



## Office of Administration

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Sent Via E-mail  
[rwripstra@outlook.com](mailto:rwripstra@outlook.com)

May 19, 2023

Mr. Robert Ripstra  
1613 Charlevois Dr.  
Troy, MI 48085

Dear Mr. Ripstra:

Re: Freedom of Information Act FOIA #23-149A  
Granted in part/Denied in part

Newaygo County received your Freedom of Information Act ("FOIA") request dated May 16, 2023

**1. May 9, 2023, Hess Lake Board Meeting Minutes & meeting materials – draft**

The County has granted your request.

**2. September 13, 2022, Meeting Minutes – approved**

The County has granted your request.

**The County has determined that the total cost of processing and finalizing this request is \$ 5.67. (See attached Detailed Itemization Sheet.)**

Since your request has been denied in part, you have the right to (1) submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for the reversal of the disclosure denial or (2) seek judicial review of this decision, as stated in Section 10 of the Michigan Freedom of Information Act, MCL 15.240 (see attachment). Further, you have the right to seek attorney fees and damages as provided in Section 10 (see attachment) if the court determines that the County has not complied with this section and orders disclosure of all or a portion of the public record.

Please be advised that the County's FOIA Policies and Procedures and written summary are available on the County's website at [www.newaygocountymi.gov](http://www.newaygocountymi.gov).

Should you have any questions, please feel free to contact me.

Sincerely,

Christopher Wren  
County Administrator/FOIA Coordinator

**FREEDOM OF INFORMATION ACT (EXCERPT)**  
**Act 442 of 1976**

**15.240 Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.**

Sec. 10. (1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

**History:** 1976, Act 442, Eff. Apr. 13, 1977;—Am. 1978, Act 329, Imd. Eff. July 11, 1978;—Am. 1996, Act 553, Eff. Mar. 31, 1997;—Am. 2014, Act 563, Eff. July 1, 2015.

**Popular name:** Act 442

**Popular name:** FOIA

**Hess Lake Improvement Board**  
**Organizational Meeting**  
**May 9, 2023**  
**9:30 a.m.**

**-AGENDA-**

- 1. Call to Order**
  
- 2. Election of Officers**
  - Chair- (Calvi 2022)
  - Secretary- (Bryan 2022)
  - Treasurer- (Twing 2022)
  
- 3. Approval of Agenda**
  
- 4. Approval of the minutes of the 9/13/2022 Meeting Minutes**
  
- 5. Public Comment-2 minutes**
  
- 6. Financial Report:**
  
- 7. Old Business:**
  - a. Muskegon Watershed Assembly Grant Update (Streamside)
  - b. Shoreline Restoration Update
  
- 8. New Business:**
  - a. Public Hearing
  - b. Contract for Services- Assessments
    1. Adopt
    2. Sign- 5/31 deadline
  - c. 2023 Professional Services Agreement- Progressive AE
    1. Aquatic Plant Control Coordination/Surveys
    2. Water Quality Monitoring
    3. Lake Board Website
    4. Project Administration
  - d. Carp Solution Recommendations
    1. Carp Aging
    2. Implanting radio telemetry tags to test the Judas fish technique
    3. Conducting radio telemetry to test feasibility of the Judas Fish technique
    4. Trap Netting survey of Hess Lake
  - e. Live bluegill stocking
  - f. July meeting at Brooks Twp- Official change of funds for carp removal

9. **Correspondence/Bills**
  - a. Authorization for Bill Payment
  
9. **Public Comment – 2 minutes**
  
10. **Miscellaneous**
  
11. **Adjournment**

**Minutes**  
**Hess Lake Improvement Board**  
**September 13, 2022**  
**9:30 A.M.**

Board Members Present: Bart Calvi, Dale Twing, Ken DeLaat, Mark Slocum, Grant Bryan  
Board Members Absent: None  
Also Present: Rick Buteyn, Katherine Farwell, Steffani Clayton, Jerry Reynolds, Tony Groves,  
Nancy Calvi, Frank Janusz, Russ, Andrejczak

