



Mid-February Frequently Asked Questions

February 23, 2024

Since our last release on Valentine’s Day, we received additional questions. While it would be nice to be able to respond to every Facebook question or comment, that media is not conducive to providing thorough detailed answers. We wish we had simple “Facebook type” answers to complex questions - - - we do not share our opinion, rather we provide answers to complicated questions.

For those that follow the Secord Lake Association updates, we have provided 25 townhall style meetings and over 75 published articles in the past few years. **Our meetings, townhalls, website, Facebook page and publications are available to all.** You do not need to be a Member to participate.

Before we jump in - - - this situation is frustrating to all of us. It is complicated and confusing. We are all disappointed with the assessment amounts. For those just catching up to the complexity of the restoration projects due to the assessments, the situation may appear overwhelming.

The Secord Lake Association supports and assists the FLTF efforts to seek additional grants from various sources as well as researching other avenues to offset costs to property owners. **We don’t just say this, our Members have active relationships at the State and Federal levels. We continue to seek grants to reduce the costs for ALL property owners.**

We recognize information over the past 3 years has changed as the restoration plan moves forward. We believe having accurate information, even if we don’t like it, is better than either no information or wrong information. If you have questions, we welcome them at SecordLakeAssociation@gmail.com

You can also visit the <https://www.four-lakes-taskforce-mi.com/> or www.SecordLakeAssociation.org

Why did the capital assessment change 3 times since early December?

There is a detailed response to this question on page 5 of this edition of Secord Frequently Asked Questions from Super Bowl weekend – publication location [HERE](#).

Can the FLTF raise the assessment cost 10% every year?

The FLTF **cannot** raise assessments 10% every year, by law this needs to be approved by the commissioners from both counties following the legal process to do so. The assessments recently approved will be reflected on the Dec 2025 tax bill due in Feb 2026.

- The Operations and Maintenance was approved for a 5-year period 2025, 2026, 2027, 2028 and 2029. These established for a 5-year period beginning with the due date in Feb 2026. The county approved these as the amounts for each of these 5 years.
- As a point of reference, the current Operations and Maintenance assessment has been constant on the December winter tax bill issued in 2022, 2023, and 2024.
- The construction or capital assessment approved is the “not to exceed” number that will be reflected for the first time on the Dec 2025 tax bill due Feb 2026. This amount may be lower if the project costs are lower than the “not to exceed” amount or additional grants are secured. Once the total project costs are known, this amount will be finalized. Again, the number recently approved is the “not to exceed” number.

There are comments on Facebook about an appeal or class action of some type. Could this slow down, stop or curtail the Secord and Smallwood construction projects?

If for some reason the appeals process is tied up in court, then YES, the ability to secure the bond to keep the Secord and Smallwood project funded will be delayed.

With construction at all 4 dams, the grant money will be **exhausted** by mid-year. **To continue work on Secord and Smallwood a loan is required** to fund the balance of the project. The FLTF will seek bond funding of \$80 million by June 1, 2024, to continue to fund the Secord, Smallwood, and Sanford projects.

To secure the bond, all appeals to the construction or capital assessment need to be resolved prior to disbursement of funds.

The appeals process is administrative or routine in nature. It is part of the overall special assessment procedure as individual appeals are regularly resolved by the circuit courts.

If for some reason the appeals process is slowed, then YES, the ability to secure the bond to keep the Secord and Smallwood project funded will be delayed.

The contractors, engineers, and consultants without a clear line of sight to funding will likely disengage from the project(s). As there is ample work available in the heavy infrastructure market, these professionals may simply move on to other projects.

The other unintended consequence of a delay is loss of engineering and construction talent currently engaged on the projects, litigation by contractors for contracts in place, costs to stabilize the dams as construction ceases and start-up costs with permitting, bidding and construction costs when the project is restarted. **All of this will cost property owners in the special assessment district more in terms of money and time to restore the lakes.**

We look forward to the completion of the appeals process by the Midland circuit court. Secord and Smallwood have been delayed due to circumstances outside of our control and we do not seek another delay that could turn into years.

If someone pays their capital assessment up front “will they ever have to contribute another dime?”

The FLTF indicates there will be options for property owners to pay the capital principal upfront. These details will be available as the loans are finalized.

- FLTF has indicated if someone pays the total upfront, and additional grants are secured that lower the assessment for all property owners, the person is entitled to a rebate for their portion of the grant.
- To say that someone paying the total capital assessment upfront today will never have “to give another dime” would not be accurate. These dams are being built with a 75-year life or greater - - there is a likelihood additional repairs to the dam(s) will be required over the next century. Nobody today can predict how these repairs will be paid for - - - the people in future decades will need to figure that out. We can state today that if someone pays the current assessment upfront once the final numbers are available from FLTF, that should satisfy this specific assessment.
- To avoid confusion, the Operations & Maintenance annual assessment is a permanent assessment unless other sources of funding are secured for this in the future.

