

**Boardman River Dams Committee Meeting**  
**Tuesday, October 23, 2007**  
**Grand Traverse County Civic Center**  
**Statement of Purpose:**

“To engage all interests in assessing and recommending the fate of the dams on the main stem of the Boardman River based upon a thorough analysis of options, including long and short-term economic, social, environmental, aesthetic, transportation and ecological impacts upon the community, individuals and riparian owners.”

**Attendance:** Tom Allerton, Dennis Aloia, Ron Alpers, Susanne Biteman, Mark Breederland, Nancy Brethauer, Gina Beach, Bruce Carpenter, Corinne Boyd, Jim Cooper, Beverly Cuthbert, Becky Ewing, Brett Fessell, Margaret Forgione, Jim Harvey, Bruce Hooper, Meral Jackson, Jennifer Jay, Bob Kaufman, Todd Kalish, Kyle Kruger, Bill Lane, Steve Largent, Herb Lemcool, Richard Lewis, Ed Martel, Ann Martin, Jim McIntyre, Jack Murray, Troy Naperala, Amy Packard, Scott Parker, Jim Pawloski, Carl Platz, Jim Pryor, Bob Rudd, Bill Scharf, Gabe Schneider, Jim Schramm, Sandra Sroonian, Robert Tubbs, Tom Wertz, Rick Westerhof, Sharon Wise, Peter Zirnhelt

- I. **Introductions:** Following introductions Jennifer Jay announced that BRDC member and friend Al Morse has passed away. A moment of silent remembrance followed.
- II. **Review of Agenda:** An objection was voiced and noted regarding the Creation of BRDC Code of Conduct.
- III. **Approve or Amend September Minutes :** Minutes were ultimately approved as written. Jim Pawloski requests that, while the minutes accurately reflect what was stated, the following clarification of his statement be provided: “Jim Pawloski says that when the DEQ issues a permit to remove a dam the impacts on the wetlands are not required to be mitigated” the revision statement should read: ““Jim Pawloski says that when the DEQ issues a permit to remove a dam the impacts on the wetlands may not be required to be mitigated”

There was also discussion regarding September minutes: “III. Review of Agenda- The agenda was modified to reflect that due to a current lawsuit against the DEQ, Jim Pawloski is unable to answer questions at this time”, Ron Alpers questioned how Jim Pawloski could attend as a representative of the DEQ and be unable to answer questions. It was pointed out that Jim is also a member of the Implementation Team, as well as a BRDC volunteer member, and is as concerned with issues beyond the DEQ lawsuit.

**IV. Review of BRDC Decision Making Process – Todd Kalish**

Todd began by relating a conversation that he had had in a DNR office in Wisconsin. As Todd was applying for a fishing license, the DNR employee, noting his Michigan address, asked if Todd was familiar with “the BRDC thing?” She has been following it closely, primarily through the website, and was highly complimentary of the process and the great participation; especially by how well such a diverse group could reach consent/consensus on such a variety of issues. Todd stated that there have been approximately 100 decisions made since the first official BRDC meeting in July 2005, and that keys to our success thus far are trust and respect. There are times when a vote becomes important, though in a voting situation, there is a win/lose situation created. With a consent/consensus process, not only is the trust and respect for the issue and for the committee members clearly evident, but by removing the winner/loser stigma it is easier to make decisions to do the right thing; one that considers all opinions prior to making a decision. The BRDC process is being monitored across the country and it would not be possible without the extraordinary community involvement. It is important that the decision making process remain malleable,

and that it continue to address different personalities and positions. Todd reminded that originally the Implementation Team had the final authority for all decisions made, but since spring of '07, on the recommendation of the BRDC, that decision making power lays within the BRDC, which includes the Implementation Team, unless the BRDC cannot reach a consent/consensus decision, at which point the IT has to make that decision based on all input provided. All Standing and Task Teams have various processes, then they report to the BRDC where various issues are disclosed and discussed, and recommendations are made. If one doesn't voice their opinion at that time that is equal to consent. All Teams are open to membership and meeting dates, times and locations are posted for each month. Discussion: What's the difference between recommendation and decision making? The BRDC makes a final recommendation on the fate of the dams to the City and the County, but that recommendation is based on decisions made throughout the process.

