

LELAND DAM AUTHORITY
Regular Meeting – Wednesday, May 31, 2023
Approved 6/21/2023

Proceedings of the meeting are being recorded (audio and video). The video of the meeting can be found at the following link:
<http://leelanau.gov/meetingdetails.asp?MAId=2522>

Call to Order:

Meeting called to Order by Chairman Steve Christensen at 10:00 a.m. Today's meeting is being held at the Government Center, 8527 E. Government Center Drive, Suttons Bay, Michigan.

Pledge of Allegiance:

The Pledge of Allegiance to the Flag of the United States of America was recited, followed by a moment of silence.

<u>Roll Call:</u>	Chairman, Steve Christensen (Drain Commissioner)	PRESENT
	Vice-Chairman, Garth Greenan (Road Commissioner)	PRESENT
	Member, Kama Ross (District #5 Commissioner)	PRESENT
	Member, Richard Thompson (Engineer Category)	PRESENT
	Member, Drew Warner (Riparian Category)	PRESENT

Administrator Deb Allen and Executive Assistant Laurel Evans were present.

Guests present.

Approval of Agenda / Late Additions or Deletions:

**MOTION BY GREENAN TO APPROVE THE AGENDA AS WRITTEN.
SECONDED BY ROSS.**

Discussion – none.

**AYES – 5 (Greenan, Ross, Thompson, Warner, Christensen)
NO – 0**

MOTION CARRIED.

Public Comment:

The following individuals addressed Dam Authority members in person:
John Popa.

Action Items –

Approval of Meeting Minutes – Organizational Meeting, April 26, 2023:

MOTION BY GREENAN TO APPROVE THE MEETING MINUTES OF APRIL 26, 2023, AS WRITTEN. SECONDED BY THOMPSON.

Discussion – none.

**AYES – 5 (Greenan, Ross, Thompson, Warner, Christensen)
NO – 0**

MOTION CARRIED.

Approval of Meeting Minutes – Regular Session, May 3, 2023:

MOTION BY ROSS TO APPROVE THE MEETING MINUTES OF THE MAY 3, 2023, REGULAR SESSION AS WRITTEN. SECONDED BY GREENAN.

Discussion – none.

AYES – 5 (Ross, Thompson, Warner, Christensen, Greenan)
NO – 0

MOTION CARRIED.

Review/Potential Approval of Proposed Bylaws:

Chairman Christensen stated that the Leland Dam Authority bylaws go hand in hand with meeting dates and mandate at least a quarterly meeting by the Authority. The draft bylaws dated April 4, 2023, can be seen at the following link:

http://leelanau.gov/downloads/05312023_ida_rs_pkt.pdf (pages 11-15).

Road Commissioner Greenan commented that under Section 5.2 – Committees [page 13 in the packet link] since we will have quarterly agendas and meeting minutes, by inference it looks like it would be monthly meetings, and they are not required to have that. Greenan suggested that the word “monthly” be removed from reference in that section.

Christensen noted that he thought the quorum section was interesting, being that a quorum is 50% of members plus one (1) and would suggest going to a three (3) member quorum not the four (4) as stated in Section 4.3 – Quorum. Then under Section 5.2 – Committees, says the Executive Committee is made up of the Chairman, Vice-Chairman and the Secretary (3 member) and serves as the Finance Committee which conducts Budget Preparation.

Commissioner Ross said she would like to keep at four (4) as it states already. Brief discussion ensued.

Chairman Christensen stated it could be either a three (3) or four (4) member quorum pending legal counsel review and approval.

Ross commented on per diem for Dam Authority members and Administrator Allen commented that it is recommended, but pending a decision by the Board of Commissioners.

MOTION BY ROSS TO RECOMMEND TO THE LEELANAU COUNTY BOARD OF COMMISSIONERS TO APPROVE THE BYLAWS FOR THE LELAND DAM AUTHORITY AS AMENDED PENDING LEGAL COUNSEL REVIEW. SECONDED BY GREENAN.

Discussion – none.

AYES – 5 (Ross, Thompson, Warner, Christensen, Greenan)
NO – 0

MOTION CARRIED.

Set Meeting Dates for the Remainder of 2023:

Dam Authority members discussed possible dates leaning toward a consistent monthly meeting day and time to set for the remainder of the 2023 calendar year. The following meeting dates were decided on going forward for 2023 and the beginning of 2024:

- June 14, 2023 at 10:00 a.m.

Executive Committee (for Budget):

- June 14, 2023, at 10:30 a.m. (or immediately following the Regular Session, whichever is later)
- September 13, 2023 at 10:00 a.m.
- December 13, 2023 at 10:00 a.m.

(Organizational Session):

- January 10, 2024 at 10:00 a.m.
- January 10, 2024, at 10:15 a.m. (or immediately following the Regular Session, whichever is later)

MOTION BY GREENAN THAT THE LELAND DAM AUTHORITY ADOPT THE MEETING DATES AS DISCUSSED. SECONDED BY THOMPSON.

Discussion – none.

AYES – 5 (Greenan, Ross, Thompson, Warner, Christensen)

NO – 0

MOTION CARRIED.

Review of Approved FY 2023 Leland Dam Authority Budget:

Chairman Christensen said that last year was an interesting year for the County with having moved the accounting functions. The \$66,000.00 requested for the Leland Dam Authority budget has now been approved and is available for use. As far as moving forward, moving the camera in the control room is really small maintenance. There are larger ticket items and big-ticket items possibly over the next year or so, but they would like the information from Popa of the details he had created of the 20 year look ahead of spending items for the next meeting to give ideas for the Executive Committee for the following year. Discussion continued regarding the Dam Authority and the Executive Committee.

Continued Review of the Leland Dam and Gauge Sites – Leland Dam Control Room Roof:

Chairman Christensen suggested reviewing both items a. and b. together (Control Room Roof and Walkway) as they are both in the budget.

Christensen stated that he spoke to Rusty Friedle, who was the project manager when building the dam from 2000-2006, and now works for Fisher Contracting Co., and he has bid on everything possible since. Friedle developed a dewatering system for when seals need to be replaced on the horizon for the dam, those will need to be replaced and we will need to dewater. Christensen described the dewatering process which would be used if seal replacement or additional repairs of that nature were necessary.

Christensen responded to member questions and gave additional history of the Dam to members.

Walkway:

Christensen explained that after conversation with Friedle, they would not need to do a redesign of the walkway in regards to dewatering. The walkway does not need to come out to dewater at that point. If we went that way it would be above and beyond necessary. At this point the budget says replacement of the wood for the walkway and Christensen said he is quite sure that Fisher will bid and they are not required to accept the lowest bid.

Christensen said his thought was that in importance, the walkway is first and then the control room roof repair, would be in that order. Discussion continued.

Commissioner Ross questioned if Falling Waters Lodge would be involved in cost sharing, and is the walkway ours alone to maintain? Brief comments continued from members.

Administrator Allen questioned if adding some sort of sign for the walkway regarding weight limits may be something to consider, and offered to help look through the history of the walkway design plans.

Staff Gauge at the Lake Leelanau Narrows:

Chairman Christensen gave an overview of the survey done at the location last fall with Leelanau Land Surveying. Vickie Brown had verified the level of the stake at the sensor and the lake level at sensor at that time of day, and matched up nicely with the sensor at that time. Took that same reading of the Narrows water level and the level of the staff gauge and could see the differential.

Greenan stated to John Popa and said we had surveyed in that staff gauge and if we know exactly how much to correct that gauge by, then if we purchase another gauge, any one of us could replace it. Maintenance Director Jerry Culman has a new Staff Gauge available and if we were to put it in, possibly Thompson and Popa could do it. Brief conversation continued.

MOTION BY GREENAN TO HAVE THE VOLUNTEER REPAIR GROUP [THOMPSON/POPA] GO AHEAD AND REPLACE THE STAFF GAUGE AT THE LAKE LEELANAU NARROWS USING VOLUNTEER LABOR. SECONDED BY ROSS.

Discussion – none.

AYES – 5 (Greenan, Ross, Thompson, Warner, Christensen)

NO – 0

MOTION CARRIED.

Gauge off of Birch Point Road:

Dam Authority Member Thompson stated he had spoken to the landowner Ken Blackstone about accessing the gauge and he was told they didn't need a written agreement. A courtesy phone call before showing up is all he wants. The contact phone number was stated and Thompson agreed to serve as the courtesy call person when necessary.

Additional discussion continued between members and John Popa from the audience.

It was decided to request Leelanau Land Surveying (Vickie Brown) come and resurvey where the top of the gauge (stake) is actually at, and also measure the lake level at that point in time.

MOTION BY GREENAN TO HIRE LEELANAU LAND SURVEYING TO SURVEY THE GAUGE AND THE WATER ELEVATION AT BIRCH POINT AND FOR THE DAM AUTHORITY TO REPORT THE RESULTS TO KAL KILLEN FOR SENSOR CALIBRATION. SECONDED BY ROSS.

Discussion – Christensen said spending an amount under \$2,000.00 is within the Dam Authority's current budget and does not need Board of Commissioners approval. Thompson and Popa to get with Leelanau Land Surveying for securing the arrangements.

AYES – 5 (Greenan, Ross, Thompson, Warner, Christensen)

NO – 0

MOTION CARRIED.

Public Comment:

None.

Authority Member Comment:

- Member Warner commented on the walkway weight limit.
- Member Ross addressed the high-water levels in Cedar, the demands of the court order on the Dam Authority, possible dredging, listening to concerns and the work here being part of the watershed system.
- Chairman Christensen said the Conservancy is holding a lot of cards and will not allow dredging, period. The plant material build-up and muck doesn't get flushed into the lake like before the Dam was built.
- Vice-Chairman Greenan stated this is not a Watershed Counsel and cannot manage the whole watershed. In terms of Victoria creek, or whatever you wish to call it, it is outside the scope of our Authority. Concentrate to protect everything we can, but stay with what we are authorized to do.
- Member Thompson noted that he believes it is important to listen to the neighborhood even if it is just to explain what our responsibilities are.

Adjournment:

Motion to adjourn by Commissioner Ross. Seconded by Greenan.

Chairman Christensen adjourned the meeting at 11:38 a.m.

Steve Christensen, Chairman
Leland Dam Authority

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