1. The meeting was called to order at 9:30 a.m. by Twing.
2. Approval of Agenda:  
  
Motion by DeLaat, seconded by Slocum to approve the agenda. All ayes. Motion carried.
3. Approval of Minutes 7/12/2022 Meeting  
  
Motion by Slocum, seconded by Bryan to approve the minutes of the 7/12/2022 meeting. All ayes. Motion carried.
4. Public Comment: (2 minutes)  
  
None
5. Financial Report:  
  
Motion by Slocum, seconded by DeLaat to approve the financial report as Submitted. All ayes. Motion carried.
6. Old Business:
  - a. Rick comments on milfoil. We are still seeing a milfoil in a few locations along with kara and coon tail. No plant control treatments were done this year. We will continue to monitor for next year. Bart asks about stocking fish. Tony says lets take care of the carp before we stock for fish.
  - b. One hundred and thirty carp were tagged, forty-four were pulled out. Three nets baited with crack corn. They are attempting to feed the carp longer for better results. Grant offered for anyone to come along. Estimated twenty-nine thousand carp in the lake. Tony states if we are not successful in this attempt to remove carp, then we need to rethink our methods.
  - c. Bart states we did another analysis of Wheeler Drain, Streamside has given us another report. (Attached in the packet) Rice Lake was drained to create what is not the muck fields. Wheeler drain is not stable due to sandy soil and there are no

logical alternatives. There is a grant that will target specific locations to alleviate the issues. Bart asks for the potential approval date on the grant. Dale states there is no update.

- d. Grant states there are no updates on shoreline protection except that he spoke with Corey Nelson to see if he can help with funding. Also, Grant reached out to Erick Elgin with no response. Dale tried calling him in the meeting, no answer, Dale left a message.
- e. Bart spoke on the harmful algae bloom. They tried touching base with everyone via facebook to spread the information. The federal government has a buoy in the lake collecting data for an ongoing study. They have found that the toxicity is located right in the middle of the bloom. Even one hundred feet away is okay to swim. Latest field test showed negative for the toxic algae.

#### 7. New Business:

- a. Tony states we are currently assessing just over fifty thousand. Dale stated we shouldn't change assessments too much to avoid upsetting landowners. Bart & Grant agree we should keep it the same. Motion by Bart, seconded by Slocum to keep assessments the same.
- b. Motion by Slocum, seconded by DeLaat to set meeting dates May 9 at 9:30 a.m. at the Drain Office, July 11 at 6 p.m. at the Brooks Township Hall, and September 12 at 9:30 a.m. at the Drain Office. Bart wants to discuss lake ecology in the summer.
- c. Dale speaks on diver assisted suction for removing weeds at the root. The cost for dredging \$20-\$30 per cubic yard. To do 10% of the lake at 5 ft depth, per resident, would increase \$5000 in taxes for 5 years. Dale states that Savin bought a company that does it and can ask them to come and discuss benefits and costs. It is cost prohibitive and permits from EGLE are hard to obtain.
- d. Bart explains we obtained a permit for the alum treatment. So far, we are gathering costs and weighing options. We need to solve the carp problem first.
- e. Bart wants to know if healthy plants will grow as a result of the carp removal. Tony explains based on the information gathered in the past, it is possible.
- f. Tony explains we can set up monitoring locations and do sampling to get data for pollutants.

#### 8. Correspondence/Bills

Dale requests to pay the routine bills.

#### 9. Public Comment (2 minutes)

Katherine mentions helping a company out of Fremont, Simon Cronk, to put devices in Wheeler Drain to monitor temperatures. The board asked that the data be passed along to them.

10. Miscellaneous

Bart asked Dale about his email to the fisheries. Twing states he has not heard back. Twing states that Brooks Lake Board is interested in a joint meeting due to being connected and having similar issues. They will look into for winter.

