

Subsequent to Terry Nall's phone call Saturday evening, November 23, and John Heneghan's email this past evening, November 26, we have further concerns for the developments taking place in regard to the Heneghan dog park proposal that we first learned of from the Dunwoody Crier, November 20.

Part of the Heneghan proposal stated by Mayor Mike Davis is for BRDPA to have the "unconditional agreement" with the Friends of Brook Run Park (FBRP) as a "stakeholder" in this proposal. FBRP is not a stakeholder; it is not a 501 (c) (3) and is not a registered entity. FBRP is just that – a social group of friends who got together to help the park as volunteers for cleanup days at the park including the creeks, tree plantings such as Trees Atlanta, moving excess clay and mulch from trees created by trail construction, and to have nature walks led by a local naturalist. These home spun outings have been accompanied by hot chocolate and homemade pumpkin bread; hardly the trappings of a stakeholder in a city owned and operated park. It was stated in the Crier, "Councilor Heneghan had written the group (BRDPA) to offer a proposal in which the dog advocates would manage and pay for the (dog) park in conjunction along with a neighborhood group (Lakeview Oaks HOA) and the Friends of Brook Run Park." That means that FBRP would help foot the bill for all remediations, maintenance, liability insurance, etc., for the dog park in perpetuity. What happened to the city's responsibility?

There are registered organizations which are in fact stakeholders of Brook Run Park.

One true stakeholder is the Brook Run Conservancy, Inc. which was incorporated in 2005 and is a 501 (c) (3) organization. Article IV of the Conservancy's Articles of Incorporation states "The Corporation is organized for the preservation and stewardship of land for ecological, recreational, scientific, historic, educational, agricultural, scenic or natural maintenance uses...." On the home page of the Dunwoody Homeowners Association (DHA), among its list of accomplishments is "The Brook Run Conservancy, a non-profit focused on supporting the park and its amenities – Its initial capital was provided by DHA." Why have not the Conservancy and the DHA been designated as stakeholders by the Heneghan proposal for responsibility for the park? These are entities that have a stake in the preservation and stewardship of Brook Run Park. They state it in their own documents.

The Dunwoody Crier dated March 8, 2005, stated "Articles of Incorporation have been filed with the State of Georgia for the Brook Run Conservancy, Inc....Concurrently, a board of directors of business and community leaders in Metro Atlanta is being formed to oversee this exciting project. You can go to the following link, <http://www.dunwoodynorth.org/brookrun> for a first-hand look at the plans for the park. Many thanks to John Heneghan and Dunwoody North." As recent issues concerning Brook Run Park were at the forefront of media and public interest, we found it strange that the Brook Run Conservancy was prominent in its silence.

Another stakeholder is the Sustainability Commission of the City of Dunwoody, established by the mayor and council as a permanent advisory board on sustainability. Its vision statement is "Increased connectivity, enhanced transportation options—including bicycle and pedestrian, expanded functional green space and park ownership designed to improve the health, vitality

and recreational enjoyment of our City's businesses and residents and the long-term sustainability of our City." Among its listed accomplishments are the "Brook Run sheep and a plan for tree inventory and assessment." At their September 22, 2012 kickoff meeting, citizens were asked to list priorities; the first listed was "Revitalize Parks and Recreation with gardens, bike racks/routes, paths, nature."

A detailed look at the City of Dunwoody's responsibilities including the park can be found in its Code of Ordinances under Part 1, Article 1, Section 1.03 (b) (8) Environmental Protection, (b) (12) General health, safety and welfare, and (b) (14) Health and sanitation.

Councilor Heneghan states in his November 26, 2013 email, "I asked you to meet with the Lakeview Oaks Community and the Friends of Brook Run to discuss ways to mitigate the issues they have raised in the past." It must be noted that the FBRP has not raised issues regarding any aspect of the dog park. Barbara wrote a letter to the editor of the Dunwoody Crier dated May 22, 2013 which addressed the expenses associated with the dog park, but that letter was written as a concerned citizen. She did not claim to represent the views of FBRP, nor was FBRP mentioned in her letter.

It can be argued that the City has not executed due diligence in the upkeep of the Brook Run Dog Park and is now trying to shift responsibility elsewhere. We are hopeful that an amicable outcome will be reached by the stakeholders; but we reiterate that the Friends of Brook Run Park is not a stakeholder. Therefore, while we appreciate the invitation to participate in the December 2 meeting, our presence is not warranted or appropriate.

Barbara and Jay Pryor