



# Higgins Lake Property Owners Association<sup>SM</sup>

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Higgins Lake Property Owners Association

Annual Meeting – July 13, 2024

Roscommon Area High School

**Call to Order and President's Opening Remarks:** The meeting was called to order by President Charlene Cornell at 8:47 A.M. Ms. Cornell thanked members for their support, then introduced our Board members, starting with the Executive Committee: President Charlene Cornell, Vice President Greg Semack, Treasurer Bruce Carleton, and Secretary Herb Weatherly. Board members include John Ogren, Fred Swinehart, Becky Gibson, Wayne Brooks, and Curt Devoe. Board members Bob McKellar and Jack Cornell were absent.

**Approval of 2023 Annual Meeting Minutes:** President Cornell asked if there were any changes to the 2023 Annual Meeting Minutes, which were provided in the annual meeting packet sent last month. There being none, the July 22, 2023, Annual Meeting Minutes, were accepted as written.

Quorum criteria was met.

Ms. Cornell stated we would now present our committee reports and introduced Treasurer Bruce Carleton.

**Treasurer's Report:** Treasurer Bruce Carleton gave an overview of the 2023 financial results, prepared by Croskey Lanni, CPA. Mr. Carleton stated that we had a very good year, with a bottom-line profit of \$45,000.00 resulting from an increase in our total revenue by \$28,000 to \$122,000, while expenses decreased by \$18,000 from the prior year. Our net assets, the single best indicator of financial strength, increased from \$86,000.00 to \$131,000.00 from the previous year. Treasurer Carleton then noted that 85% of our total income still comes from member support, however the board has continued to look for other income opportunities such as directory ads, vintage maps and note card sales, along with a new stream of income from the Cornell fundraiser, Sips, Chips & Dips. This was the second year of this popular and growing event and contributed almost \$5,000 in new revenue to our organization. We also benefited from \$2,650 in bank interest income from our Money Market Account and CD with the expectation of similar interest income for this year based on current rates. A review of the HLPOA accounting controls and processes took place, then the floor was then open for questions.

Glenn Fausz asked if HLPOA was a 501 (c) (3) organization. Treasurer Carleton replied no, we are a 501 (c) (4). Lee Cahn asked if we are expecting another \$58,000 in memberships? Mr. Carleton said he thinks we will likely see larger dues collections next year. The Board has approved an increase in 2025 dues from \$115 to \$125, which is less than a 9% total increase over the past two years or around a 4% annual increase, both of which are

**President:** Charlene Cornell, **Vice Pres:** Greg Semack, **Secretary:** Herb Weatherly, **Treasurer:** Bruce Carleton  
**Directors:** Wayne Brooks, Dennis Corte, Patty Dennis, Curt DeVoe, Becky Gibson, John Ogren, Fred Swinehart

*90 Years dedicated to preserving the quality and beauty of Higgins Lake*

well under the rate of inflation. The Board practice has been to review member dues levels periodically, then attempt to cover our increasing costs while avoiding any single large increase. Bruce Carleton then introduced Fred Swinehart.

***Environmental Report:*** Fred Swinehart, Environmental Chair, spoke of many things being done in the community such as Habitat Improvement for Brook Trout in Big Creek, Macro Invertebrate surveys in Big Creek and The Cut to track changes in environmental quality, and "Trash Bash" collections around the Lake in August. One of the most successful projects has been the student work at the High School, of sampling and analysis of Higgins Lake waters. Mr. Swinehart gave a brief history of this program, which began eight years ago with Board member Bob McKellar, chemistry teacher Chuck Schepke, and Raven Labs owner John Blizzard. Thirteen areas around the lake have been monitored with EPA qualified materials and testing procedures. A video of this program (also on our website), prepared by teacher Gregg Neville, was then shown. After a round of applause, Mr. Swinehart asked if there were any questions and there were none.

Chair Swinehart then noted a great amount of effort and time has been spent in support of the Sanitary Sewer project around the lake and introduced Board member Curt DeVoe.