11. Adjournment

Motion by Calvi, seconded by Slocum to adjourn the meeting. All ayes. Motion carried.

Meeting adjourned at 10:58 a.m.

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Dale E. Twing, Secretary

DRAFT

## **CONTRACT FOR SERVICES**

This is a contract entered into by and between the Newaygo County Drain Commissioner, hereinafter referred to as the “the Provider” and the Hess Lake Improvement Board, hereinafter referred to as “the Client” on this 9th day of May 2023.

The Client hereby engages the Provider to provide services described herein under “Scope and Manner of Services.” The Provider hereby agrees to perform such services in exchange for consideration described herein under “Payment for Services Rendered.”

### **Scope and Manner of Services**

The Provider shall perform the following services:

1. Prepare a preliminary and final assessment roll for the Hess Lake Improvement District and export for the Tax Bill Process.
2. Conduct an annual review and update assessment roll necessary to address changes in property ownership, lot splits and combinations.

### **Payment for services rendered**

The Client shall compensate the provider for services rendered in the amount of \$1500.00. Said rate is established by the provider with consideration of the number of parcels in the Lake Improvement District at the time the contract is agreed upon. An invoice from the Provider for services will be presented for payment after the assessment export has occurred.

### **Term of Contract**

This Contract for Services shall commence upon the signing of both parties and shall be for a period of one year. Contracts must be entered into by May 31<sup>st</sup> of each year.

### **Amendments**

This Contract for Services may be amended and/or renewed upon the approval of both the Provider and Client at any time during its term.



**Termination**

This Contract for Services may be terminated by either party by July 1<sup>st</sup> in the year the contract is signed.

**Newaygo County Drain Commissioner**

\_\_\_\_\_  
Dale Twing  
Drain Commissioner

\_\_\_\_\_  
Date

**Hess Lake Improvement Board**

\_\_\_\_\_  
Bart Calvi, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Grant Bryan, Vice Chairman

\_\_\_\_\_  
Date

# Financial Report for Hess Lake Improvement Board

## For 5/9/2023 Meeting

Revenues and Expenses from 09/02/2022-9/30/2022

REVENUES	
Special Assessments	
Collected	
<b>Total Revenues</b>	\$0.00

EXPENSES	
Per Diem	\$225.00
Progressive	\$7,000.00
Savin Lake Services	
Office Supplies	
Postage/Copying	\$29.90
Printing/Publishing	
American Classic	\$400.00
Secretarial	\$60.00
Streamside	
<b>Total Expenses</b>	<b>\$7,714.90</b>

<b>Beginning Balance</b>	\$132,936.43
<b>Revenues</b>	\$0.00
<b>Expenses</b>	<b>-\$7,714.90</b>
<b>Total Cash on Hand</b>	<b>\$125,221.53</b>

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 846.000 HESS LAKE BOARD							
09/02/2022			<b>846.000-442.000-452.000 SPECIAL ASSESSMENTS</b>		BEG. BALANCE		(80,329.74)
09/30/2022			846.000-442.000-452.000	END BALANCE	0.00	0.00	(80,329.74)
09/02/2022 <b>846.000-442.000-702.100 PER DIEM</b>							
09/20/2022	AP	INV	HESS LAKE SEPTEMBER PER DIEM	HLB 2022 9135	45.00		540.00
09/20/2022	AP	INV	HESS LAKE SEPT PER DIEM	HLB 2022 9132	45.00		585.00
09/20/2022	AP	INV	HESS LAKE SEPTEMBER PER DIEM	HLB 2022 9134	45.00		630.00
09/20/2022	AP	INV	HESS LAKE SEPTEMBER PER DIEM	HLB 2022 9131	45.00		675.00
09/20/2022	AP	INV	HESS LAKE SEPT PER DIEM	HLB 2022 9133	45.00		720.00
09/30/2022			846.000-442.000-702.100	END BALANCE	225.00	0.00	765.00
09/02/2022 <b>846.000-442.000-802.000 SERVICE FEES</b>							
09/21/2022	GJ	JE	CHRG LAKE BRD FOR AUG & SEPT22 SEC C	23588	60.00		369.75
09/30/2022			846.000-442.000-802.000	END BALANCE	60.00	0.00	429.75
09/02/2022 <b>846.000-442.000-967.500 CONSTRUCTION/PROJECT C</b>							
09/30/2022	AP	INV	HESS LAKE KARP DUMPSTER	23988	200.00		34,692.23
09/30/2022	GJ	JE	Copier - September - Hess Lake	23789	29.90		34,892.23
09/30/2022	AP	INV	HESS LAKE QUARTERLY SERVICES THRU 9/	00189455	7,000.00		34,922.13
09/30/2022	AP	INV	HESS LAKE KARP DUMPSTER	21986	200.00		41,922.13
09/30/2022			846.000-442.000-967.500	END BALANCE	7,429.90	0.00	42,122.13
GRAND TOTALS:					7,714.90		(37,012.86)

