

# MINUTES OF THE OJIBWA PROPERTY OWNERS ASSOCIATION ANNUAL MEETING FROM SATURDAY, 31 MAY 2014 AT 11:00 AM

The meeting was called to order by Steve Dietz.

Volunteers were solicited to count the ballots for the voting of officers.

It was declared that the quorum is met for the meeting which is 29 members or 10 percent. There were 60 registered owners present or 21% representing 156 lots or 29%.

Douglas Tilmann was asked to give a brief biography since he is on the ballot for officers.

Secretary's Report – Robert Barker - Dave Washburn moved that the reading of the written minutes of the last annual meeting of 25 May 2013 be waived and accepted as written which was seconded by Jessica Manley and passed by a voice vote.

Treasurer's Report - Janet Hanner - See Attached Complete Report

- \$43,968.79 in the Maintenance checking account
- \$166.20 in the savings account
- \$6,815.86 in the Dam checking account

Steve Dietz moved to receive the report, seconded by Robert Barker and passed by a voice vote.

Lake and Dam Report – Dave VanderBussche: The Lake Windoga Water Control Device has ten twelve inch aluminum stop logs that are used to control the lake level. The contractor place nine stop logs in the device. The water level was getting too high so a eight inch high wooden stop log in but the water was still too high. A six inch stop log was put in but now the water level is a little too low. Now a six inch stop log will be tried. If that works one of the twelve inch stop logs will be cut to six inches. Never will all ten stop logs be placed to bring it up to the 1968 level which is too high. The trash rack had to be replaced due to the fact that during the flooding it collected so much debris that it tore the center out of it and collapsed it downward. A new trash rack was fabricated that allows debris to go through it and is now in place. Also, looking at replacing the two spillway tubes that are only 2.5 feet in diameter with 4 foot tubes that will may help prevent another flood disaster but must get approval from the Dept. of Environmental Quality. Regarding the plant growth that grew up while the lake was empty we had been told by DEQ that it would die once there was water again in the lake but that didn't happen. Windoga Lake will be treated for weeds.

Manitoka Water Control Device has been temporarily repaired with a coffer damn but this is not the final solution to fixing that WCD because the DEQ and Dept. of Natural Resources require that a lake be able to be drained if necessary so we must look down the road to putting together a plan to replace that WCD also. It failed its last state mandated inspection so it must be dealt with. We are on borrowed time in regards to

the DNR and the DEQ. There is no deadline but it must be done and if we are making no headway on fixing the problem the state will fine us for our inaction.

Robert Barker moved acceptance of the Lake and Dam Report, seconded by Janet Hanner and it was passed by a voice vote.

Public Act 188 – Under this act we can put the collection of the funds to pay for the replacement of the Manitonka WCD on the tax rolls of OPOA property owners and thus all would have no choice but to pay. This could also be done for the aquatic weed control in both of our lakes. For this to happen a vote of 51% approval of the tax district (OPOA) would have to occur. Prior to the vote there would be public hearings at the Sherman Township Hall.

Dave Washburn: is talking to the lawyer and Isabella Bank to underwrite the project of funding the replacement of the Lake Manitonka Water Control Device up to 30 years on public project and 40 years on private project to finance. Property owners could pay their assessment up front and then it wouldn't go on a person's property taxes.

Dave Washburn moved that he be allowed to proceed with the implementation of Public Act #188 of 1954 for funding of the replacement of the water control structure and overflow structure, all engineering, legal, financing and township costs for said projects at Lake Manitonka which was seconded by Doug Tilmann. After discussion it was passed by a voice vote.

Dave Washburn also moved that he be allowed to proceed with the implementation of Public Act #188 of 1954 for the funding of the Aquatic Weed Control for Lake Manitonka and Lake Windoga, all, state mandated dam inspections for said dams and all legal and township costs and fees which was seconded by Steven Sprague. After discussion it was passed by a voice vote.

