

Cedar Lake Improvement Board Meeting Minutes

Township of Greenbush Township Hall

Friday, October 13, 2023, 10:00 a.m.

1. Call to order 10:02 a.m.
2. Board Roll Call: Present---Brummund, Dailey, Huebel, Vaughn, Strauer, Kline (alternate for Wusterbarth). Absent: Campbell. There was a quorum. Total of 19 guests (5 of whom were on the phone, including Board council.).
3. Online Meeting operating protocol and housekeeping reviewed.
4. Public Comment: Mary Cohn is concerned about what she read in the paper regarding the disbanding of Cedar Lake Improvement Board. She does not support dissolution of the CLIB. She does not support any increases of assessments. She understands that the lake changes every year and feels the board is doing a good job.
5. Approval of agenda: Motion to group all invoices together in New Business #9 as a collective single motion rather than each individual one, the invoices have been reviewed and approved and there is no need to individualize them was made by Brummund/Dailey. Roll Call vote, all ayes. Motion passed.
6. Review & approve minutes from the April 14, 2023 Regular Public meeting: Motion to accept as presented made by Dailey/Huebel. All ayes, motion passed.
7. FOIA Fee appeal: Prior to this meeting the chair received privileged and confidential communications from CLIB counsel. There was some discussion regarding going into closed session at this time to discuss the communication from counsel. The decision to consider closed session was deferred until the appeal is heard. Responding to a question asking should the FOIA Fee appeal be handled as a Public Hearing, Board counsel advised it was not necessary for the Board to hear the appeal as a Public Hearing because it was listed on the agenda, and there will be public comment during this time. Mr. Vaughn described how the appeal would be heard and gave a background summary of the FOIA timeline between June and October. Mr. Jeffrey Linderman was invited to make his presentation on his appeal. After his presentation, there were numerous public comments and questions from the following audience members: Lawrence Hazelton, Frank Kramarz, Kelly Brown, Russell Miller, Dennis Staller, Eric Wagner, Dave Dailey, Jeff Linderman, Jennifer Irwin, Russell Miller, Christina Beck.

After the completion of public comments, the board decided to go into closed session. Motion to go into closed session under the Michigan Open Meetings Act pursuant to MCL 15.268(1)(h) to consider a written opinion letter from the board's attorney subject to the attorney client privilege. The board will need to conduct a Roll Call vote that requires a two thirds majority before the board can proceed into session. Once the session is over another roll call vote is required to reopen the closed session. This motion made by Vaughn/Brummund. Roll Call Vote: 4 ayes, 1 nay. Motion passed.

Board Entered Closed Session

Board Ended Closed Session, and Public invited back.

Motion to reopen the closed session made by Dailey/Strauer. Roll Call vote: All ayes.

Roll Call: 5 present. There is a quorum

Rob Huebel left the meeting at 11:35 AM, quorum maintained.

Discussion by the board regarding the reduction of the FOIA fees. Motion made to reduce the deposit amount to \$750.00 on an estimated cost of \$1,500.00, subject to a written confirmation from the chairman and attorney to be sent to Mr. Linderman. Roll Call vote: 4 ayes, 1 nay

8. Old Business

a. Briarwood Cut update.

i. Chairman explained that one day after the budget quote for Briarwood was received from Schlicht Ponds, the Michigan Attorney General announced that the company was being charged with numerous and repeated violations of Michigan's environmental laws.

ii. Lake resident survey on dredging Briarwood Bay Channel results were discussed. Out of 344 surveys received, the Yes votes were 78 and the No votes were 266. Detailed tabulation results included in the Board Packet.

iii. Next steps in the project investigation: Lots of discussion by the board. Also from the audience even though this was not a public comment section. The following had comments concerning this topic: Ed White, Dennis Staller, Eric Wagner, Jennifer Irwin, Russell Miller, Jeff Linderman, Kelly Brown, Frank Kramarz. Board asked that the Chair continue with a second riparian survey for lake wide dredging as noted in the minutes of the 4/13/23 CLIB Meeting.