***Sewer Project:*** Board member Curt DeVoe introduced himself as the newest member of the HLPOA Board in 2021 and joined due to our involvement with S.T.E.P. (Septic Tank Effluent Pump Sewer System). Mr. DeVoe stated this is a very necessary project and remains a high priority with the HLPOA. Over the last ten years, much scientific data has shown that our lake is suffering, and financial support is greatly needed. When the water quality declines and there is chemical contamination, this affects our drinking water. Therefore, the best solution is S.T.E.P. Mr. DeVoe noted that initial engineering has been started but is not yet complete. \$35,000.00 is needed within 30 days to stay on schedule. It is anticipated to have a bid for this work in 2026. Mr. DeVoe encouraged everyone to vote in the local election and have a voice in this decision! Both the HLPOA and GLUA websites have more information. The floor was then open to questions. Carl Schiller asked if we need \$30,000.00 in 30 days, where is it coming from? Mr. DeVoe replied from individual and private contributions. Pete Anderson asked where you send money. Mr. DeVoe answered that information is on both the HLPOA and GLUA websites. Curt DeVoe then introduced John Ogren.

***Riparian Report:*** Committee Chair John Ogren said we are continuing our spring and fall annual meetings with the county and township law enforcement folks and other officials. From our meeting on May 15, we can report the following:

1. The County Marine Patrol is staffed and funded about like last year and able to do patrols on Saturdays and Sundays as well as some patrols during the week. Last year their patrol made 120 interventions on everything from careless or reckless boating, the lack of mandatory personal safety devices and registrations warnings and expect much the same this summer. Each one of their full day patrols has a cost of about \$500 for staffing, gasoline and boat expenses. HLPOA recently made a donation of \$2,000 to help support their work this summer.
2. I can also report that we have completed our backlog on replacing damaged Jacob's notices and sign posts where needed and installing PA 56 signs in locations requested by the law enforcement groups.

There are over 80 road ends so this task will never be over. You can help by letting us know if you spot damaged or destroyed signs or posts. Just email the HLPOA office and we will follow up.

3. And a final note from these meetings is that both townships are working on or planning to write short-term rental ordinances. We will follow the work on the ordinances and seek member input as opportunities arise.

As a second topic, Mr. Ogren updated us on our ongoing data project with Higgins Lake Foundation at the DNR boat accesses and others accesses around the lake. The objective of the project is to reduce the risk of new aquatic invasive species entering the lake and at the same time reduce the risk of further spreading of existing species. Together, the DNR and HLF (Higgins Lake Foundation) spend something in excess of \$100,000 each year on the containment effort for Eurasian Water Milfoil and Starry Stonewort. So, the last thing we need is any new AIS species.

This study was reported in our Winter 2024 newsletter and is posted on our web site. Last summer we interviewed 449 arriving boat operators at the DNR accesses, did weed inspections on 2,166 parked boat trailers after boat launch, and checked 210 boats leaving the access sites for weeds.

From the analysis of this information, we determined that the South State Park boat access with the lagoon represents 84% of the risk of an entry point for the next new AIS species. That makes it very clear where the greatest focus of attention is needed. The North State Park has 12% of the risk and the West boat access 4%. Neither of these accesses have a lagoon, nor do any of the non-DNR accesses around the lake. The South State Park lagoon also creates 85% of the risk of further spreading our existing AIS species.