How much is the FLTF board being paid?

All 7 FLTF Board members, including Dave Kepler, President are volunteers. They receive no compensation. Two board members are from Secord, two from Wixom, two from Sanford and one from Smallwood.

The FLTF does have limited paid staff (or contract help) to include expertise in finance, legal, communications, operations, and project management. (See next question).

How do I find out more about the Operations and Maintenance costs / assessment?

The Operations & Maintenance costs are outlined in the link below from FLTF. While the FLTF Board is made up of volunteers, there are some paid staff or consultants. In addition, there are additional requirements to operate a project of this size and scope. This [LINK](#) contains a memo from FLTF regarding the breakdown.

The answer below is from a Secord Lake Association FAQ publication from **Feb 2023** where we address the need for operations and maintenance.

Q5: Why are we paying for maintenance of a dam that will not be in operation until 2025?

The assessment is for operations, maintenance, and repairs. This answer has three parts.

PART 1: To obtain required construction permits from EGLE, these three things need to be in place:

- 1) 100% Engineering with detailed construction and regulatory plans, **and**
- 2) Funding for construction, **and**
- 3) Funding in place for long-term operations, maintenance, and repairs.

And here is what happened to meet these requirements:

- The \$200 Million State of MI grant to help fund construction awarded on March 31, 2022.
- The Counties approved the special assessment for operations, maintenance, and repairs on July 12, 2022.
- 100% Engineering for Secord provided to the Regulatory Agencies in Aug-Sept 2022.

The budget for construction and operations (to include repairs and maintenance) was approved by Gladwin and Midland Counties on July 12, 2022. This approved the construction budget to include the \$200 Million grant. They established the special assessment for operations, maintenance, and repairs to begin with the December 2022 property tax bill (due Feb 2023).

With all three requirements met, the Secord construction permit was issued by EGLE on November 2, 2022. The pull ahead sheet piling project began and a construction contractor was named in December.

PART 2: In addition to meeting the requirements for the EGLE construction permit, the FLTF has ongoing dam operations and management expenses that need to be covered. The FLTF indicated this amount is about \$1.56 million annually for all 4 dam sites. Up until 2022, these had been covered by other grants, matching funds, and donations. The \$200 Million MI grant can only be used for construction. These funds are not available for operations, maintenance, and repairs.

The FLTF Board is made up of unpaid volunteers from each of the lakes and one from each County Board of Commissioners. There is a small staff of people focused on finance, legal, communications and dam operations. Up until 2022, these costs have not been paid for by property owners, rather other grants, matching funds, and private donations.

Of interest, the process to apply and account for funds from the \$200 Million grant is complex and detail orientated. The FLTF has qualified finance professionals managing this relationship with the State.

PART 3: Dam safety monitoring and maintenance is required by EGLE for an impoundment to hold water. A FLTF Dam Operations team is currently staffed to maintain EGLE compliance requirements. To acquire a permit from EGLE to fill the lake when ready, a very detailed operations and maintenance plan will be required. This plan relies on trained operators to develop and execute. To learn more about dam operations and requirements, [CLICK HERE](#).

The assessment for operations, maintenance and repair was required from the special assessment district for all 4 dam projects to qualify for EGLE requirements and permits.

If one is wondering the question, what happens if this assessment is canceled? The dams would be out of compliance with EGLE directives outlined in a letter to FLTF dated June 30, 2021 that reads in part:

Interim Operations:

During this period of recovery and restoration of the dams, FLTF shall continue to operate and maintain the dams in a safe manner consistent with current industry standard practices. FLTF should develop an Operation, Maintenance and Surveillance Plan which outlines operational procedures (if any) and type, frequency and reporting of monitoring and maintenance at each dam. Emergency action plans are required to be developed for each dam in coordination with the County Emergency Managers. These plans must be submitted to EGLE for review and should be reviewed annually FLTF and updated accordingly as modifications are made to the dams.

As high hazard dams, inspection reports are required every three years according to Part 315. Throughout 2020, the four dams underwent several inspections and in 2021 thorough engineering investigations and analyses were completed as part of the Feasibility Study. These reports satisfy the inspection requirement, and the next inspection will be due by December 31, 2024.

[EGLE Letterhead Lansing Central \(four-lakes-taskforce-mi.com\)](https://www.egle.state.mi.us/letterhead/lansing-central/four-lakes-taskforce-mi.com)

Why does the FLTF need pickup trucks?

