

**JULY 17, 2012  
SPECIAL WORK SESSION**

RECORD OF THE PROCEEDINGS OF THE SPECIAL WORK SESSION  
BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT  
THE BOYNE CITY SENIOR CENTER, 411 DIVISION STREET, ON  
TUESDAY JULY 17, 2012

**CALL TO ORDER**

Mayor Ron Grunch called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance.

Present: Mayor Ron Grunch, Mayor Pro-Tem Gene Towne,  
Commissioners Derek Gaylord, Laura Sansom and Tom Neidhamer

Staff: Barb Brooks, Scott McPherson, Michael Cain, and Cindy Grice

Others: There were 35 citizens in attendance, including representatives from the Petoskey News Review and The Boyne Gazette, four members of the EDC board and three members of the Planning Commission.

**NOISE ASSESSMENT  
REVIEW**

Review of Community Noise Assessment and Mitigation of the Kirtland Products Plant by RSG, Inc.

Main Street Program Director Hugh Conklin, who is also a member of the Kirtland Citizens Committee made introductions of committee members present at the meeting.

Eddie Duncan, the Noise System Engineer from RSG, was teleconferenced into the meeting. Mr. Duncan provided a summary of the assessment and report including the area description, the operation description, and a description and discussion of how the sound is modeled.

Sound level monitoring method procedures, timing and equipment used to monitor the noise, areas in the community that were monitored along with the weather during the monitoring period were discussed.

Determination and results of the study were presented. The low frequency pulsating noise produced by Kirtland is the most highly annoying.

Mitigation Recommendations were discussed including addressing the low frequency pulsating noise produced by Kirtland which is the most highly annoying. Kirtland has already taken some steps to mitigate the operation's noise. Reducing the sound levels from all primary outdoor noise sources was recommended, heavily enclosing all primary outdoor noise sources at an approximate cost of \$180,000 to \$250,000 for general construction, not including design. Addressing the loader backup alarm by replacing the current alarm with a broadband back up was recommended. Sealing the air openings in the dryer / conveyor room, possibly adding siding on the inside of the conveyor.

**CITIZENS COMMENTS / QUESTIONS:**

Tom Monley of Kirtland asked if the goal of 40 decibels is what the City asked for, not what he recommended and Mr. Duncan said yes and added that background sound can exceed 40 decibels (dB). 45 dB at night protects against sleep disturbance and health impacts. Mr. Monley stated that the standard would have to apply to all the community.

Don Smith said a sound monitor was placed off of M75. He chose not to live near the Industrial Park and out of Boyne City. He added that he should not hear any noise from the City and asked if Kirtland does all this, will it eliminate the noise and resolve the problems at his house? Mr. Duncan said most of the time, no. It will certainly be less than what is there now.

Joe Jones asked if the material that goes thru the dryer, such as freshly cut or dried will make a difference in the sound level and was informed by Mr. Duncan, it would require the same sound levels.

Ryan Giem, resident and also a member of the Kirtland Citizens Committee referred to the graphs and inquired if the mitigation results would take in account low winter temperatures. Mr. Duncan said they modeled the temperatures for a highly stable atmosphere, worst case, so yes, this accounts for low temps. Mr. Giem stated all graphs were before and after, are these day / night averages? Mr. Duncan said it does not include the loader, but all significant stationery equipment. These are just night time levels.

Nancy Loening who lives near Young State Park stated that she is troubled by the unusual odor and has had sinus and choking problems. Are there any complaints regarding pollution in the air?

Diane Hausler responded that there have been numerous complaints. She said she would hate to see Kirtland go through all the work and money and not address that issue. She added that an oncologist told her he would never put his kids in Boyne City schools. Mike Hausler said he has not been able to get the City to bid out the emissions issue. Hugh Conklin said the Kirtland Committee met with the MDEQ who has done an extensive review process. Anything the City would do would duplicate what the MDEQ would do, so that was the consensus of the committee.

Emily Jones said she is home during the day when the plant is running. The sound drives her nuts and the smell is so bad that it burned her nose. It has affected the quality of their lives.

John Harris said he lives next to the airport and as time goes on and fixes are in place, how do we monitor the noise levels. Mr. Duncan said to set a baseline level.

