

**Cordry-Sweetwater Conservancy District  
Board of Directors Meeting  
April 16<sup>th</sup>, 2024**

1. **Board Members Present:** Randy Brumfield, Jim Maulden, Mark Rasdall, and Mike Leavitt
2. **Board Members Present (Virtually):** Pat Sherman & Ted Adolay
3. **Board Members Absent:** Aaron Parris
4. **Also, Present:**
  - a. **Staff:** Brittany Bay & Nick Johann
  - b. **CSCD Attorney:** Roger Young
  - c. Estimated 24 freeholders in attendance & numerous online viewers.
5. **Welcome:** Mr. Leavitt called the meeting to order at 7:15 PM
6. **Agenda Modifications:**
  - a. Mrs. Bay requested to add line item 8.b Wake Boats.

**MOTION: Mr. Brumfield motioned to approve the agenda modifications as requested, seconded by Mr. Rasdall. Motion passed unanimously.**

**Roll Call:**

**Pat Sherman: Aye  
Mark Rasdall: Aye  
Jim Maulden: Aye  
Michael Leavitt: Aye  
Ted Adolay: Aye  
Randy Brumfield: Aye**

**Motion passed 6-0.**

7. **Approval of Minutes:**

**MOTION: Mr. Brumfield motioned to approve March 19<sup>th</sup>, Board Minutes, with a modification of adding a 0 to \$28,000 on page 4, seconded by Mr. Rasdall. Motion passed unanimously.**

**Roll Call:**

**Pat Sherman: Aye  
Mark Rasdall: Aye  
Jim Maulden: Aye  
Michael Leavitt: Aye  
Ted Adolay: Aye**

**Randy Brumfield: Aye**  
**Motion passed 6-0.**

**8. BC Referendum – BC Superintendent Emily Tracey**

- a. Jamie Johann introduced herself as a freeholder, proud parent, and supporter of Brown County Schools. Mrs. Johann thanked the Board for allowing them to come and discuss the referendum and introduced the school superintendent, Emily Tracey. Mrs. Tracey discussed that the referendum would be on the ballots for Brown Schools on May 7<sup>th</sup> and they are seeking community support. Mrs. Tracey discussed teacher salaries, the importance of education for Brown County students, and the declining enrollment of students.

**9. Freeholder Concerns:**

- a. Scott Casey (SW 199) noted that at the last meeting it was discussed that wake boats because of how they are designed they create a larger wake than other boats. Mr. Casey discussed last year they measured a pro star, crownline, and an NXT at different shore distances and different speeds and all the measured wakes that came in were measured within a couple of inches. Mr. Casey noted that there were new Board members, so he wanted to present some of this data to them.
- b. John Zisko (SW 525) noted this was the first Board meeting that he attended. Mr. Zisko noted that he had been here since 2013 and he recently had been following the wake boat controversy online. Mr. Zisko noted that while he did not plan to buy a wake boat, he did purchase one from his neighbor and at the time the rule was disable the wake equipment and sign the affidavit which he did. Mr. Zisko noted that he understood the controversy, but he would urge the Board to come up with some sort of compromise where everyone can enjoy the lakes the way that they want to enjoy the lake. Mr. