

SECORD LAKE ASSOCIATION INC

Public Board Meeting via Zoom

July 18, 2020

### **MINUTES**

Secord Lake Association (SLA) meeting was called to order at 10:00 A.M. by Phil Dast. Board members present via Zoom: Phil Dast, Chuck Sikora, Susan Morgan, Richard West, Bruce Plowman, Rita Lewis, Deb Stover; and Jeanne Ballor. Also present Sandy Sikora. Guests Dave Kepler, Four Lakes Task Force (FLTF), and Commissioner Joel Vernier, Gladwin County Board of Commissioners

**SECRETARY'S REPORT:** Motion made to approve Minutes from June 11, 2020 Board Meeting. Seconded and passed. No further report.

**TREASURERS REPORT:** Bank balance is \$3420.39. There are no outstanding bills. Motion to approve Treasurer's report made, seconded and passed.

Phil introduced the members of the current SLA committees and asked for their reports

**ELECTION COMMITTEE:** (Jeanne Ballor, Richard West, Sue Morgan, Bruce Plowman). Richard explained there have been changes to the Bylaws regarding selection of officers. The current Bylaws are posted on our website. Briefly, all elections are for Directors, each with a 3 year term. The Directors will choose the officers. The Annual Meeting at which the election will occur is August 15, 2020, the 3d Saturday of August. It is likely this will also be a virtual meeting.

The election next month will be to fill vacancies for the 4 officers who were elected last year for one year terms; those terms expire at the end of this year. As the Bylaws require, the Board is to prepare and announce a proposed slate for filling those vacancies. The proposed slate is Phil Dast, Chuck Sikora, Jeanne Ballor and Sue Morgan. Bylaws also allow for nominations from the floor for these positions. Both nominator and nominee must be members in good standing

**COMMUNICATIONS COMMITTEE:** (Chuck Sikora, Sandy Sikora, Rita Lewis, Deb Stover). Chuck reminded us that there are various ways in which the SLA communicates with our membership: emails to SLA members, SLA website (where most of our information is posted), and SLA Facebook page.

**MEMBERSHIP COMMITTEE:** (Rita Lewis, Sandy Sikora, Carl Kerr); no report.

**PRESIDENT'S COMMENTS:** This is the second year for the SLA. Due to the pandemic, we have been unable to hold public meetings or put on our scheduled programs. This is our first public meeting in 2020. While virtual meetings create their own set of problems in communication, SLA (as well as FLTF) is committed to improving the way we communicate with our members and our lake community.

Phil shared his personal concerns. We are aware of the other group on our lake that wants to separate from FLTF. This is causing tension, hard feelings and confusion. His fear is that this disruption is actually going to delay what we all want: our lake back. He believes that our lake community is made up of good people who all want the lake back. SLA wants that too but believes that this must be done in a safe and responsible way. The current owner has proved to be neither safe nor responsible.

SLA received a letter yesterday from the Speaker of Dam Safety Officials. In this letter, caution was urged about relying on the current owner and its representatives; they have caused problems not only in our lake system but in other lake system dams they have owned. Some of these problem have actually led to dam removal. Our 100 year old dam needs more than a bandaid. It needs to be brought up to current standards so it is safe before we raise the water levels. What has happened is neither the fault of FLTF nor SLA nor our lake community. It happened because for years the present owner has not repaired and maintained the dams as was required, so the dams were not able to withstand the extreme weather event.

This is a time for all of us in our lake community to pull together, not separate. SLA will be reaching out to our community for people who can volunteer their expertise to improve the enjoyment and safety of our lake.

**DAVE KEPLER, FOUR LAKES TASK FORCE (FLTF):** Mr. Kepler introduced himself, as a homeowner on Sanford Lake whose home and whose daughter's home were damaged in the flooding. He like everyone else wants our dams fixed and our lakes filled. FLTF is focused on accomplishing that. Today, he wants to address some of the issues specifically around Secord Lake.

The challenge is that FERC is the only entity that can approve raising the water on Secord; that is a fact. Shortly after May 19, FERC ordered the current owner to draw down the lakes and to undertake inspections. The inspection reports were due around May 22. They were not completed until June 8. Part of the delay was due to the fact that the current owner had no engineering staff to deal with the issues. It was not until July 9 that the report on dam safety was filed. It was filed under the Critical Infrastructure Information Act (CII), which prevents terrorists from looking at data about infrastructure. FLTF believes that was not appropriate, and is fighting through that. FERC has not yet responded to that report.

A report should be out pretty soon specifically on the Secord dam. A lot will be learned from that report. A lot can be presently learned from the Smallwood report, which is available now. In a July 15 letter regarding Smallwood, FERC stated that the current owner may not return the reservoir to normal lake levels until it has satisfactorily addressed the numerous issues detailed in the letter and has received authorization from FERC. Secord and Smallwood have the same embankment construction. This letter provides a practical view of what will most likely required of Secord. Secord and Smallwood will have their own repair plan and schedule and will not be assessed for rebuilding of the other two dams. The plan for Secord will be expedited to the extent possible but may take longer due to the number of repairs that may be required.

The FLTF web site has been improved. It now has a document library, as well as a search function to make it easier to locate a specific document. The letter mentioned from FERC to the current owner can be found in that library. Improvement of our communication with the lake communities will continue.

The reality is that we have a long term under-investment issue that was tolerated by FERC for a long time. As a result, our dam will need significant investment. FLTF had a plan in place to acquire ownership and make the necessary repairs. Due to the extreme weather event, that plan is no longer viable, and we have lost months in progressing toward that goal. The current ownership structure is not sustainable. The only ownership structure that works now is with the counties' ownership of the dams.

We must work together from a community point of view. FLTF is a community-based organization with the authority to establish a workable ownership structure that can provide the financial capacity to fund and make this happen. Secord Lake Association is part of this effort to bring back our lakes in a safe way.

**COMMISSIONER JOEL VERNIER:** The Commissioner emphasized that the FLTF is not a private entity. It has been legally delegated authority to act on behalf of the two counties to acquire ownership of the dams and to undertake necessary repairs. Both counties have oversight over the FLTF. FLTF has been professionally audited.

The amount of assessment will be determined in the future. FLTF cannot simply decide that amount; all assessment amounts must be approved by the Gladwin and Midland County Commissioners. FLTF plans to fill Secord Lake as soon as all safety repairs have been completed and after FERC and/or Michigan have issued required permits. At this time, we do not know if it will be permitted for us to do short term repairs so the lake can be filled soon, putting off long term repairs to the future. FERC is the only entity that can decide that issue.

**QUESTION AND ANSWER:** Questions posed by attendees were reviewed by Board members and many were answered during the meeting. A transcript of those questions and answers is being prepared, along with all additional questions that were not addressed during the meeting. The transcript will be posted on the SLA website.

Motion made to adjourn with support; passed. Meeting adjourned at 11:30 a.m.

JB