# Financial Report for Hess Lake Improvement Board

## For 5/09/2022 Meeting

Revenues and Expenses from 10/01/2022-04/28/2023

REVENUES	
Special Assessments	\$77,196.96
Collected	
Copier correction	\$29.90
<b>Total Revenues</b>	<b>\$77,226.86</b>

EXPENSES	
Per Diem	
Progressive	\$14,000.00
Copier	\$29.90
Carp Solutions	\$25,774.00
Postage/Copying	\$0.40
Printing/Publishing	\$126.75
American Classic	
Secretarial	\$32.11
Streamside	\$1,425.00
<b>Total Expenses</b>	<b>\$41,388.16</b>

<b>Beginning Balance</b>	\$125,221.53
<b>Revenues</b>	\$77,226.86
<b>Expenses</b>	<b>-\$41,388.16</b>
<b>Total Cash on Hand</b>	<b>\$161,060.23</b>

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 846.000	HESS	LAKE	BOARD				
10/01/2022			<b>846.000-442.000-452.000 SPECIAL ASSESSMENTS</b>		BEG. BALANCE		0.00
12/09/2022	CR	RCPT	SPECIAL ASSESSMENTS	21560		340.52	(340.52)
12/19/2022	CR	RCPT	HESS LAKE BOARD	21774		2,689.98	(3,030.50)
12/28/2022	CR	RCPT	HESS LAKE BOARD	21920		10,288.02	(13,318.52)
01/11/2023	CR	RCPT	HESS LAKE BOARD	22272		2,646.03	(15,964.55)
01/11/2023	CR	RCPT	HESS LAKE BOARD	22280		13,606.78	(29,571.33)
01/25/2023	CR	RCPT	HESS LAKE DRAIN BOARD	22700		4,909.19	(34,480.52)
01/30/2023	CR	RCPT	HESS LAKE DRAIN BOARD	22861		11,805.45	(46,285.97)
02/07/2023	CR	RCPT	HESS LAKE DRAIN BOARD	23119		3,030.49	(49,316.46)
02/21/2023	CR	RCPT	HESS LAKE DRAIN BOARD	23497		6,490.35	(55,806.81)
02/21/2023	CR	RCPT	HESS LAKE DRAIN BOARD	23506		10,076.54	(65,883.35)
03/06/2023	CR	RCPT	HESS LAKE DRAIN BOARD	24120		426.12	(66,309.47)
03/10/2023	CR	RCPT	HESS LAKE DRAIN BOARD	24324		10,887.49	(77,196.96)
05/01/2023			846.000-442.000-452.000	END BALANCE	0.00	77,196.96	(77,196.96)
10/01/2022			<b>846.000-442.000-702.100 PER DIEM</b>		BEG. BALANCE		0.00
05/01/2023			846.000-442.000-702.100	END BALANCE	0.00	0.00	0.00
10/01/2022			<b>846.000-442.000-802.000 SERVICE FEES</b>		BEG. BALANCE		0.00
04/17/2023	GJ	JE	LAKE BORAD BILLBACKS	24778	16.27		16.27
05/01/2023			846.000-442.000-802.000	END BALANCE	16.27	0.00	16.27
10/01/2022			<b>846.000-442.000-967.500 CONSTRUCTION/PROJECT C</b>		BEG. BALANCE		0.00
11/30/2022	GJ	JE	Copier - September - Hess Lake	24267	29.90		29.90
11/30/2022	GJ	JE	Copier - September - Hess Lake	24341		29.90	0.00
12/06/2022	AP	INV	MISQT WHEELER DRAIN FOR HESS LAKE BO	22-44-02	1,425.00		1,425.00
01/05/2023	AP	INV	HESS LAKE BOARD MEETINGS AD FOR 2023	30495	126.75		1,551.75
01/17/2023	AP	INV	HESS LAKE QUARTERLY SERVICE CONTRACT	00190995	7,000.00		8,551.75
01/24/2023	AP	INV	ACCT# 5474970308724608 12/08/2022-01	12DRAINS22	15.84		8,567.59
01/24/2023	AP	INV	HESS LAKE ELECTROFISHING SURVEY FOR	PAE HESS 10/3/22	25,274.00		33,841.59
01/31/2023	GJ	JE	Copier - January - Hess Lake	24578	0.40		33,841.99
03/16/2023	AP	INV	INVOICE # PAE HESS 3/8/23 (FISH STUD	PAE HESS 3/8/23	500.00		34,341.99
04/18/2023	AP	INV	HESS LAKE 2023 CONTRACT	192274	7,000.00		41,341.99
05/01/2023			846.000-442.000-967.500	END BALANCE	41,371.89	29.90	41,341.99
<b>GRAND TOTALS:</b>					<u>41,388.16</u>	<u>77,226.86</u>	<u>(35,838.70)</u>

