

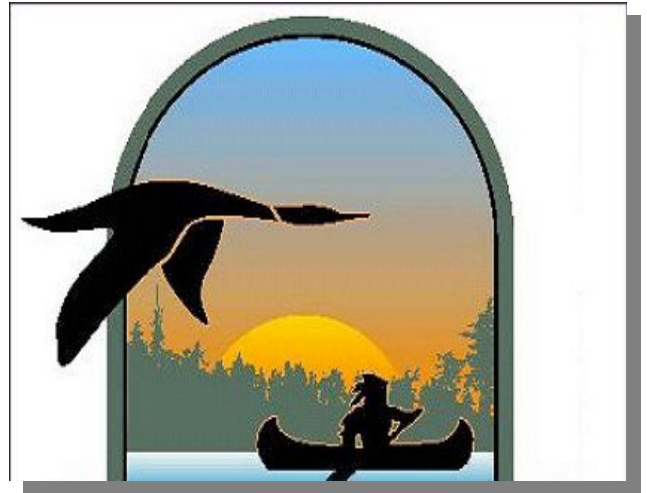
# Smoke Signals

Lake Shores Association

P.O. Box 63

Howard City Mi. 49329

September 2013



<http://www.indianlakes.org>

**Our goal is to work together to provide for preservation of the values and amenities in our lakeside community. We welcome any additional help and assistance.**

Our newly elected board at work. From left to right: Susan Guigelaar - Secretary, Brenda Tumosa - Vice President, Doug Ringler - Trustee, Valerie Pritchard - Treasurer, and Jim Hutchison - President.

## **President's Column:**

On August 31st, an informational meeting was held to explain the proposed dues increase. Dick Hokanson made a presentation to the members in which he laid out a solid chronological defense to keep Indian Lake private and the necessity for a dues increase. Approximately 130 members of the association in attendance gained important information regarding the proposed dues increase - the presentation was well received.

We are asking all LSA members to attend the Special Meeting on September 28th starting promptly at 10:00 am in the Pavilion to vote and/or turn in ballots. All ballots must be received before the close of the meeting to be valid.

\*Members who still do not have an official ballot to vote should contact Val Pritchard as soon as possible at 231-937-5010.

We will have two guest speakers to talk about Weed Harvesting and Chemical Treatments to the lake. The desire of the board is for volunteers to step up to help with many areas on the lake, and this meeting is a good time to sign up.

Jim Hutchison, President

\*As of the 7th of September there were still LSA members who had not received their official ballots. Address labels were pulled off the envelopes containing the ballots during postal processing and 89 were returned by the post office as undeliverable.

## attention....

all Lake Shores Association Members

WOULD YOU LIKE...

To keep our lake PRIVATE with NO PUBLIC ACCESS ?

To IMPROVE upon the WEED CONTROL ?

To REMOVE BOGS from the lake ?

To implement SECURITY PATROLS ?

To better CONTROL BOAT ACCESS ?

To PLANT MORE FISH ?

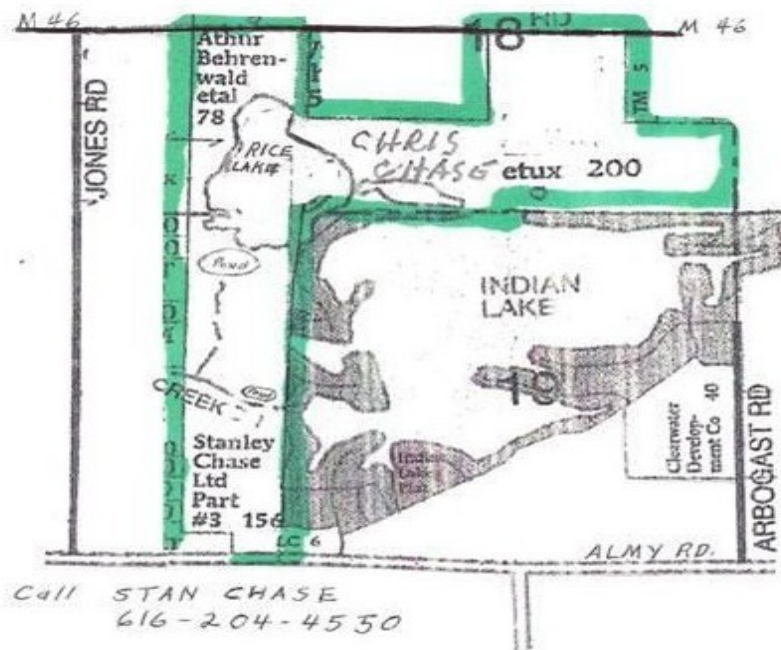
IF "YES"... please cast your ballot Saturday, September 28<sup>th</sup> by close of meeting.

