

January 2015

Dear HLPOA Members and Prospective Members,

The Holidays are a pleasant memory and snow has finally arrived at Higgins Lake. The lake has finally frozen over. We're hoping for a milder winter, yet one that provides enough snow for the winter sport season.

Your Board has been busy since we started working in October. Despite our late start, we've managed to accomplish or make significant progress on our major objectives; there is much more to come. This letter will update you on our accomplishments and progress as well as our plans for the rest of the year. The Board met in October, November, December and January. Our next meeting is scheduled for February.

**Member Survey-** Our commitment to conduct a survey of our Members to determine your top priorities was accomplished. The results of 259 responses have been tabulated and will be used to guide our future efforts. The results of the survey are on our Website and we will mail a hard copy to those of you interested in receiving one.

**Swimmer's Itch-**Not surprisingly, the number one priority is to address the problem of swimmers itch. We are taking decisive action. Working with the Swimmer's Itch Task Force, local business leaders, local government leaders, Association leaders and state and federal government regulators, we have developed a Comprehensive Swimmer's Itch Control Plan for 2015 and beyond. The Plan is science-based and includes a team of biologists who are the leaders in Swimmer's Itch research and control. They will begin by confirming the snail and bird species (believed to be Mergansers) that carry the parasite, trap and remove Mergansers broods that live on the lake, locate and remove Merganser nests and conduct manual snail removal tests. The plan is dynamic and will adapt as we learn more about addressing this difficult problem. We are planning an initial three year effort to significantly reduce the problem of swimmer's itch. This will need to be a long term commitment until continued scientific research discovers a permanent solution to this significant health issue. The Higgins Lake Swimmer's Itch Organization, (has applied for 501(c) (3) status), has been formed to fund and direct these efforts. Members of the board are: Neal Cooley (owner of Fred's), Dale McDonald (The McDonald Team), Bob Schneider (Chairman, Roscommon County Board of Commissioners), Ed Nellist (Supervisor, Lyon Township), Bill Carey (Carey & Jaskowski), Ken Dennings (HLPOA board), Jim Vondale (President HLPOA). The HLPOA Board facilitated the formation of the Michigan Swimmer's Itch Partnership currently consisting of 10 lake associations (Leelanau, Crystal, Glen, Walloon, Margrethe, Burt, Mullett, Higgins, Long and Torch) to share best practices, develop and fund research proposals, including the economic impact, and work with state and federal legislators and regulators. A new swimmer's itch survey and reporting system is being developed to assist with these efforts. Much has been accomplished in a short time, but we are just beginning. The HLPOA Board has authorized an initial grant of \$15,000 to the newly formed HLSIO non-profit organization to support the Swimmers Itch Prevention Program for Higgins Lake scheduled to start this spring.

**New Website**-Since the HLPOA website, created about 12 years ago, was showing its age, we undertook a diligent search of potential website contractors, including discussions with our Partnership lake associations, to identify the best and lowest cost provider. We selected VIP Marketing and Web Design in St. Helen. Our new, state-of-the-art website is up and running (hlpoa.org). You will find it to be informative, colorful, user friendly, and consistent with the leadership of the HLPOA. We are regularly updating the website with information helpful to Members, including approved Board meeting minutes. We believe our new website is a significant improvement over our old one and better reflects the proud tradition of the HLPOA.

**New HLPOA Offices**-After a diligent search for local properties to meet our office space needs, we have chosen to move to the Gaylor Insurance building at 308 Lake St. in downtown Roscommon. The new lease provides lower rent, more dedicated space, two conference rooms, convenient parking, clearer lease terms (rent plus utilities) and higher visibility. It will facilitate our goal of encouraging active board committees with non-board member participants. We made the move using volunteers and donated furniture. Financial contributions to purchase furniture will be greatly appreciated; thank you in advance. Please take the time to stop by and explore our new offices. Hours are Tues, Wed and Thursday from 9-2.

**New HLPOA Administrative Assistant**-Our new administrative assistant is Ashley Rach from Higgins Lake. Ashley has studied at Kirtland Community College and M-Tec of Gaylord. She is also the mother of two young children, she and her husband recently purchased a new home near the south end of Higgins Lake.

**Upgrading HLPOA Data Systems**-The board agreed to replace our aged computer last year, but that didn't happen. We will replace the computer this year.

**Adding HLPOA Members to Board Committees**-The following Board Committees are looking for HLPOA Member volunteers: Swimmer's Itch, Environmental/Water Quality, Membership/Recruiting, Communications/Education/PR/Directory, Local Government Meetings, Data Base/Systems/Website. Your participation will help increase transparency, provide direct Member input, and help us accomplish our goal of being the best lake association in Michigan. Please contact Ashley if you would like to volunteer.

**Bylaw Committee**-The independent bylaw committee, formed by a Member Resolution, is beginning its second year. The three at-large members of the Committee are Bill Wichers, Dan Alderman and Throck Osborn. Three alternates to the at-large Committee are John Leroy, Nick Dewey, and Leonard Smith. The two board member representatives are Chuck Brick and Bill Case. We want to thank the independent bylaw committee members for their dedicated service. The board is prepared to provide any assistance to the independent committee to support its efforts.

**Written Conflict of Interest Policy**- the National Council of Nonprofits states, "A policy governing conflicts of interests is perhaps the most important policy a nonprofit board can adopt." Your HLPOA board adopted a written policy at its January board meeting to guide its future actions.