**PUBLIC NOTICE  
BROOKS LAKE  
IMPROVEMENT BOARD**

Please be advised that the Brooks Lake Improvement Board has scheduled the following meeting dates for 2023. The meetings will be held at 10:00 a.m. in the office of the Newaygo County Drain Commissioner, located at 306 North Street, White Cloud, Michigan 49349.

**May 16, 2023 July 18, 2023  
September 19, 2023**

**PUBLIC NOTICE  
DIAMOND LAKE  
IMPROVEMENT BOARD**

Please be advised that the Diamond Lake Improvement Board has scheduled the following meeting dates for 2023. The meetings will be held at 8:30 a.m. in the office of the Newaygo County Drain Commissioner, located at 306 North Street, White Cloud, Michigan 49349.

**January 11, 2023 April 12, 2023  
July 12, 2023 September 13, 2023**

**PUBLIC NOTICE  
ENGLEWRIGHT LAKE  
IMPROVEMENT BOARD**

Please be advised that the Englewright Lake Improvement Board has scheduled the following meeting dates for 2023. The meetings will be held at 8:30 a.m. at the Ensley Township Hall, 7163 E. 120th Street, Sand Lake, MI 49343.

**January 13, 2023 April 14, 2023  
July 14, 2023 September 8, 2023**

**PUBLIC NOTICE  
HESS LAKE  
IMPROVEMENT BOARD**

Please be advised that the Hess Lake Improvement Board has scheduled the following meeting dates for 2023. The meetings will be held:

- **May 9th, 2023**, at 9:30 a.m. at the Newaygo County Drain Office, located at 306 North Street, White Cloud, Michigan 49349.
- **July 11th, 2023**, at 6:00 p.m. at the Brooks Township Hall, 490 Quarterline Rd., Newaygo, Michigan, 49337.
- **September 12th, 2023**, at 9:30 a.m. at the Newaygo County Drain Office, located at 306 North Street, White Cloud, Michigan 49349.