Your Board of Directors wish to do all of the above but need your help.

**Remember: You must sign your return ballot envelope for your ballot to be valid.**

### Realtor's Listing of Chase Properties - Current Picture:

This realtor's map may give added context as you read the memo from our attorney on the next page. East and West Suwanee for the most part border the Northern boundary of our association.



In the lower right portion of the picture note the property owned by Clearwater Development Co. is also a "Chase Property". The area outlined in green was part of the listing by Coldwell Banker Realty.

The link to this listing and map is <http://www.coldwellbankeronline.com/ID/1313693> .

## **Memo To Lake Shores Property Owners dated 8-28-13 from our Attorney:**

For those that aren't aware of the situation, here is a brief history of the lawsuit.

This lake was developed in the mid 1960's by Clear Water Development (The Chase family). As the Chase Family developed the property over time, "The Covenants and Restrictions" were recorded and are attached to every property owner's deed. The Covenants and Restrictions require certain things of property ownership on the lake.

It Article II Section 2 of the Restrictions, it mentions that

(a) That no more property can be added to the association after December 31, 1983.

In 1974 there was a lawsuit and as a result of that lawsuit there was a Judgment, and a 1975 agreement was entered by the Association with the Defendants.

Within the last few years, the Chases' built a home on one of the lots on West Suwannee Trail. As a result of the construction, the Board of the lake determined that something had to be done to prevent continued additional properties to the lake by the Chase Family. During construction, the Board tried to negotiate with Chris Chase. The negotiations focused on the issues of how many added lots and houses, if any, could be added by the Chase Family to the lake. The Board was willing to work with Chris Chase (to avoid an expensive legal battle), and allow the addition of the three lots on West Suwannee. The Chase Family insisted that the 1974 Judgment and 1975 Agreement entitled them to continue to add properties to the lake. Mr. Chase put a road in off East Suwannee so that he could put three additional lots on that property. The Board felt that road was illegal because it violated the 1974 Court Judgment. The Board took the position that the Chase Family could not keep adding lots/properties to the private lake. As a result Chris Chase threatened members of the Association at the 2012 Annual Meeting that if he didn't also receive the East lots, he would assist the State to put in a public launch site. (The 2012 Annual meeting minutes are post on our website, please read them).

The Board was forced to retain an attorney, and a lawsuit was filed against Clear Water Development Company, Chris S. Chase Family Limited Partnership, and Chris S. Chase. Suit was initiated to prevent further development and additions to the lake.

The Association started a lawsuit to determine once and for all the effect of the Covenants and Restrictions, the 1974 Judgment and the 1975 Agreement. In this lawsuit, the Chase Family argued that they are permitted not only the three West Suwannee lots, the three East Suwannee lots, but also sought permission from the Court to add another **135\* acres** to the Association Property, thereby burdening the lake with additional traffic.

To date, the Court has issued its Opinion denying the 135\* acres to the Chase Family. This matter continues to pend and we need your support. The Chase Family vows the continuation of the lawsuit and have promised an Appeal. The "Settlement" terms offered by the Chase Family to date demand a minimum of six lots and leave the door open to future development.

We desperately need your support to get this case resolved and stopped the threat of further development to our private lake. We are poised given the Judge's Order, to get this matter tried before the Judge and get a determination once and for all. The trial date is set in mid-December, and we need your help and support.

\* Please note: this should read 136 acres.