b. Travis Sanitation: Needs to fulfill scope of work on demolition project. Chairman will follow up.

c. Liability Insurance Coverage: copies given to board members. Coverage began 4/17/23.

d. Contracts: Lake Management, Watershed Management Consulting and Aquatic Plant Herbicide Treatment contracts are signed. Board given abridged hard copies. Full copies available upon request.

e. Lake treatment activities summer 2023:

i. Pre-season vegetation survey conducted 6/1/23.

ii. First lake treatment occurred 6/27/23, 27 acres in the north lake were treated, nothing in the south lake.

iii. Detailed aquatic vegetation LakeScan™ evaluations of the lake on July 10 & 11, 2023, and again on August 28 & 29, 2023.

iv. Based on LakeScan, evaluation aquatic herbicide treatment performed on September 18, 2023 only in the South Lake. Less than 4 acres.

v. All reports and treatment maps are included in the Board Packet.

#### 9. New Business:

Motion to approve and pay bills in the following list made by Strauer/Dailey. Roll Call vote: all ayes.

The list is:

i. Michigan Millers Insurance

1. Premium for insurance policy S 0101541-00 \$450.00
2. Premium for insurance policy C0554298-00 \$351.00

ii. Alcona County Review

1. Briarwood Bay Survey printing & mailing Inv 27599 \$1,477.00
2. Regular Public Meeting dates display ad Inv 27654 \$78.00

iii. Solitude Lake Management, LLC

1. 2023 Pre-Treatment Notice mailed to lakefront residents as required by EGLE Permit, Inv PSI-013308 \$694.00
2. 2023 EGLE Permit Fee Inv PSI-78140 \$1,760.00
3. Pretreatment Lake Survey Inv PSI-78162, \$800.00
4. June Lake Herbicide treatment Inv PSI-87327 \$27,879.59
5. September Lake Herbicide Treatment inv PSI-013587 \$3,250.00

iv. Kieser & Associates 2023/2024 Watershed Consulting Contract

1. Professional services rendered Inv 23-193 \$1,375.00
2. Professional services rendered Inv 23-211 \$8,436.25
3. Professional services rendered Inv 23-241 \$5,576.48
4. Professional services rendered Inv 23-257 \$3,238.32
5. Professional services rendered Inv 23-281 \$1,286.70

- v. Kieser & Associates 2023/2024 Lake Management Contract
  - 1. Professional services rendered Inv 23-234 \$2,454.40
  - 2. Professional services rendered Inv 23-256 \$3,026.40
  - 3. Professional services rendered Inv 23-262 \$3,900.00
- vi. Oscoda Press, Regular Public Meeting Dates display ad trans #303885490 \$130.15
- vii. Bloom Sluggett, professional legal services
  - 1. April 2023 Inv 23787 \$467.50
  - 2. June 2023 Inv 23996 \$440.00
  - 3. July 2023 Inv 23996 \$330.00
  - 4. August 2023 Inv 24210 \$962.50
  - September 2023 Inv 24316 \$247.50
- viii. USPS P O Box annual Fee \$72.00
- ix. USPS Postage Stamps \$63.00
- x. Schlicht Ponds Site Visit fee Inv 404 \$199.00

#### 10 Public Comment:

Tammy Kline, Oscoda Twp Superintendent, read a document that stated: "The Oscoda Township Board has agreed to pursue a public hearing to dissolve the CLIB. This is due to the CLIB's continuous violations of the OMA and violations within the court approved special assessment district items such as, the purchase of real estate on two occasions that are not part of the SAD process."

Frank Kramarz asked for clarification on CLIB dissolution efforts by Oscoda Township. Dennis Staller asked for clarification regarding Briarwood Bay Cut.

11. Next regular meeting date: Friday December 8, 2023 10 a.m. Greenbush Township Hall

12. Adjournment. Motion to adjourn made by Strauer/Kline at 1:45 pm