We submitted our report to the DNR in October and finally got a meeting with the DNR January 25 to review the report and make our recommendations. We recommended that:

- The lagoon at the South State Park be replaced with direct access launching like at their other two accesses and that during summer weekends, arriving boats be inspected for visible weeds.
- The North State Park add inspection of boats for visible weeds as part of their existing check for vehicle park registration.
- And at the West access, staff the existing hut during busy weekend periods to check for weeds.
- In response, the DNR regional manager agreed to request funding for engineering work and a cost estimate to replace the lagoon. However, he reported later that all such funding was fully committed for 2024 and guesstimated that the cost would be about \$70,000. We will continue to push him for funding for 2025 and for the changes we recommended at the other DNR accesses. So far, their response has been very disappointing.
- Meanwhile, the DNR is continuing chemical treatment where needed at their accesses and the use of a DASH boat to harvest EWM and SSW from the lagoon. Both absolutely necessary as long as the lagoon is in use.
- And HLF is continuing the work with their DASH boat to eliminate as much EWM and SSW from the lake as possible. So far, the good news is that the HLF work seems to be holding the further spread of these invasives in check. I don't know where we would be without that work by HLF.
- And we are continuing our data collection project at the accesses to help keep pressure on the DNR to improve the quality of their operation and help protect the lake. HLF hired summer students to do the inspections at the South State Park, and we are doing the checking at the other accesses.

The floor was then open for questions.

Sam Migliore asked whether there was data on the volume of launches from year to year. Chair Ogren said that the DNR does not track daily launches at their accesses and our data collection is not designed to answer that question.

Steve Cowell said the lagoon is like a petri dish. Could we make launching free to those who have their boats inspected and charge \$25.00 if they do not? Mr. Ogren replied that that was a good question, and they already proposed that option to the DNR. The DNR response was that their \$12.00 annual park permit gives permit holders access to free use of all DNR accesses, and they are unwilling to make an exception for the South State Park access.

Marge Kik asked did the count include the overflow/parking lot on I-27? Mr. Ogren stated that yes, the trailers parked on old 27 are counted. Marge Kik then asked about the road safety issue created by parking trailers on both sides of the road. Chair Ogren said he would add that comment on the agenda for the fall meeting with law enforcement.

Pete Anderson asked what the previous question was and Mr. Ogren repeated Marge Kik's question.

Marnie Valko asked if there was an opportunity to work with the DNR, explaining the importance of washing boats, possibly utilizing the university? Mr. Ogren noted that so far, the HLF has hired mostly local high school students, but also tried some retirees to do this. We have not worked with any college student groups but will give that consideration.

Bill Holmes asked when inspecting boats, have they found things? Mr. Ogren answered that our inspections of arriving boat operators in 2023 found 9.5% with visible weeds at the South State Park, compared to 2.5% at the North State Park and 0.95% at the West access.

Chair Ogren then introduced HLSIO Chair Greg Semack.

**Swimmer's Itch Report:** Chair Greg Semack said that to describe the position we are in fighting Swimmers Itch (SI) at Higgins Lake, we need want to back up and review where we started. The main SI creator at Higgins Lake is the Common Merganser duck cycling with the Stagnicola Snail. Higgins Lake was once described by a scientist whose expertise was snail study, as the mother load of Stagnicola Snails.

IN 2021 and 2022 we had no broods on Higgins Lake. In 2022 our relocation program was suspended by the DNR due to Avian Flu, but we had no merganser broods on the lake. In 2023 we were still suspended from relocation, and we had 2 merganser broods. For the first time since we started our program in 2015, we had common merganser broods on the lake that we could not remove.

Mr. Semack went on. In 2024 we have thus far removed and relocated one merganser brood, and we made a point to do it as soon as we could. I'll explain in a minute why this is important. We have had some minor reports of SI but I would not say we have seen a significant increase over the last few years. Potential reason: We had our snail infection level effectively lowered to 0. It may be that the birds last summer were not infected early or at all for most of the summer. It remains to be seen what the rest of the summer will show us, but so far, things have been as good as we could have expected.

Even though our relocation ability was suspended for two years we could still do important research. For the last two years we have been studying the time needed to develop viable parasites within the ducklings. Answers: In less than three weeks no parasites are created. In 3 to 5 weeks some began to appear. In 5 to 7 weeks, duckling parasite production is at its peak, producing large numbers of parasites every day.

