

**Birch Shores Property Owners Association Annual Meeting
Saturday, August 30, 2025, at 10:05 am**

Minutes

Present: Brett Barager (President)

Renee Beniak (Secretary) Sue Buitenhuis (Trustee)

Absent: Bob Spencer (VP) and Neal Kuehn (Treasurer)

- **Brett Barager called the meeting to order at 10:05 am** and reviewed meeting guidelines to keep initial comments to 3 minutes per individual until everyone has had a chance to speak, then additional comments can be made keeping in mind a goal of a 1.5-hour meeting time limit.
- **Deceased owners** were acknowledged by Brett Barager. Doug Bolfa requested his long time friend Carol be acknowledged who passed away this past year.
- **New owners** were welcomed and asked to stand and introduce themselves.
- **Quorum** Members were provided with a sign-in sheet. 43 members were in attendance, and a quorum was determined to be present.
- **Review of 2024 annual meeting** minutes was conducted. A motion was made, seconded, and passed with all in favor, zero opposed and zero abstentions for accepting the minutes as presented.
- **The Treasurer's Report and 2025-2026 Budget was presented by Brett Barager.**

Most members are current on their dues, a few were 1-2 years behind and they have been contacted. One person continues to refuse to pay, and we have discussed options with the attorney on seeking payment. It was noted that the budget had some added funding under the legal line item.
- **Old Business**

- Brett Barager reminded members and guests that the speed limit on the road is 25 mph and to drive with care. Dogs off leash was mentioned again. Homeowners must be responsible pet owners for both their own dogs and dogs that are visiting.
- There is information on the BSPOA website on how to get on the ballot to become a board member. New members are always needed as current board members term out. The date to submit your name and a short bio to the current board is listed on the website: <https://birchshores.com/>
- BSPOA support for Trout Lake 4th of July Fireworks for 2026 was discussed and presented to the membership if they want to again donate \$500 for 2026 Trout Lake Fire Works. A motion was made and seconded. Motion carried with zero opposed and zero abstentions.
- There was discussion of one area on the road near lot 72B that needs attention as it has a lot of standing water. Brett to address with our road contractor. Other

comments were made about the road being very muddy at times and also being very icy at times in the winter. One member suggested he wanted to put of a sign again that said “Or stay out” under the 25 MPH road limit. Members did not vote on if the sign should be put back up. Another member volunteered to make new signs for the nature preserve area. That offer was graciously accepted.

- Short-term rentals were discussed. A number of members again spoke up about their concerns with short-term rentals. One member advised that several renters were coming on to her property and even looking in the windows. This particular homeowner who is renting has not signed the CC&R’s, so there is nothing the board can do. Neighbors need to address this directly with the homeowner or by calling the police.
 - Brett Barrager discussed the after the annual meeting in 2024, a committee was to be formed, and fines established. However, after further communication with the attorney, Cease and Desist letters were determined to be the better approach. Research revealed 6 properties within the association boundaries are listed online as rentals. Of those 6, 3 are subject to the CC&R and letters were sent. It remains the attorney’s position that property within the association is intended as single-family residential use only and renting through VRBO and Airbnb type companies for short-term vacation rentals is a business as, established by Michigan case law. While BSPOA will need increased up front attorney fees, we will be requesting reimbursement of attorney fees if going to court is necessary.
- **Items from the Floor included discussion of the road. One member who works at the bank that BSPOA uses again suggested the board look into online payment options as opposed to mailing a check USPS. This member is going to reach out directly to the Treasurer to set up this option.**
 - **Board Election** (2 members not on the board or running for office volunteered to count the ballots, Dave Shellengerger and Larry Beniak). Dave verbally delivered the count: Brett Barager 18 Bob Spence 16. Two members were running, and both were reelected to the 2025-2026 BSPOA Board of Directors. Next year Neal and Sue will be up for re-election if they chose to run again and Renee Beniak will have termed out. There will be three opening on the board for 2026.
 - **Meeting Adjourned 11:03 am.**