#### **V. Creation of BRDC Code of Conduct – Todd Kalish**

Copies of the guidelines of the blog that were previously approved were distributed for review and comment on whether similar guidelines ought to be established for the BRDC meetings.

Discussion: Is this the only blog with a policy? Absolutely not. It was comments to the site from outside readers that prompted the research on other blog policies and the development of this one. All blog entries are saved and filed and the writer is notified if the entry is deemed unsuitable. Blog entries that violate the policy can be modified by the author and resubmitted for posting. Opinions and inaccuracies will remain. Authors can also request that their entry be removed. The idea is to self-edit; that even when you are angry or disagree, keep it civil. Showing a lack of respect, in word or deed, are simply bad manners. Further discussion questioned whether guidelines were truly needed or whether the facilitator should simply control the meetings. It was pointed out that establishing guidelines is a basic component in facilitation training for effective meetings and that while the BRDC has essentially self-governed to this point, as we get closer to final decisions and recommendations, as situations arise, and as people get more comfortable with each other, guidelines would be a good thing to have to refer to if the tone of meetings becomes less than civil and respectful. It was suggested that the Communications Team devise a bullet list of 'foundations of good conduct' for meetings. This will be presented at the November meeting. Reminder-Facilitation training is available to any BRDC members. Two four-hour sessions are required and interested BRDC members can contact Jennifer to sign up.

#### **VI. Brown Bridge Pond and Dam Update – Richard Lewis**

The pond has been drawn down by a total of 18 inches, a decision made by the City for safety purposes. During a September review with the USACE and ECT, the comment was made that the concrete structure is the worst the engineer had ever seen. In response to that comment, the pond was lowered the final 6 inches (of the 18 total). The City, USACE and ECT are all continuing their review of the structure and ECT will be meeting with Richard on the 24th. Discussion: Is the meeting referenced with ECT open to the public? No, it is not a public meeting, it is simply to create a RFP for further work, though if you wish to attend, please do. Is the dam condemned? No. Is there an emergency action plan in place? Yes, and a new one is being written. Is FERC requiring spillway repair? If the dams are going to be relicensed to generate electricity, yes, there are repairs that will be required.

#### **VII. Risk Assessment Update – Dennis Aloia**

There was a thorough review of the land surrounding the Boardman Pond on September 19<sup>th</sup> for the purpose of an insurance assessment. The following recommendations were made: post hazard signs at all access points, pedestrian sidewalks and entrances. (Signs have been ordered, are due Thursday, and will be posted to replace current signage). Identify all attraction points. Plan periodic reviews to identify new dangers. (Currently being

done weekly by Steve Largent and intern; POIT members.) Some areas to be labeled “Use at your own risk” Clear log jams. Any major developments may require further review by ADA, etc.

Discussion: Are these signs in compliance? Are there signs on both sides, coming and going? The county is following all insurance recommendations. Has the county been copied on the legal issues involving the DEQ? Not Dennis personally, but he will check with the attorney.

#### **VIII. Consultant Team Update – Scott Parker**

Scott reviewed the Progress Tracking sheet, contained in the meeting packet, and pointed out that work contributed by the Communications Team, USACE, etc, may not all be specifically identified in this tracking sheet but all will work to reflect that in future tracking sheets. There have been two additional reports requested: fisheries habitat assessment, which should be done in a week or two, and a review of existing conditions of structures, to be done with the USACE next month. With those, all current tasks will be completed. Also included in the packet is the timeline which shows a 75% completion of baseline information, right on track to complete a 24 month study. There is a concern that lack of funding could cause delays. The overall work order summary is also in the packet and shows the areas designated as high priority next steps. The value of volunteer and in-kind support is critical and very much appreciated.

#### **IX. Communications Team Update – Sandra Sroonian**

Sandra announced a minor modification to the blog. There will soon be a registration form for user name, screen name, and password for a one-time registration, which will help eliminate the issue of posters using multiple identities. Project signs/posters are being modified, and 50 will be printed and laminated, then sent to various locations. To request posters or suggest locations, please contact Jennifer. All newsletter articles have been submitted and 100 copies of the newsletter should be available within two weeks. Jennifer and Herb Lemcool recently presented to the Chamber of Commerce/Transportation Committee, the Michigan Retired Teachers and to the Optimist Club, where they were greeted with great enthusiasm. As always, the Power Point presentation is available to take on the road. Susanne Biteman attended the Bottomlands meeting to discuss the possibility of coordinating appearances by BRDC members on radio shows with Norm Jones/Jack Lane and Ron Jolly. Steve Largent, Ron Alpers, Todd Kalish and Jennifer Jay have volunteered to represent the BRDC and it's process. Everyone will be emailed appearance dates once they have been scheduled, likely in early December. The Communications team will purchase 3 protected literature boxes for info distribution at strategic trail heads. Herb took a moment to draw attention to two aerial photos of the river, which he brought with him.