Swimmers Itch Solutions (SIS) has always made a big effort to remove ducks by the time they have been on the lake for 3 weeks or less. This is a big reason why our fight against SI has been successful.

There is some indication that the Canada Goose could produce some SI cases. The geese can potentially cycle with the Helisoma snail. We have considerably less Helisoma snails in Higgins Lake than we do Stagnicola snails. Two years ago, we studied the efficacy of the Helisoma parasite and found that it was much less likely to create an SI case. Although we still attempt to control geese in the spring, we are aware that our impact may be greater for eliminating the nuisance value and potential nutrient loading that they create than their potential to create SI. We intend to continue eliminating Geese each year from Higgins Lake.

HLSIO has conducted a Water Exposure Study for the past two years that monitors actual prevalence of Swimmers Itch among people using the lake. This study offers an easy way to measure whether or not swimmer's itch was contracted based on actual users of the lake and tracks changes over time. Last year volunteers provided 200+ reports of swimming/recreation instances at nearly 20 locations across the lake. Once again, we are pursuing the addition of more data this summer. The accumulated data helps us continue to measure the impact of SI.

We continue to do the things that have worked in the past and we continue to do research that we feel will help us better fight Swimmers Itch in the future. The floor was then open for questions.

Lee Cahn asked do you hire Goose Busters or who does? Mr. Semack replied that yes, HLSIO hires Goose Busters to help control the Canada Goose. Greg Semack then introduced Wayne Brooks.

**Membership & Communications Report:** Co-chair Wayne Brooks introduced himself, along with Co-chair Becky Gibson. Mr. Brooks stated that the HLPOA started back in 1935 and where would we be without those visionaries? Co-chair Brooks spoke of special moments on the lake and that he is proud of what the HLPOA does, protecting our riparian rights, along with our collaboration with other Higgins Lake organizations. Mr. Brooks said it all starts with memberships. While there are 1,200 riparians on the lake, 40% are HLPOA members.

Co-chair Brooks thanked member Sally Voorheis, from the Dealers Supply Company, for her help in printing a cost-effective Member Directory. Mr. Brooks also thanked member Ric Blamer, for his help in formatting member names and addresses for the directory. Last, Mr. Brooks thanked our members for their support and donations. There being no questions, Mr. Brooks introduced Herb Weatherly.

**Nomination and Election of Officers:** Co-chair Herb Weatherly stated we have three HLPOA Board members to re-elect this year for four-year terms: Jack Cornell, Bob McKellar, and John Ogren. They have volunteered to serve another term. Mr. Weatherly asked if there were any nominations from the floor? The question was asked a second and third time. There being none, Herb Weatherly asked for a motion to re-elect these three incumbents. Bill Cornell moved to re-elect Jack Cornell, Bob McKellar, and John Ogre. The motion was seconded by Sue Brooks. Motion passed by card vote. Mr. Weatherly then introduced Charlene Cornell.

President Cornell introduced guest speakers Assistant Chief Rodgers and Assistant Chief Gilliam.

**Guest Speakers Assistant Chief Rodgers and Assistant Chief Gilliam of the Gerrish Township Fire/EMS Department:** Assistant Chief Rodgers said their facility is the only combined Fire/EMS facility in our area. He stated that the mission of the Gerrish Township Fire/EMS is to serve our community. Their vision is:

We are committed to providing professional emergency services to our residents, visitors, and our neighboring communities through protection of life and preservation of property for future generations through:

- Compassionately Caring for those in need
- Technical advancements
- Education of our staff and the community
- Family oriented work environments and community involvement
- Fiscal Responsibility in our budget and necessary purchases to ensure the best quality care, service, and safety to our staff"

A Power Point presentation was shown that outlined the swift and effective care offered. Both Assistant Chiefs Rodgers and Gilliam gave detailed information about Basic Life Support, Advanced Life Support, and equipment, which play pivotal roles in saving lives. Central Dispatch was also discussed, where dispatch personnel make informed decisions during emergencies. The floor was then open for questions.