The dam operations team has responsibility for all 4 dam sites. As county employees, they require safe, reliable transportation, able to move tools and equipment, to do their jobs. In addition, as employees they are covered by insurance while doing their jobs using equipment owned by the county.

This is no different than other county owned equipment whether it be the parks department, road commission, building inspection departments, sheriff's department, or others. The FLTF is the delegated authority for the counties. As the county delegate responsible for managing the dams, the FLTF owns and insures these pick-up trucks.

The three (3) basic model pickup trucks garnering so much Facebook attention were purchased off lease as this saved the county and the special assessment district money for the transportation required for the operations employees to safely travel between work sites.

Secord Dam is being overbuilt . . . why is FLTF building it this way?

The State has jurisdiction via EGLE over the dam and the requirements to be satisfied for Secord to return to legal lake level. The engineering is designed to meet the EGLE safety requirements. From the EGLE letter referenced above at the end of the last answer, here is direction provided by EGLE to FLTF regarding the Secord dam dated June 2021:

Secord Dam received minimal observed damage during the May 2020 flood event. However, there were several deficiencies that have persisted and require rehabilitation. Several critical safety improvements were completed this year to facilitate management of the dam in its current drawn down condition.

Below is a summary of outstanding deficiencies that need to be addressed:

- *The spillway has inadequate capacity to safely pass the ½ Probably Maximum Flood (PMF) as required by Part 315.*
- *Concrete components of the dam are showing signs of deterioration and are beyond their design life.*
- *The existing tainter gates are beyond their design life and exhibit signs of deterioration. The hoisting mechanisms are insufficiently sized for the range of design service loads and do not meet current industry design standards.*
- *The embankment dams are overly steep, have insufficient slope stability, and exhibit excessive amounts of seepage.*
- *Downstream energy dissipation and erosion protection is inadequate.*

FLTF should continue to pursue improvements to the facility as outlined in the March 2021 Feasibility Study. Impoundment water levels shall be maintained at the current, drawn down level until the above referenced deficiencies are remedied.

The work being done on Secord is compliant with the ELGE requirements needed to obtain a permit to fill Secord to the legal lake level. The engineering for the auxiliary spillway is particularly challenging due to the small footprint of land available due to the position of the dam relative to the Secord Dam Road bridge.

The Secord Fisher Contract awarded last year was for \$37.2 Million. How did the cost for Secord get to \$67 Million?

This is an interesting question we addressed at several meetings over the course of the summer.

To obtain the regulatory agreement to fill Secord, at a high-level 3 things need to be completed:

- 1) The length of the Secord Dam earthen embankment needs to be strengthened, **and**
- 2) An appropriate auxiliary spillway needs to be constructed, **and**
- 3) The primary spillway and gates need to be upgraded.

The FLTF obtained agreement from EGLE for “pull ahead” projects at Secord. The installation of the rock and steel sheet piling began in late summer / fall of 2022 before the contract was awarded. Once completed, the rock and sheet piling will strengthen the embankment to meet criteria 1 above.

In addition, other work to stabilize the dam, conduct engineering for the dam to meet requirements to obtain a construction permit from EGLE, prepare the site for construction, purchase the new gates and other work was done prior to the Fisher contract. The table below was shared by the Secord Lake Association during the summer 2023 to illustrate the \$20.1 million invested to restore Secord dam ahead of the scope of work in the Fisher contract.

The embankment work mentioned above is a “pull ahead” project.

At a high level, the Fisher contract scope of work sought the construction of the auxiliary spillway, primary spillway, and installation of the new gates.

As communicated, during the construction of the auxiliary spillway the need for dewatering was discovered. This added both cost and time to the completion of this phase of the project.

August 2023 Secord Dam Cost Roll Up View*	
Engineering to Permitting	\$3,420,000
General Site Conditions, access, improvements, utilities	\$7,300,000
New Gates	\$2,139,000
Pull Head Projects (Rock & Sheet Piling)	\$8,079,000
	\$20,938,000
Fisher Contract	\$37,184,983
Dewatering Issue (Engineering and EGLE approved plan)	\$4,000,000
Raw Materials Increases (concrete and steel)	\$2,816,000
	\$64,938,983
* Non audited numbers - - view provided to show work done prior to Fisher contract.	

In January 2024, the FLTF provided this update / information regarding the Secord dam project. The entire report is located [HERE](#).