**PUBLIC NOTICE  
BOARD OF PUBLIC WORKS**

Please be advised that the Newaygo County Board of Public Works has scheduled the following meeting dates for 2023. Starting January 2023, meetings will be held the FIRST Monday of every other month. If the first Monday falls on a holiday, it will be switched to the SECOND Monday of that month. All meetings are at 3:00 p.m. in the office of the Newaygo County Drain Commissioner, located at 306 North Street, White Cloud, Michigan 49349.

**January 9, 2023 March 6, 2023  
May 1, 2023 July 10, 2023  
September 11, 2023  
November 6, 2023**

**PUBLIC NOTICE  
RYERSON LAKE  
IMPROVEMENT BOARD**

Please be advised that the Ryerson Lake Improvement Board has scheduled the following meeting dates for 2023. The meetings will be held at 10:00 a.m. in the office of the Newaygo County Drain Commissioner, located at 306 North Street, White Cloud, Michigan 49349.

**January 12, 2023 April 13, 2023  
July 13, 2023 September 14, 2023**

**PUBLIC NOTICE  
PICKEREL/KIMBALL LAKE  
IMPROVEMENT BOARD**

Please be advised that the Pickerel/Kimball Lake Improvement Board has scheduled the following meeting dates for 2023. The meetings will be held at 11:00 a.m. in the office of the Newaygo County Drain Commissioner, located at 306 North Street, White Cloud, Michigan 49349.

**May 9, 2023 July 11, 2023  
September 14, 2023**

**Minutes (Organizational Meeting)**  
**Hess Lake Improvement Board**  
**May 9, 2023**  
**9:30 A.M.**  
**at the Newaygo County Drain office**

Board Members Present: Bart Calvi, Dale Twing, Mark Slocum, Grant Bryan

Board Members Absent: Ken DeLaat

Also Present: Steffani Clayton- Drain Secretary, Tony Groves-Progressive AE, Katherin Farwell- Hess Lake Association, Rick Buteyn, Nancy Calvi, Mary Spicer

1. The meeting was called to order at 9:30 a.m. by Calvi.

2. Election of Officers

Clayton asks if there are any nominations for chair. Motion by Twing, seconded by Slocum to keep officers the same; Bart Calvi as Chairman, Grant Bryan as Vice Chairman, and Dale Twing as Secretary/Treasurer. Clayton asked if there were any other nominations, no response. Clayton asked a second and third time with no response. All ayes, motion carried.

3. Approval of Agenda:

Motion by Twing, seconded by Bryan to approve the agenda. All ayes, motion carried.

4. Approval of Minutes 9/13/2022 Meeting

Motion by Calvi, seconded by Slocum to approve the minutes of the 9/13/2022 meeting. All ayes, motion carried.

5. Public Comment: (2 minutes)

Mary Spicer thanks the board for their efforts.

6. Financial Report:

Clayton explains why there are two financial reports. One shows the end of the 2022 fiscal year, and the other shows the beginning of the 2023 fiscal year to current. Motion by Calvi, seconded by Slocum to pay all routine bills. All ayes, motion carried.

7. Old Business:

- a. Muskegon Watershed Assembly Grant Update: Tony explains that Streamside had a few ideas to stabilize some road crossings on Wheeler Drain. They have applied for a grant and Progressive is taking the lead on the project and working with EGLE for a permit. There is another project on Alger Drain.

There is a large farm converting their property into a wetland. This wetland will drain into Alger Drain, which drains into Hess Lake. Tony shows project locations on a map. Calvi asks for a timeline on these projects and Tony says that Marty is keeping Dale updated, but there will likely be some delay due to the large size of the projects.

Dale mentions a lower winter lake level and how to potentially accomplish changing it via circuit court without having to create a new project and engineer the entire thing.

- b. Shoreline Restoration Update: Calvi states that there has been no update from Erick Elgin. Tony will touch base with Erick.