#### Building and Use Regulations Report - Jessica Manley

In 1994 a previous OPOA Board President registered with the Isabella County Register of Deeds a "Building and Use Restrictions" document that was modified but not in accordance with the requirements of the 1964 OPOA Building and Use Restrictions thus making it illegal. In 2011 another modified OPOA "Building and Use Restrictions" was also registered yet again not in accordance of how such modifications should be made according to the original 1964 OPOA Building and Use Restrictions making it also challengeable in court. This has made necessary the passage of a modified Building and Use Restrictions in accordance with the requirements of the original 1964 Building and Use Restrictions in order to bring our Building and Use Restrictions out from under this legal cloud. This proposed Building and Use Restrictions must be voted upon by each plat separately and must receive a positive vote by 51 percent of each plat's property owners in order to go into effect. Those plats that pass the proposed Building and Use Restrictions by 51% will operate under it and receive services in accordance with their greater assessments while those plats that do not pass it by 51% will operate

under the 1964 Building and Use Restrictions and receive services according to their lesser assessments. All property owners are strongly urged to return their ballot by 1 September 2014.

A lengthy discussion ensued with a question and answer period was led by Jessica Manley. Jessica Manley moved to receive her report, seconded by Steve Dietz and passed by a voice vote.

Blight Committee – Dave VandenBussch: The board is going to try to clean up a lot of the blight in Ojibwa by enlisting the help of township and county authority and power to force people to comply to our regulations.. A general discussion of blighted properties ensued. Dave Washburn moved acceptance, seconded by Steve Dietz, passed by a voice vote.

Architecture Committee – Robert Barker: The committee has dealt with two requests for building permits. Dave Washburn moved acceptance of the report, seconded by Steve Dietz and pass by a voice vote.

Parks and Beaches Committee – Robert Barker: stated that he would be replacing the boards on a bench at the Lake Manitonka Beach and painting all the benches. There has been vandalism at the Lake Manitonka Beach with the overturning of a swing set which broke its main support cross beam which is fixable. At the Fish Park on Lake Windoga the railings are being moved toward the road to keep vehicles from driving onto the park. Robert Barker moved acceptance, seconded by Steve Dietz, passed by a voice vote.

Website Committee – Jessica Manley: Members are encouraged to use and contribute to the website. A general discussion about the website ensued. Dave VandenBussch moved acceptance, seconded by Steve Dietz and passed by a voice vote.

Nominations Committee – Dave Washburn: Dave Washburn moved acceptance and Bruce Eldridge and was passed by a voice vote.

#### The Election Results of Board Members –

- Robert Barker – 111 votes – elected to a three year term
- Jessica Manley – 106 votes – elected to a one year term
- Steven Sprague – 128 votes – elected to a three year term
- Douglas Tilmann- 113 votes – elected to a three year term

Steve Dietz moved acceptance of the election report, seconded by Dave VandenBussche and passed by a voice vote. Bruce Eldridge and Phil Schrock were applauded and thanked for their service upon leaving the Association Board.

OldBusiness –

- Randy Burnette made the motion to stock Lake Windoga and spend \$1000 on fish. This was seconded by Steve Sprague. Betty Tilmann offered to give \$1000 in memory of Dick Tillman to match the OPOA expenditure. This motion was accepted by consensus of those present.
- Doug Tillman moved, seconded by Jessica Manley, that no fish be purchased for Lake Manitonka until sometime in the future due to the uncertainty as to when its Water Control Device will be repaired. Passed by a voice vote.

NewBusiness –

- Discussion on unenforceable speed limits on private roads.
- Would members want the Board to purchase run down mobiles and their property. No action taken.
- Discussion ensued about those owners renting their properties.
- Discussion ensued about abandoned, apparent or real, properties.

The motion was made by Pat Martin that the next annual meeting be on 8 August 2015, seconded by Wayne Dick and passed by a voice vote.

Steve Dietz moved adjournment, seconded by Doug Tilmann and was passed by a voice vote.

Respectfully submitted  
Robert Barker  
Recording Secretary