Secord Dam

Labor costs related to structural concrete increased from the original cost estimate by ~\$3 million due to a shortage of skilled workers, both carpenters and laborers, qualified for structural concrete work. Subcontractor costs further increased from the original RCC quote for the spillway basin by \$4 million. Only one subcontractor would quote the project – a clear indication of the aforementioned tightness in the market. Material costs increased in alignment with the construction cost index, showing a trending increase of 15% year-over-year. Further cost increases were reflected by a \$1 million increase in aggregates, specifically, steel sheet pile. Site restoration and Architectural, Mechanical, Electrical and Plumbing (AMEP) work was bid and resulted in a \$2 million increase from the 2021 estimate due to a required expansion in scope.

There were further increases in construction administration and oversight costs. These labor rates follow the same 15% year-over-year increase as the construction labor rates. Further, quality assurance work is labor intensive and specialized, resulting in an additional increase from the 2021 estimate of \$4 million.

Item	Description	Amount
1	Structural Improvements	\$ 27,300,000
2	Embankment Dam Earthwork	\$ 4,300,000
	General Site Conditions, Access, General Site Improvments, Site	
3	Utilities	\$ 9,800,000
	Architectural, Mechanical,	
4	Electrical, Plumbing (AMEP)	\$ 2,300,000
	Owner Furnished Equipment-	
4	Gates, Generator, Steel Sheet Pile	\$ 4,000,000
5	Quality Assurance	\$ 4,500,000
6	Construction Administration	\$ 5,700,000
7	Site Restoration	\$ 800,000
	Steel Sheet Pile and Low Level	
8	Outlet Pull-ahead	\$ 8,500,000
	Secord Dam Construction Estimate	\$ 67,200,000

This is the Secord roll up provided by FLTF in January 2024. This has the various cost components in categories. This view is consistent with how the FLTF is tracking / illustrating cost roll ups at all the dam projects.

We can expect to see this type of “work category” roll up as we move forward.

The FLTF indicates the Secord, Smallwood and Sanford costs are now based on a fixed bid and the costs likely have little room for change.

Why Aren't River Property Owners Upstream and Downstream of the Four Lakes Included in the Special Assessment District?

The FLTF has this posted on their website: Upstream and downstream property owners do not have property that's adjacent to the lakes, nor does their land have deeded access to the lakes. Therefore, like any property that is not adjacent or with access, they receive no direct benefits, and are not part of the Special Assessment District. While there are property owners in the Special Assessment District who feel that other property owners outside the district should be assessed, Four Lakes Task Force nor the counties have any standing, based on Part 307, Inland Lake Levels Act, the physical water flows, and intended use of the dams, to include others in the Special Assessment District.

For those interested in learning more, please check out this FLTF [LINK](#).

We received a few questions regarding the Secord Retake Our Lake campaign:

Where can I obtain information on how to remove nuisance trees from the lakebed in front of my place?

The Secord Lake Association worked with a variety of resources to create the plan we call Retake Our Lake. The plan was shared by the committee in April 2023 and will be updated as we move into the Spring. View the plan [HERE](#).

How can I get a permit from EGLE to add sand to my beach area?

Adding sand to a beach front area is straightforward. Click [HERE](#) to read the EGLE document that outlines the process.

If the Sand is to be added on the shoreline, above the historic water level on the shoreline at full lake level, no permit is required.

If the sand is to be added to a swimming area on the lakebed, a permit is required. If a property owner follows the guidelines provided in the link above, the EGLE permit should qualify as a minor permit with a cost of \$100. If the lakebed area for sand placement exceeds the guidelines outlined in the DEQ Swim Fills Beach Sanding Handout link above, this may be a major permit with an estimated cost of \$500. Please consult EGLE for specific permit fees.

Was the Association able to cut the old tree trunks sticking out the water this past winter?

While the warm winter weather allowed work to continue at the dam, it was not conducive to allowing us to complete this specific project. The answer is no, we were not able to cut the tall tree trunks sticking out of parts of the "drawn down" lake this winter. We appreciate the team at Oak Ridge for working with us on this project.

We were able, thanks to the partnership with Secord Township, their contractors, and our Association volunteers to do more clearing on the public gathering sand bars and the bay at the end of West Branch Drive of nuisance trees. In addition, just before November a group of volunteers cleared Tire Island of nuisance trees.

This document outlines the [permit grant program](#) available to Secord Lake Association Members.

If you have additional questions or ideas, you can email them to secordlakeassociation@gmail.com We will do our best to respond to questions with another Secord Lake Association communication as others may have similar questions.

The Secord Lake Association supports and assists the FLTF efforts to seek additional grants from various sources as well as researching other avenues to offset costs to property owners. We will be introducing more opportunities for property owners and Members to help. You can expect continued updates. **There is a plan in full motion to restore Secord dam in 2025.** The Association continues to focus on what is required to prepare Secord to return.

www.SecordLakeAssociation.org