

- ▶ Jim Flaggert, Bingham Township. Spoke in favor of Leland Dam repair costs being split 50/50 between riparians and the County.
- ▶ Tom Irvine – Solon Township. Irvine said a 50/50 split for Dam repair costs would be a fair assessment.
- ▶ Steve Martineau, Leland Township. Martineau passed out a Leelanau County Watersheds handout (on file in Clerk's office) and suggested including everyone within the indicated Lake Leelanau Watershed area as riparians.
- ▶ Martha Encherman, Leland Township. Encherman spoke about the importance of taking care of what brings people to visit the area and also that those living along the lake take a heightened responsibility for lake issues.

Calhoun left the meeting at 4:02 p.m.

- ▶ Ann Leugers, Leland Township. Leugers said lakefront owners are already assessed at a higher rate than off lake owners, and that the 50/50 distribution for Dam maintenance seems fair.
- ▶ Hayward Draper, Leland Township. Draper gave a brief historical summary of the Leland Dam and spoke in support of a 50/50 split for repair costs between the County and riparians.
- ▶ Wayne Swallow, Solon Township. Swallow said he was the former watershed biologist for the Lake Leelanau Lake Association, and would be in support of a 50/50 cost split.
- ▶ Amanda Holmes, Leelanau Township. Holmes said she is the Executive Director of Fishtown Preservation Society in Leland and said that Fishtown Preservation has a vested interest in the management of the Dam and properties below.
- ▶ Steve Fisher, Leland Township. Fisher said that based on evaluations it is oversimplified by saying it is 50/50 cost split, and the riparians are paying a much larger amount than 50%.
- ▶ Don Coppins, Centerville Township. Coppins spoke on the Dam's hydraulic system and the fact that there are no parts for hydraulics, no replacement parts, and no stand-by system. Coppins indicated that the engineers that had looked at this years ago missed several items that should have been addressed at that point.

- ▶ Jim Coberstead, Village of Lake Leelanau. Coberstead read from a letter to the Authority, which suggested a 50/50 split of costs between the County and all County residents on and off the lake.
- ▶ Ray Pleva, Centerville Township. Pleva spoke in support of maintaining the Dam and support that the County also continue to pay their fair share. Pleva suggested that Don Coppins be asked to look at final plans of the Dam due to his expertise with pump manufacturing.
- ▶ John Watkins, Leland Township. Watkins said riparians are not just located along the lake, but along any river and waterway, as well as suggesting they look into possible Federal Grants that may be available for additional funding.
- ▶ Darlene Doorlag, Centerville Township. Spoke about the Dam's Control Room flooding and need for emergency repair funding; and also that she is not in favor of a 50/50 cost split.
- ▶ Glenn Gotshall, Leland Township. Gotshall said everyone in the County benefits from the Dam and the lake and that the 50/50 cost is overly burdensome on the riparians.
- ▶ Chuck Haag, Solon Township. Haag said a 50/50 split is a compromise that riparians are willing to take even though they pay higher taxes already but require no extra services.
- ▶ Steve Fisher, Leland Township. Fisher questioned how the bidding process and decisions are considered.
- ▶ Jerry Palmer, Leland Township. Palmer said that the riparians will also be looked to for not just the Dam cost, but also costs related to the Asian Milfoil invasion, swimmers itch, and the possible dredging of the Carp River.

Communication Items:

~~None.~~ Received 16 letters pertaining to public comment (on file in the Clerk's office).

New Business:

Review and Approve Bids for Dam Flooding:

President Patrick Machin of Machin Engineering was present and reviewed the results of the bidding and reviewed the summary letter from his firm on the recommendation to the Leland Dam Authority. Machin stated there was only one bid received from Fisher Contracting Co. of Midland, Michigan. Machin explained that the original bid of \$88,221.26 was submitted based on the design documents prepared by Machin. In order to reduce the cost they decided to only look at the portions that need to be completed immediately due to the high lake level. Fisher subsequently modified its bid to \$38,333.04

to account for the changes, and Machin reviewed the list of items that would be eliminated from original bid from Fisher:

- No concrete sloping within the equipment room
- Remove the sump pump from their responsibility
- Replace the as designed entrance stair with concrete steps
- Not adjust the entry door
- Replace the joint seal with a water stop RX bentonite type in lieu of that planned
- Estimate a 1-week total for work

Machin explained that there is a natural low point in the equipment room and would not require concrete sloping where they would place the crock and sump pump. The installation of the sump pump and plumbing in sump, electrical for the pump, and installation of hand railing at entrance of steps will be completed by the County for a cost savings.

Chairman Joyce questioned what exactly they would be getting for the \$38,333.04 with all the items that had been eliminated, and will those items then come back and need to be done later on.

Machin answered that one of the major cost savings was the concrete work that was eliminated. They would be getting the crock in the floor, the cutoff wall that is created with reinforced concrete and joint sealants that won't ever leak, access from the wood deck and the steps. Machin explained that there are some specific construction practices required to do all of these items, such as attaching the cutoff wall to the Dam. Popa said he felt that anything under \$40,000.00 is decent considering the amount of time chiseling out the concrete for the crock. Popa asked about considering wolmanized lumber stairs with metal on top for now vs. pouring the concrete stairs. Machin answered the stairs were planned to be permanent but wolmanized is possible at a cost savings.

