

MEMO

To: Dylan Ford, Chair Barnet Selectboard; Richard Downer, Harry Cornelius, Don Easter, George Coppenrath, Joe Mangiapane
From: Red Dufresne
Subject: Meeting Minutes of Discussions regarding Harvey Lake Dam
Date: June 30, 2022

An informal meeting at the Barnet Library was held on June 29, 2022 with the individuals named above in attendance except for George and Joe. The agenda for the meeting was sent out by Red several weeks before the meeting and including the following items:

- A. Discuss the plan for moving forward
- B. Finalize the letter to Dam Safety
- C. Set Schedule for sending the letter and decide who should send it
- D. Review and information obtained by Steve Adler on definition of maintenance activities
- E. Discuss any other items

The following items were discussed:

1. Dylan showed the group a recent email from Ron Rhodes. Ron in his email indicated there was some miscommunication between various state divisions, which led in part to the "riffle" alternative being dropped as not feasible. However, Ron also indicated in the email that at this point it did not matter, as under the new regulations, the project would have to be much greater in scope.
2. Red went over the plan which basically is as follows:
 - a. Draft a letter to be sent from a Town representative to Ben Green, PE at the Vermont Dam Safety Program (DSP) outlining maintenance activities to be performed by the Town. These activities include:
 - i. Replace the stop boards with an automatic gate.
 - ii. Cut off the east wall of the fish ladder at the same elevation as the dam crest.
 - iii. Install some grating and handrails to increase safety during maintenance activities and inspections
 - iv. Repair or replace the bottom drain gate, stem, and stanchion and install a trash rack upstream of the bottom drain gate
 - b. The letter to indicate the Town will be proceeding on these maintenance items by a date certain and that the Town is notifying the state as a courtesy.
 - c. This plan of action will call for various avenues of approach depending on the response by the state including:
 - i. If the Town does not hear from the state by the date certain, the Town will begin activities. Dylan indicated the work will need to be bid if the work is over \$10,000 under the Town procurement procedures.

- ii. If the Town receives a response indicating the state understands these maintenance items will be completed locally and no “dam alteration permit” is required. The Town would then proceed.
 - iii. If the Town receives a response from the state indicating these maintenance activities are not allowed and that the Town cannot proceed without a dam alteration permit, then the Town would have the following options:
 - Cease work on these items and the dam remains in its current condition
 - Enlist support of legislative representatives to assist in allowing these maintenance items to be completed locally without a permit.
 - Proceed with legal assistance to seek approval to complete these items locally without a permit.
3. There was discussion on some of the issues involved with these activities including the large amount of silt behind the dam, which would have to be removed in order to inspect, repair, and operate the low-level drain. Richard pointed out that it was likely the gate is in acceptable condition and there is an inexpensive repair for the stanchion. Although not discussed, Richard and Red have researched the automatic gate and indicated the new gate would need to fit the frame used for the stopboards. The gate would operate manually or remotely based on the upstream water level. The operator would not need to be on the dam to open or close the gate. The gate in the auto mode would open at high water levels and close at low water levels.
4. The group felt that it was likely the State DSP may not be supportive of these activities based on past statements by DSP representatives.
5. Harry indicated he felt that Kitty Toll would be a help to the Town in dealing with the Agency if she is elected Lt. Governor. George in review of these minutes suggested that Senator Joe Benning be included on any correspondence or invitations sent to politicians include. There was discussion on the timing for requesting support and the group felt that this may best occur after the letter is sent.
6. There was discussion on maybe paring down the project to just the safety rails and grating. However, after discussion the consensus appeared to favor requesting all items be included in the letter. Red indicated that the primary objective should be reducing backflow into the lake to the greatest amount possible using what we have to work with.
7. There were discussions on who should send the letter to DSP. Red suggested the letter be sent by a Town employee who would typically be doing maintenance work. Dylan indicated that Town maintenance work is usually supervised by Ben Gates, Selectboard Member. No decision was made on the person to sign the letter.
8. Don asked if the Town Selectboard was supportive of this plan and Dylan indicated that the Board is supportive. Dylan felt that since David Price resigned from the committee, it would make sense for the Board to formally appoint

Richard Downer, Harry Cornelius, and Red Dufresne to the Harvey Lake Dam Committee. All agreed to serve.

9. Red volunteered to draft the letter to the State for review by the group. After the draft letter is finalized, Dylan would submit it to the Board for approval. Dylan indicated the draft letter and discussions would be taken up in the Agenda for the July 11, 2022, meeting.
10. Dylan noted that Amy from the Caledonian Record was doing a great job for Barnet and would be interested in this issue. Harry felt we should offer her a tour of the dam so she has a good background on the issue.
11. There was much discussion on the beaver dam upstream of the dam including use of beaver deceivers. Dylan indicated she had met with a contractor who sells and installs the deceivers and he felt that this was not the right application for the system. Richard felt this was worth revisiting but all felt this was a separate issue.
12. Dylan felt there may be an opportunity to use some of the ARPA money the Town will receive.
13. There was no discussion on the agenda item "Review and information obtained by Steve Adler on definition of maintenance activities". Dylan indicated no work had been done on this issue.