8. New Business:

- a. Public Hearing: Per Calvi, skip this item for now and discuss with item F.
- b. Contract for Services: Short discussion on contract, what it is and why it was requested. Motion by Calvi, seconded by Slocum to adopt the contract. All ayes, motion carried. The board proceeds to sign the contract.
- c. 1. 2023 Professional Services Agreement: Tony adds this document to the meeting packet and explains the details within. Motion by Bryan, seconded by Calvi to approve the Professional Services Agreement through Progressive. All ayes, motion carried. Rick mentions he will be on the water for the first time on May 23<sup>rd</sup>.  
2. Tony mentions that they will watch nutrient levels within the three deep holes in the lake. Motion by Slocum, seconded by Calvi to approve water quality monitoring portion of the Professional Services Agreement. All ayes, motion carried.  
3. Short discussion amongst the board on having Progressive create a website to display information and post updates. Bryan mentions that it seems pricey. Tony explains why the first year is more expensive, but that the cost for upkeep is much lower and affordable. Motion by Slocum, seconded by Calvi to table this discussion until the next meeting as there was not ample time to review and decide on this information. No ayes or nays were asked for. The discussion continued on and Slocum withdrew his motion to table the website discussion. A new motion was made by Slocum and seconded by Bryan to approve the Lake Board website portion of the Professional Services Agreement. All ayes, motion carried.  
4. Total cost for services is \$36,000 and is billed quarterly. Motion by Calvi, seconded by Slocum to approve the Project Administration portion of the Professional Services Agreement. All ayes, motion carried.
- d. Carp Solution Recommendations: Tony explains the report details. They must identify carp reproductive patterns so they can stop reproduction at the source. Slocum expresses concern with what lake residents will say if the board is spending another \$50,000 on carp studies, but no carp are being removed from the lake. Dale states that he is skeptical of the cost effectiveness of this study method. He mentions maybe we should try other methods, like shock therapy for removal of carp. Mary expresses that as a lake resident, she would rather see carp removed first, and then a study conducted with the carp that are left. Motion by Bryan, seconded by Twing to deny the Carp Study through Carp



Solutions as it needs further discussion. All ayes, motion carried Calvi asks if there is anyone in Michigan who does shock therapy. He mentions we will need a permit from the DNR and the township can help with this removal method as well. Tony will look into alternatives for carp removal.

- e. Live Bluegill Stocking: Calvi states that Bluegill eat carp eggs and therefore are a good source of depopulating carp. Short discussion from the board on effectiveness of stocking Bluegill in Hess Lake and how involvement with the association could benefit the residents and the board. There needs to be a motion at the Public Hearing to redirect funds from the Carp Study to a broader term, such as general carp removal. Motion by Calvi, seconded by Bryan to apply for a permit through the DNR to stock Bluegill in Hess Lake, also naming the association on the permit. All ayes, motion carried.
- f. July Meeting at Brooks Township Hall: Motion by Calvi, seconded by Twing to use the July 11<sup>th</sup> meeting at Brooks Township Hall to hold a Public Hearing, to use Progressive to orchestrate the Public Hearing and that the Public Hearing will be held first and the regular lake board meeting will be held second. All ayes, motion carried.

9. Correspondence/Bills

- a. Already completed in number six on the agenda.

10. Public Comment (2 minutes)

None

11. Miscellaneous

None

12. Adjournment

Motion by Bryan, seconded by Calvi to adjourn the meeting. All ayes, motion carried.

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Dale E. Twing, Secretary

**Minutes**  
**Hess Lake Improvement Board**  
**September 13, 2022**  
**9:30 A.M.**

Board Members Present: Bart Calvi, Dale Twing, Ken DeLaat, Mark Slocum, Grant Bryan

Board Members Absent: None

Also Present: Rick Buteyn, Katherine Farwell, Steffani Clayton, Jerry Reynolds, Tony Groves, Nancy Calvi, Frank Janusz, Russ, Andrejczak

1. The meeting was called to order at 9:30 a.m. by Twing.

2. Approval of Agenda:

Motion by DeLaat, seconded by Slocum to approve the agenda. All ayes. Motion carried.