### **Watercraft/Boat Trailer Sticker Update:**

Originally this summer, LSA members were instructed to contact any LSA Board Member to have the new stickers applied to their watercraft and boat trailers.

Now, LSA members who are "up to date" in their dues but still have not had their old boat stickers replaced should contact our board secretary, Sue Guigelaar at 231-648-6193 or email her at [secretary@indianlakes.org](mailto:secretary@indianlakes.org) to arrange for the new sticker to be applied to their watercraft and/or trailer(s). Jim Hutchinson, our President, is the secondary contact person for this purpose. Jim's phone number is 231-648-6481 and his email address is [president@indianlakes.org](mailto:president@indianlakes.org).

### **Board Duties and Responsibilities :**

- Abide by, uphold and protect the LSA "Covenants and Restrictions" to provide for the preservation of the value and amenities and for the maintenance of the lake, parks, playgrounds, open spaces and other common facilities
- Approve annual budgets and ensure the availability of adequate financial resources
- Hold an annual meeting of LSA members and regular meetings of the Board of Directors upon the call of the president
- Keep a roster of names and addresses of all members of the association, collect annual dues, special assessments, and provide receipts and fiduciary records as required
- Interface with LSA Members/ Township/County regarding issues that may arise that impact Indian Lakes and its residents
- General powers and duties of supervision and management of various committees
- Hire and supervise trades people on an as needed basis for various projects that we deem as beneficial to the overall promotion of Indian Lakes residents, property values and aesthetics

### **August 31st Bass Tournament News:**

Steve reports that the tournament had a good turn out this fall, that the weather was perfect, and that a good number fish were caught - some fisherman just caught more than others.

In the "biggest fish caught category" the winners in 1st place were the Wagner boys with the biggest bass at just over 4 lbs. and in 2nd place was Doug Meekhof with a fish weighing at 3.14 lbs.

In the "total weight of fish caught" category the 1st place winners were Doug Holtvlwer and his mate, Doug with a total catch of 17 lbs, and the 2nd place winner was Doug Meekhof and his mate Scott with a total catch of 16 lbs.

There was a total of 110 lbs of bass caught and released - a very good day.

**Steve says, "See you around Memorial Day 2014."**

### **PLM / Indian Lake Aquatic Management Summary:**

#### **Budget Recap:**

2014 Estimated Budget: \$30 - \$37,950.00

2013: \$31,730 Main Treatment: Renovate 3

2012: \$29,400 (EWM back throughout entire lake), Main treatment: Diquat

2011: \$14,679 (Residual carry-over from 2010 sonar treatments, OTF / EWM treatment, treated Native Plants)

2010: \$40,905 (Sonar treatment)

2009: \$22,383

2008: \$25,511

A recap of this season and moving forward: Eurasian water milfoil (EWM) is the main exotic species in Indian Lake. We have used a variety of different contact and systemic herbicides in the past to target this species in the most aggressive manner possible. The EWM in Indian Lake is hybrid. It is cross bred with native milfoil strand and formed what is called Hybrid milfoil. In 2010, we targeted all the EWM using Sonar (lake wide). This systemic herbicide did control the EWM during the treatment season and the 1<sup>st</sup> year post treatment, but the EWM bounced back in year 2 post treatment. Last year, 2012, we used Diquat and this season, 2013, it was recommended that we use Renovate 3. We targeted – 130 acres of EWM using Renovate 3. The goal of the 2013 treatment was to attack the root system so the EWM grows back less dense and we have fewer acres to treat in 2014.

A more comprehensive PLM report has been posted on the Indian Lakes website for your review at <http://www.indianlakes.org/>

### **Member Concerns often expressed to LSA Board Members:**

- Dogs - barking, running off leash, accosting walkers/runners\* - Please see page 7 for Montcalm County Animal Control's phone number.
- Unimproved and trashy lawns
- Unruly renters
- Late night fireworks - The Winfield Township board is working to pass an ordinance on this issue. See page 7 for location of The Winfield Township Directory
- Loud motorbikes
- Unsafe and arrogant boaters
- Dock etiquette - to see an on going discussion check out <http://www.bassresource.com/bass-fishing-forums/topic/80710-dock-etiquette/>
- LSA members sharing the gate code with non-members - friends
- Unlicensed motorized vehicles/unlicensed drivers, golf carts, bikes, quads, etc. - tickets have been written recently for this type of issue

All of these concerns could be eliminated if we all simply acted in a neighborly manner - .i.e. being "good neighbors".