#### **X. Scoping Team and Alternatives Analysis Update – Michael Donahue**

Troy Naperalala announced that three new members had joined the team, which will typically meet the fourth Tuesday of each month immediately preceding the BRDC meeting. The Scoping Team was originally formed to develop the SOW; now acts to review and recommend various work orders to complete the SOW, and will be focusing on the identification and analysis of alternatives for the dams. Contained in the agenda packet were samples fact sheets for some alternatives. The format for these has been approved, the content revisions will be on-going.

Discussion: Are theses somehow cross referenced with the 100 questions developed for the RFQ? Yes! A matrix has been developed, which will be updated routinely showing how work done and options identified address those original questions. The Scoping Team will be looking for input on alternatives at meetings, from the blog and from the public at large.

#### **XI. Finance and Fund Development Team Update – Becky Ewing**

Becky, now Chair of the Finance Team, pointed to notes in packets regarding a review of upcoming funding proposals: NOAA (due Wednesday) and Fish and Wildlife (due November 8) Marsha Smith of Rotary Charities has offered to convene a group of local foundations, to

meet soon. Mike Donahue is developing relevant 'talking points' and overview to be used to introduce funders to the BRDC mission.

Discussion: Is there a contingency plan in place in case funding dries up? Time has been spent researching funding options. Grants are slim and the competition is high. There are concerns, shared by the Scoping Team as well, and a contingency plan would be good. The Finance Team will place this on the agenda for their November meeting. Would a local bank give a bridge loan in a grant pending situation? It's possible. That will go to the Finance Team to investigate. Are dissenting opinions clear in grant requests? Our process documents opinions presented and, where and when applicable, the variety of opinions regarding the fate of the dams is included. If there weren't different opinions there wouldn't be need for this process or study; the involvement of people with diverse opinions is the cornerstone to the process and that is made clear in proposals. Is there a policy against individuals sending grant agencies dissenting opinions? No, there isn't a policy that would prohibit that, though if there are dissenting opinions regarding funding, those holding those opinions should really participate in Finance Team meetings and discussions.

**XII. Bottomlands Management and Property Owners Issues Team Update – Steve Largent**

Included in the meeting packets are the thus-far identified disposition options for the Boardman Pond area bottomlands from the Bottomlands / Property Owners meeting. The teams are looking to brainstorm alternatives. They also will consider options like the county retaining ownership but deeding or selling easement access to surrounding property owners. The disposition options document is a working document that will continue to grow as well as to be refined.

Discussion: Has Mr. Deems found any reversionary terms in the deeds? No, all language assumes ownership by the county, as stated in his legal opinion. Is all this only focusing on the Boardman Dam? The current focus of the Bottomlands / Property Owners team is on the Boardman Dam area, (not the dam itself, but the property) but the process of alternative identification of each dam is replicated by the work of the Scoping Team.

**XIII. Call for agenda items for November meeting – ALL**

Team updates

ECT Update

Terrestrial habitat report – Don Tilton

USACE Update – Carl Platz

Bottomlands Management – address mitigation questions to be provided by Ed Martel; inquire if Mr. Martin Melkild will present to BRDC and/or Bottomlands group

Communications Team- Guidelines

Finance Team- Contingency plan and loan options

**XIV. Meeting Evaluation – ALL**

Lot's of work done in two hours. While this is an open forum, and alternative opinions are welcome, there is concern that individual agendas and repeated views distract and bog down process. Perhaps some issues could be added to agenda as "Special Topics?" Perhaps the Communications team guidelines suggestions will help address this? Important to remember that this is an ongoing process. NOTHING has been decided, the Feasibility Study is in process and we are all invested in doing the right thing. Requests for additional agenda items can be made and approved by the full group as part of our process. Food was fabulous! Thanks to all who contributed.

Meeting was adjourned at 8pm.