

Paradise Lake Improvement Board

Minutes – Zoom 1-29-2021

The meeting began at 7 P.M.

Present were: Paul Teike, Levering, MI; Arden Bawkey, Arizona; John Siegel, Carp Lake, MI; Toni Drier, Pellston, MI; Bob Smith, Petoskey, MI.

Drier requested that Audio and Zoom Recordings be added to the agenda under other. Done.
Discussion of Public Act. 309:

Drier – Do we accept the 60 days as stated in 324.30910 or the 60 days in Jennifer’s report? *Crystal Morgan, attorney, spoke up. She had sent an Engagement Letter to Chair, Teike, and now was attending the meeting. Her answer was that the 60 days begin when the board accepts the report and agrees that it is final.*

Drier stated that she did not get a copy of the proposal. It is really important that we have legal representation so we need to discuss this now.

Morgan replied that if the board retained her, it would be on an as needed basis. She bills \$210/hr. all inclusive (postage, databases, etc.). She does not want to nickel and dime clients. If the board develops a list of questions, she will do a written reply. The relationship may be terminated at any time.

Bawkey moved, Siegel seconded that the PLIB retain Crystal Morgan as their attorney. In a roll call vote, all members voted “aye.”

Drier, secretary, stated that the board needed a copy of the letter of engagement.

Questions developed by the board:

Can we be sued by Hebron riparians?

What is the liability on both sides of the lake?

What if persons on either side of the lake object to the plan and sue?

Mike Solomon, RLS, stated that when the contract is put out to the applicator it requires \$2M in liability coverage.

If Hebron Twp. Doesn’t want to participate, can some of the riparians opt in?

As we are in our current five-year program, can we legally cancel it and initiate the new program?

When would the assessment roll be available to the board?

What are the 30912 protections?

Must we get permission from Hebron Twp. In order to use herbicides?

Further board discussion:

Morgan asked what we are treating in Hebron. *Jones responded ~10.1A; if we don't treat, it may migrate back into Emmet Cty. part of the lake.*

Bawkey commented that we are placing too much weight on the Hebron board, we should concentrate on the persons on the lake.

Drier said that Morgan needs to let the PLIB know what information she wants.

Jones stated that to get good firm costs, we need to get bids from contractors. She can send out an RFP.

Drier recommended that the board not accept this proposal tonight until we get legal answers. Smith and Bawkey concurred. *Morgan said she could have a response by next Thursday, Feb. 4.*

Morgan needs a copy of the original Carp Lake Twp. Resolution forming the PLIB.

Jones needs the latest SAD count. *Smith, treasurer, replied that he would send her what he has.* Teike asked Jones if she needed any amount of Carp Lake Twp. Contribution. He cannot speak for the entire CLT board, but they had committed to a five-year plan and this would be the fifth year. Won't know for sure until budget work sessions. *Jones said it would help with cost determination.*

Drier questioned on when any public hearing would be held as most lake front property owners won't have returned for the summer now. *Probably in April on Zoom.*

Teike would like to see a new program this summer.

Bawkey thinks that any negative feelings about the program would be expressed at the hearing. Solomon stated that first class letters are acceptable for comment.

Smith said we need an explanation of the increased cost for RLS in the new proposal. Previous contracts were \$11000 and the new one is \$15000. *Jones said there is more testing required with this program. The feasibility study was done pro bono.* However, the final report(s) required by last year's contract have not been received.

Other Business:

Drier mentioned that the board needs to develop a policy about putting recordings and Zoom on the website. Was mentioned before but no action taken. Until a policy in place, these will not be uploaded to the website.

Solomon asked if RLS should proceed with removing the laminar flow system. *Smith stated that if decided to remove must notify DEQ within 30 days and the equipment is to be removed within 90 days. The board can also opt to put the system in reserve for two years.* Decision to be made at next meeting.

The next board meeting will be Friday, February 5, at 7 P.M. over Zoom.

Public Comment:

Are you going to vote tonight? Need to get started.

Several questions about the Cheboygan County, Hebron Twp. Portion of the lake:
How much would each Hebron resident be required to contribute to cost?; How can I help?; Have we contacted anyone in Hebron Twp. yet?; Found out about this randomly, can PLIB send out a letter? (*Check website/twitter*); Happy to donate, worried about liability *That's why the board hired an attorney,*); If Hebron residents contribute year one, will they have to contribute the following years? (*Wait until attorney responds with recommendations.*).

Appreciate the Board using Zoom.

In relation to the feasibility study, last year the consultant said that we could do chemicals one year and then go back to biological. However, the program presented does not do this and stresses chemical use in each of the five years.

The meeting adjourned at 8:03 P.M.