\*Please note: Dogs are not to be running unleashed on Tepee Island or any other park - referred to as LSA Association "Common" areas. Also note that the police can confiscate unlicensed vehicles they observe on the road.

### **We need your E-Mail Address:**

Smoke Signals are published 4 times yearly – all are posted on [www.indianlakes.org](http://www.indianlakes.org). All issues will be e-mailed to members whose e-mail addresses we have on file. Two issues annually are currently mailed to members whose e-mail addresses we do not have. **After this September issue, Smoke Signals will be e-mailed, available on the website, or a hard copy can be picked up at the LSA Board Office on Apache Trail.** This will cut our expenses dramatically - it costs over \$380 to print and mail an issue of Smoke Signals to members whose e-mail addresses we do not have on file.

The board requests that all LSA members who **do not** have Internet access or have "dial-up access" to contact a board member or a member of the newsletter committee (see page 7 for contact phone numbers) to have Smoke Signals continued to be mailed to you. The board also requests that all LSA members who **do have** Internet access but who have not yet given us their email addresses to e-mail a message to [info@indianlakes.org](mailto:info@indianlakes.org) with a message such as "here's my e-mail address". Your e-mail address will be hidden in group e-mail messages!

### **Vice President Comments:**

The last 5 weeks as Vice President of the Lake Shore Association have been a revelation, as many of the issues we encounter as a Board are very complex and most difficult. As you know by now, we face an uphill legal battle against the Chase Family in regards to additional development on our lake. I am sincerely requesting that it is time for all of you to stand up, check in and shake the apathy. *"Apathy": Lack of interest or concern, especially regarding matters of general importance or appeal; indifference* - We are not asking that you agree with a past or present Board, but we WOULD request that you vote and by voting we will hear you, the majority. I encourage you to vote YES as I am very concerned that if the vote does not pass, our Association will have to make serious cuts to services we currently offer and that we have all come to expect and to enjoy. *You may delay, but time will not. sic. Benjamin Franklin*

### **Many Thanks To You:**

The board wants to extend thanks to the following members;

- The members who recently volunteered to clean up our pavilion
- Steve Pritchard and Doug Ringler for taking the time to remove a very large size bees' nest near the pavilion
- To our neighbors who have stepped up and volunteered their time to help clean up Pawnee Points park on Warrior Drive. One LSA member used his equipment to turn the sand over to make the park look amazing again
- Doug and Ray Brimmer for the work they are doing to maintain the docks and parks. And Ray and Tammy Williams thank you for helping remove the buoys and their anchors from the lake

### **Abbott Pavilion Rental:**

LSA members whose dues are "current" may rent our pavilion for their personal events. Contact Susan Guigelaar at 231-648-6193 to learn more about renting or to reserve the pavilion. There is also a Pavilion Rental form on our website that can also be used to reserve the pavilion.



### **Sweatshirts:**

Cooler weather is coming and we still have some warm Indian Lakes Sweatshirts in stock. Call Valerie at 937-5010 for sizes available. All profits from sweatshirt sales (after expenses have been paid) go to our fireworks fund.

### **Condolences:**



Stanley G. Judis 82 a long time resident on Indian Lake went to be with the Lord Tuesday August 27. He is survived by his wife of 56 years, Patricia. See his complete obituary at <http://www.arsulowiczbrothers.com/obituaries/Stanley-Judis/#!/Obituary>



John Adler 76 a LSA Member since the early 1970s also went to be with the Lord Tuesday August 27. John is survived by his wife of 55 years, Maxine. See his complete obituary at <http://www.legacy.com/obituaries/ljsj/obituary.aspx?pid=166661023>



