) Director Dombrowski moves to ratify the email motion to keep the Clubhouse open on the 4th of July Holiday until 8 pm, 2nd by Director Hassberger.
All Ayes, motion carried.*

(11) Director Allen moves to withdraw the email motion made in June to sell Lot 521 due to a title conflict with a previous Owner, 2nd by Director Dombrowski.
All Ayes, motion carried.

(12) Director Hassberger moves to approve the quote from Coyne Oil for the 2020-21 propane season as follows 2nd by Director Allen.

Fixed price of \$.899/gallon for the Association Owned Tanks

Fixed Price of \$1.499/gallon for Members

Members switching over will receive a \$100.00 credit from Coyne Oil

Price Cap Date of July 31, 2021

All Ayes, motion carried. (See sheet posted on the bulletin board in the Clubhouse for full information.)

(13) Director Bridges moves to accept the Fall & Winter Schedule effective September 8, 2020 with the removal of the Swimming Pool Hours, the Labor Day Holiday Hours changed to read Clubhouse Only also including a statement that the Pool will remain closed until further notice and allowing for a revision to be done regarding the pool if anything changes with the Governor's Executive Orders, 2nd by Director Brandle.
All Ayes, motion carried.

(14) Director Dombrowski moves to increase the Office Assistant's hours by 4 hours to a total of 28 hours per week, 2nd by Director Allen.
All Ayes, motion carried.

At this time, the Annual Meeting Motions were discussed as follows:

1. **Changes to the C & R's to allow sheds on lots:** President Bryant stated that this motion is already being worked on and the Membership has the Board's support but the Lincoln Township Ordinance will have to be changed first.

2. **Brining of the roads in May, June, July and August:** It was mentioned at the Annual Meeting that this would be looked into for the 2021-22 Annual Budget. (NOTE: This will be added to the September Board Meeting Agenda for discussion.)

3. **Mailing of the Birch Bark if a Member requests it to be mailed:** Direction was given to Vicky to mail the Birch Bark to any Member who contacts her and requests it to be mailed.

(15) Director Bridges moves to table the added Agenda item of New Phone System for the Clubhouse until September to allow additional bids to be provided, 2nd by Director Dombrowski.
All Ayes, motion carried.

In regards to the added Agenda item of "Sealing Coating the Tennis Court", direction was given to Supervisor Wheeler to have Maintenance seal coat the Tennis Court.

XII. Comments from the Floor (both Agenda Items and For the Good of the Order): Available for viewing in the office when open and also available by email right now if requested.

(16) Director Hassberger moves to adjourn the meeting to Closed Session at 1:25 pm, 2nd by Director Brandle.
All Ayes, motion carried.

XIII. Closed Session:

(17) Director Dombrowski moves to follow the Supervisor's recommendation for a \$.25/hour pay increase for Jessica Johnson, 2nd by Director Allen.
All Ayes, motion carried.

(18) Director Allen moves to purchase a \$200.00 Gift Card for Jessica Johnson as a Performance Enhancement, 2nd by Director Bridges. Roll call vote,
Ayes – Directors Brandle, Dombrowski, Allen, Hassberger and Bridges.
Nays – None (NOTE: President Bryant did not vote)
Motion carried.

*(19) Director Allen moves to increase Vicky McClusky's compensation by \$.25/hour after a follow-up of her annual review, 2nd by Director Bridges.
All Ayes, motion carried.*

*(20) Director Bridges moves to go back into Open Session at 2:12 pm, 2nd by Director Allen.
All Ayes, motion carried.*

*(21) Director Bridges moves to ratify the above motions made in Closed Session, 2nd by Director Allen.
All Ayes, motion carried.*

*(22) Director Allen moves to adjourn the meeting at 2:15 pm, 2nd by Director Hassberger.
All Ayes, motion carried.*

Submitted by,
Vicky McClusky, Secretary/Treasurer