**HLPOA Board Vacancies**-The HLPOA Board would like to express appreciation for the services of resigning members Rick Meeks and Bob Blamer. Presently, we are seeking candidates willing to serve on the Board. We have two vacancies whose terms end at the next annual meeting. Our goal is to select

the new Board members at the March meeting. If interested in serving on the HLPOA Board please convey your interest by sending a letter of intent including your background, and contact information by February 15<sup>th</sup> to: HLPOA, Nominating Committee, P.O. Box 55, Roscommon, MI 48653 or email to Ken Dennings: [kt dennings@charter.net](mailto:kt dennings@charter.net)

**Enhancing Our Financial Processes**-The board is actively looking for an HLPOA Member volunteer who is either a CPA or has an appropriate Finance background who can work with the interim HLPOA / HLPAC (Political Action Committee) Treasurer, Chuck Brick, and our new office Administrative Assistant, Ashley Rach, to review and, where appropriate, enhance our existing bookkeeping, recordkeeping, internal controls and tax processes that will be appropriate for an audit or financial review. We would like to ensure our quarterly and annual tax filings are reviewed by a professional before they are filed at the appropriate times. We also want to ensure both organizations will pass our planned yearly review/audit by a professional. If you are interested in considering serving in this role, please contact Chuck by phone at cell: [248-835-3273](tel:248-835-3273) or by email at [cwbrick@gmail.com](mailto:cwbrick@gmail.com). Your help would be most appreciated by the entire HLPOA Board and our Membership.

**HLPOA Board Reaffirms Its Support for the Member Resolution on Lake Levels**-The board voted unanimously to reaffirm its support for the Member Resolution on Lake Levels at its November board meeting. The Resolution, passed at the July 2013 annual meeting reads as follows:

IT IS HEREBY RESOLVED that the HIGGINS LAKE PROPERTY ASSOCIATION board is not in favor of removal of the dam, which controls the water level of Higgins Lake, or any change in the lake levels established by the Roscommon County Circuit Court in 1926 and 1982 and that in the event the MICHIGAN DEPARTMENT OF NATURAL RESOURCES (DNR); MUSKEGON WATERSHED COUNCIL or any other attempts are taken to remove or alter the dam or those lake levels in any manner we will oppose same. Following completion of the current study and after the results are analyzed, the Board further resolves to take no action of any nature toward removal of the dam, or any changes in those lake levels other than to oppose any changes to those lake levels, unless otherwise instructed by a majority of all of its members in a formal vote which must take place in accordance with the requirement of the Higgins lake Property Owners Association By-Laws at the next Annual Meeting.

**SB 680 of 2014 Strengthens Riparian Rights**-Following the landmark Jacobs ruling in 1993 that protected riparian interests on Higgins Lake, Public Act (PA) 56 was passed to codify that decision. The HLPOA led efforts to successfully pass SB 680 to clarify PA 56 and further protect riparian interests on Higgins Lake.

**Sheridan Drive Association (SDA) Report**-After more than 8 decades of litigation, the issues of Sheridan Drive in Gerrish Township are settled. This lakeside parallel road in the Woodland Subdivision was first in front of the Michigan Supreme Court in 1934 and periodically in the courts since. During the latest round of litigation the Roscommon County Road Commission (RCRC) in January 2014, pledged to abandon Sheridan Drive to end the lawsuit. SDA met all requirements to file the application and RCRC voted in April for complete abandonment. In June, RCRC voted to relinquish jurisdiction of Sheridan Drive to Gerrish Township. The SDA, who had retained Rick Jaskowski of Carey and Jaskowski to represent them, received legal support from HLPOA. In November William Carey represented HLPOA, who joined the lawsuit with the SDA; it went back to Circuit Court where it was ruled that the original abandonment was legal and proper. To avoid an appeal, SDA, RCRC, and Gerrish Township, agreed in December 2014 to a public easement for walking and bicycling. Sheridan Drive no longer exists and the

land belongs to the adjoining property owners subject to easement. Members of SDA are very appreciative of the support demonstrated by the HLPOA.

**HLPOA MEMBER and Potential Member Dues**-Since 1935 the HLPOA has had a proud history of achievement and leadership among lake associations in Michigan. Your board has been working diligently over the past few months to earn your trust and support and we plan to accelerate our decisive actions on critical issues like swimmer's itch, the number one priority of Higgins Lake property owners. We need your financial support to continue our efforts and achieve our objectives. We are keeping the HLPOA Member dues at \$75 again this year. If you currently are a Member, we ask that you renew your financial support. If you are a former Member, or you have been considering joining, we hope you will see that we are committed to working for you and with you to continue to make Higgins Lake the best lake in Michigan.

**Additional Support for Attorney Fees and Lobbying Costs**-A significant part of the budget of the HLPOA involves financial support for our lobbying firm in Lansing and for legal support. This year, we supported HLPOA Members in the Sheridan Drive litigation and a successful amendment to HB 680 to protect riparian rights. Please consider additional support for these critical efforts of the HLPOA.

**Thank You For your continuing support. We look forward to a great 2015.**

**The HLPOA Board,**

Jim Vondale – President  
Brad Gibson – Vice President  
Chuck Brick – Treasurer  
Herb Weatherly – Secretary  
Bill Case  
Charlene Cornell  
Ken Dennings  
Pat Springstead