John Vandenberg asked if there was any re-imbursement when they respond to calls in Lyon Township? Assistant Chief Rodgers replied that they charge the township \$175.00, in addition to charging insurance companies and individuals.

Mike Hentgen said that Gerrish Township is requesting \$10 million dollars for a building. This cost should be shared with other townships. Why is it township based? Chief Assistant Rodgers stated we are township based, not city based. He also noted that his department is considering adding a 911 back-up for Roscommon County's Central Dispatch.

Everyone was reminded that there is a Fire/EMS informational display in the cafeteria. After a round of applause, Charlene Cornell thanked both Assistant Chiefs Rodgers and Gilliam. Bill Carey was then introduced.

**Guest Speaker Attorney Bill Carey:** Bill Carey said he is celebrating his 40<sup>th</sup> anniversary as the HLPOA attorney! Today he will speak about short-term rentals, MRTA, the status of the lake level, and SB 662.

Mr. Carey stated that there is no real definition of short-term rentals (STRs). Any rental longer than 1 year is definitely not a short-term rental, and usually a 6-month term is not considered short-term. Over many years, the state legislature has considered regulating STRs with a state-wide law. The initiative gains and loses momentum from legislative session to legislative session. A state law on this issue seems unlikely. Without state regulation, Mr. Carey said there are 2 ways to restrict local government (townships) can regulate the operation of STRs: (1) local zoning; and (2) police power. However, the more common way to restrict STRs is through private deed restrictions. The disadvantage of using private deed restrictions to prohibit a property from being used as a STR is that a civil court action is usually required.

Mr. Carey then addressed recent amendments of the MRTA (Marketable Record Title Act), which comes into play for most of us, regarding restrictions the developer placed on your property. Restrictions may need to be re-recorded periodically to remain effective. September of 2025 is when the amendments to the MRTA will become effective.

Mr. Carey then noted a hot topic of inland lakes, being lake level. He spoke of three cases in the last 2 ½ years in the Circuit Court in Roscommon. Most recently, a filing has been made to have the court re-consider a petition for normal lake level vs legal.

Mr. Carey stated that SB (Senate Bill) 662 has now passed into law. It provides the county with less restrictions and greater latitude in maintaining lake levels.

The floor was then open to questions.

Mike Hentgen asked where is the county recording done? Mr. Carey said at the Roscommon Register of Deeds. Bill Holmes asked of the people who sponsored SB 662, did they have influence on the water levels and how was it interpreted by the people who passed it? Mr. Carey replied that it passed through both Houses very quickly. Charlene Cornell added it appears that the SB 662 was written with the help of attorneys, although we lobbied members of the Natural Resources, Tourism, and Outdoor Recreation in opposition to the bill.

Sam Migliore asked if there were any developments with the special assessment district to fund the lake level control structure? Mr. Carey said an appellate brief has been filed, adding that an oral argument is not scheduled.

Curt DeVoe asked what is the best way to locate your private deed restrictions? Mr. Carey answered check your title insurance policy or order a title search.

After a round of applause, President Cornell thanked Bill Carey for his participation today!

**New Business/Closing Remarks:** President Cornell encouraged everyone to vote at the August 6 election, adding that you can vote in person for nine days, beginning July 27. Details can be found at the county clerk's office. Ms. Cornell said that of the HLPOA member database, there are 133 Gerrish Township residents registered to vote and 72 Lyon Township residents registered to vote, noting the last election was very close. Nancy Kane asked of the 1,200 riparians, are only 133 registered to vote? Ms. Cornell answered that the count is only from the HLPOA member database.

President Cornell thanked the HLPOA Board members and family members for all their help!

**Adjournment:** President Cornell asked for a motion to adjourn the meeting. There being no opposition, Kevin Kessler moved to adjourn the meeting, seconded by John Vandenberg. Motion passed by card vote. The meeting adjourned at 10:53 A.M.

Recording Secretary: Kathleen Barger, HLPOA Administrative Assistant