John McCahan commented that Mr. Duncan has done an excellent job with the report and thanked him.

Mark Kowalske said he agrees it is unfair to Kirtland to give them this project to work on when there are other issues. Mr. Kowalske also cited stories of real estate deals that did not occur because of the Kirtland issue including his representation of the people who have the old Carter's store who are trying to put another store in.

Tom Monley said from the audibility or annoyance stand, can it be said what's causing the annoyance, or the pulsating. Mr. Duncan said not one single thing. He recommends fixing the pulsating sound first. By enclosing, we can reduce the sound levels.

Joe Jones said it is not just the decibel level or the frequency, but the longevity even though levels will be reduced.

Mr. Duncan said to some people, the audibility will be an annoyance. Levels are designed for night time. Background daytime levels will make the noise less audible.

Board Discussion: Mayor Pro-Tem Towne thanked the Citizens Committee and Mr. Duncan. The first step has been taken for the noise. The next step should be taken by Kirtland; see if they can be designed out.

Commissioner Sansom asked if Kirtland implements changes, how do we monitor if they have been successful? Mr. Duncan said by monitoring at night when the plant is running or not.

Commissioner Neidhamer asked where do we go from here? If we tell them to implement, do they have to do it? If they put a lot of money into this, how do we solve this as a community? Also, the emissions are a state regulated issue. He added that he is looking to Scott McPherson and Mike Cain for solutions. Scott McPherson said it is in Kirtland's hands and abilities to implement the changes. City Manager Cain said these are all good questions that need to be address. We are here tonight to get the scope of the sound component. We will take it back to the City Commission to see where it will go. This is a first step, it is a methodical process to figure out how we use the information and where do we go from here.

Mayor Grunch said based on the information and the three step approach presented, he would personally like to see some type of plan brought to the Commission at its August 14<sup>th</sup> meeting.

City Manager Cain said early on, it was thought the noise was coming up thru the stacks. Mr. Duncan said the main stack is not the primary source but didn't have access to the top of the stack. Most of the noise is from the fans and air pump outside. Mr. Cain also asked about the auger screw and Mr. Duncan said nothing was unusual about it while he was there. Mr. Cain inquired of any success stories from other organizations?

Commissioner Gaylord said he would like to follow up from tonight and to continue on and discuss further. He directed the City Manager to work with Scott McPherson to come up with a timeline with Kirtland. The process needs to continue on. If the conditions of the permit are not being met, the community will continue to get further upset. Commissioner Gaylord added that his recommendation is to get this moving forward in a rapid manner. MDEQ testing also needs to be done. We have citizens concerned about the emissions.

Don Nessen asked if when this is all done, will he still hear the plant at his house and Mr. Duncan said on quiet nights, it will still be audible.

Debbie Ferris said she lives a few blocks from the airport and hears the plant night and day. They are annoying sounds they cannot live with.

Barb Brooks inquired what is the sound level the closest neighborhoods could hear? Mr. Duncan said it will sound like the plant, but quieter. Low frequency sounds will be most readily audible.

City Manager Cain asked if there is a way to duplicate the plant without the pulsation noise? Tom Monley said they have done some testing without the pellet mill running and can still hear the plant. They are getting recommendations from the equipment manufacturers and have sent the report to another consultant as well.

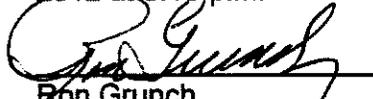
Al Aown, a member of the citizens committee said he tried to be objective but now needs leadership from the Commission. What do we need to do to comply with the special use permit?

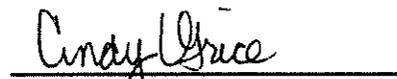
Mayor Grunch said his recommendation is that Kirtland bring their plan and be given a reasonable timeline to put the plan in place, and make it available to the citizens.

City Manager Cain said this will also be on the City Commission's meeting agenda for July 24<sup>th</sup>. He added that the Northern Lakes Economic Alliance is looking to see if there is funding assistance out there.

**ADJOURNMENT  
MOTION**

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the Special Work Session of the City Commission of Tuesday, July 17, 2012 at 8:16 p.m.

  
\_\_\_\_\_  
Ron Grunch  
Mayor

  
\_\_\_\_\_  
Cindy Grace  
Clerk / Treasurer