3. Approval of Minutes 7/12/2022 Meeting

Motion by Slocum, seconded by Bryan to approve the minutes of the 7/12/2022 meeting. All ayes. Motion carried.

4. Public Comment: (2 minutes)

None

5. Financial Report:

Motion by Slocum, seconded by DeLaat to approve the financial report as Submitted. All ayes. Motion carried.

6. Old Business:

- a. Rick comments on milfoil. We are still seeing a milfoil in a few locations along with kara and coon tail. No plant control treatments were done this year. We will continue to monitor for next year. Bart asks about stocking fish. Tony says lets take care of the carp before we stock for fish.
- b. One hundred and thirty carp were tagged, forty-four were pulled out. Three nets baited with crack corn. They are attempting to feed the carp longer for better results. Grant offered for anyone to come along. Estimated twenty-nine thousand carp in the lake. Tony states if we are not successful in this attempt to remove carp, then we need to rethink our methods.
- c. Bart states we did another analysis of Wheeler Drain, Streamside has given us another report. (Attached in the packet) Rice Lake was drained to create what is not the muck fields. Wheeler drain is not stable due to sandy soil and there are no

logical alternatives. There is a grant that will target specific locations to alleviate the issues. Bart asks for the potential approval date on the grant. Dale states there is no update.

- d. Grant states there are no updates on shoreline protection except that he spoke with Corey Nelson to see if he can help with funding. Also, Grant reached out to Erick Elgin with no response. Dale tried calling him in the meeting, no answer, Dale left a message.
- e. Bart spoke on the harmful algae bloom. They tried touching base with everyone via facebook to spread the information. The federal government has a buoy in the lake collecting data for an ongoing study. They have found that the toxicity is located right in the middle of the bloom. Even one hundred feet away is okay to swim. Latest field test showed negative for the toxic algae.

7. New Business:

- a. Tony states we are currently assessing just over fifty thousand. Dale stated we shouldn't change assessments too much to avoid upsetting landowners. Bart & Grant agree we should keep it the same. Motion by Bart, seconded by Slocum to keep assessments the same.
- b. Motion by Slocum, seconded by DeLaat to set meeting dates May 9 at 9:30 a.m. at the Drain Office, July 11 at 6 p.m. at the Brooks Township Hall, and September 12 at 9:30 a.m. at the Drain Office. Bart wants to discuss lake ecology in the summer.
- c. Dale speaks on diver assisted suction for removing weeds at the root. The cost for dredging \$20-\$30 per cubic yard. To do 10% of the lake at 5 ft depth, per resident, would increase \$5000 in taxes for 5 years. Dale states that Savin bought a company that does it and can ask them to come and discuss benefits and costs. It is cost prohibitive and permits from EGLE are hard to obtain.
- d. Bart explains we obtained a permit for the alum treatment. So far, we are gathering costs and weighing options. We need to solve the carp problem first.
- e. Bart wants to know if healthy plants will grow as a result of the carp removal. Tony explains based on the information gathered in the past, it is possible.
- f. Tony explains we can set up monitoring locations and do sampling to get data for pollutants.

8. Correspondence/Bills

Dale requests to pay the routine bills.

9. Public Comment (2 minutes)

Katherine mentions helping a company out of Fremont, Simon Cronk, to put devices in Wheeler Drain to monitor temperatures. The board asked that the data be passed along to them.

10. Miscellaneous

Bart asked Dale about his email to the fisheries. Twing states he has not heard back. Twing states that Brooks Lake Board is interested in a joint meeting due to being connected and having similar issues. They will look into for winter.

11. Adjournment

Motion by Calvi, seconded by Slocum to adjourn the meeting. All ayes. Motion carried.

Meeting adjourned at 10:58 a.m.

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Dale E. Twing, Secretary