Administrator Janik clarified that this is a proposal and not a contract. If the Board of Commissioners accepts the recommendation then legal counsel would draft the contract and the County would then decide the contract terms.

Christensen said when you look at the companies that work on dams and with all of the DEQ requirements and paperwork, the number seems relatively high there were no other bids, and he appreciates the adjustment. Ultimately we will be getting the safety that is needed. This procedure is being proposed as emergency funding from the County General Fund, to be done right now, and not waiting for the reestablishment of Special Assessment District.

Christensen said the items not covered in this project will need to be done, it will just have to be determined when. Part of what they are looking at will be if they need to reinstate the Special Assessment District and the Dam Authority will need to put together a budget, which those items that were removed would be in that budget. The other part would be to consider recommending a different percentage split to the Board of Commissioners. Conversation continued between Authority members.

MOTION BY CHRISTENSEN TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE CONTRACT BY FISHER CONTRACTING CO., OF MIDLAND, MICHIGAN, IN THE AMOUNT OF \$38,333.04, TO BE COMPLETED ON A TIME AND MATERIAL NOT TO EXCEED BASIS. SECONDED BY MIKOWSKI.

Discussion – Popa said this recommendation would need to be brought to the Board of Commissioners Executive Meeting next week.

AYES – 4 (CHRISTENSEN, JOYCE, MIKOWSKI, POPA)

NO – 0 ABSENT – 2 (CALHOUN, ECKERLE) RECOMMENDATION CARRIED.

Renew AT&T Contract for Dam Phones:

MOTION BY CHRISTENSEN TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO RENEW THE AT&T CONTRACT FOR THE LELAND DAM PHONE SERVICE. SECONDED BY MIKOWSKI.

Discussion – none.

AYES – 4 (CHRISTENSEN, JOYCE, MIKOWSKI, POPA)

NO – 0 ABSENT – 2 (CALHOUN, ECKERLE) RECOMMENDATION CARRIED.

Proceed with Gathering Property Information for Assessment:

MOTION BY CHRISTENSEN TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO REINSTATE THE LAKE LEELANAU WATER LEVEL SPECIAL ASSESSMENT DISTRICT. SECONDED BY POPA.

Discussion – Christensen said no one needs to be told to gather property information; it will be done to begin to reinstate the Special Assessment District. Mikowski asked if this was the first step to begin a new assessment on the riparians. Christensen said 50 years ago the Court designated a lake level and gave the responsibility to the County to maintain it. The first fix of the Dam was surrounding a legal lake level and in that law you are allowed to do a Special Assessment District that covers all the riparians for the lake. The court designated the riparians as going from the Dam to the bridge in Cedar. Christensen continued, saying the first fix was done on a 50/50 basis that only lasted 20 years. This motion is just to have the County begin looking at the Special Assessment District. Discussion continued between Authority members.

AYES – 4 (CHRISTENSEN, JOYCE, MIKOWSKI, POPA)

NO – 0 ABSENT – 2 (CALHOUN, ECKERLE) RECOMMENDATION CARRIED.

Informational History, Orders, Motions, Etc. About Dam:

Christensen suggested Authority Members take the information prepared by Popa home to review. Popa said there is a lot of history that talks about court orders and what had been done previously. If they can agree to set another meeting time to discuss a budget to let people know how much money is being considered when discussing needed repairs. Consensus to set a tentative meeting for Friday, November 8, 2019 at 3:45 p.m.

Public Comment:

- ▶ Don Coppins, Centerville Township. Coppins stated that Authority Members need to consider where the sump pump water from the Control Room will be dumped as it may be contaminated with hydraulic oil.

- ▶ John Watkins, Leland Township. Watkins stated he does not believe the Leland Dam Authority has the ability to create a taxable unit and it must be under someone else's authority.

- ▶ Steve Martineau, Leland Township. Martineau suggested putting all the history and court proceedings online for the public.

- ▶ Darlene Doorlag, Centerville Township. Doorlag asked Authority to let the riparians know exactly how they will be assessed because it is not clear to her.

- ▶ Wayne Swallow, Solon Township. Swallow talked about possible consideration of configuring another ratio to ease the burden of amounts paid by riparians, in relation to other taxpayers in townships.

Authority Member Comments:

Chairman Joyce thanked everyone for attending and for their comments.

Popa thanked everyone who attended and added that assessments are done by the foot and only the riparians can be assessed per the court order.

Christensen also thanked everyone for many good points and said that many letters have been received this past week (on file in the Clerk's office) and seem to mostly support the 50/50 cost split.

Adjourn:

Meeting adjourned at 5:17 p.m. by Chairman Joyce.

Bob Joyce, Chairman
Leland Dam Authority

Alison Middleton, Deputy County Clerk
for Michelle L. Crocker, Leelanau County Clerk