<b>Contact Numbers:</b>		
<b>Board Members:</b>		<b>Home Phone</b>
President	Jim Hutchinson	231-648-6481
Vice President	Brenda Tumosa	231-648-6004
Secretary	Susan Guigelaar	231-648-6193
Treasurer	Valerie Pritchard	231-937-5010
Trustee	Doug Ringler	231-937-4198
<b>Architectural Committee:</b>		
	Doug Ringler	231-937-4198
	Craig Einberger	231-580-6080
	Mark Spangenberg	616-855-4625
Township Permits contact:	Dave Kelsey	989-289-2268
<b>Newsletter Committee:</b>		
	Steve Pritchard	231-937-5010
	Glenn Irwin	231-926-4797
<b>Welcoming Committee:</b>		
	Doug & Darlene Ringler	231-937-4198
	Mary Ellen Holmes	231-648-6129
<b>Law Enforcement Numbers:</b>		
	DNR Website	<a href="http://www.michigan.gov/dnr">http://www.michigan.gov/dnr</a>
	Poaching	800-292-7800
	Animal Control – Montcalm County	989-831-7355
	Drain Commission - Sandy Rains	989-831-7322
	Montcalm County Road Commission	989-831-5285
	Michigan State Police/Lakeview Post	989-352-8444
	Montcalm County Sheriff	989-831-5253
	Howard City Police	231-937-4311
	Fire Chief - William Knapp	989-815-0905
	Emergency	911
<b>Drain Commissioner’s Lake Level Committee:</b>		
	John Westveer	231-937-5280
	Steve Pritchard	231-937-5010
<b>Pavilion Rental Contact:</b>		
	Susan Guigelaar	231-648-6193
<b>Winfield Township Directory:</b>		
	<a href="http://www.montcalm.org/government0058.asp">www.montcalm.org/government0058.asp</a>	
<b>Calendar of events for Fall/Winter 2013</b>		
09/28/13	Special Association Meeting 10:00 am Pavilion	
11/16/13	Craft Bazaar – starting at 9:00 am in the Pavilion – closing “When there is no more business.” Proceeds go to improvements and cleanup of the Pavilion. Donations of bake goods to sell to out of the kitchen and used books to sell at this event or in a spring event are welcome. A few tables are left to rent for \$15.00. Contact Sue Guigelaar at 231-648-6193 or email at <a href="mailto:secretary@indianlakes.org">secretary@indianlakes.org</a> for more information	
Winfield Township board meetings - 2nd Thursday of each month at 7:00 pm in our Township Hall.		

### **Architectural Committee:**

Building regulations are spelled out in LSA covenants, restrictions and township zoning ordinance. All structures and alterations must get approval and/or permits from LSA architectural committee, township zoning administrator, and county building department.

### **Neighborhood Watch:**

Report any suspicious behavior to the Montcalm County Sheriff or the State Police in Lakeview, If you are new to our community and have not received your new "Welcome Packet" or are a lake member who knows of new members please contact Doug or Darlene Ringler at 231-937-5525 or Mary Holmes at 231-648-6192 email meholmes711@hotmail.com..



### **Consider Advertising in Smoke Signals. We still have room for you!!**

Contact a board member or a newsletter committee member if interested! Ads come in three sizes. A full page ad is \$200, a half page ad is \$150, and a business card size is \$75 for one year – four issues.

## **Keith Alexis, Agent State Farm®**

Providing Insurance and Financial Services  
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2135 Plainfield Ave NE, Grand Rapids, MI 49505-4203

Bus 616 363 4889 Res 616 784 3108

[keith@keithalexis.com](mailto:keith@keithalexis.com)



A business card for Collier Technology LLC. The background is a blurred image of a person's face. The text on the card includes: "COLLIER TECHNOLOGY LLC", "Home Computer and Small Business Services", "JOHN COLLIER", "Certified Technician", "Located in Southwest Michigan", "Onsite Services Available", "(616) 304-5923", "John@CollierTechnology.net", "Repairs, Upgrades, Wireless Service, Consulting, Networking, Anti-Virus Service", "www.colliertechnology.net", and the "Microsoft CERTIFIED Professional" logo.



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**Howard City MI 49329**

**231-937-5014**

**[powells5014@gmail.com](mailto:powells5014@gmail.com)**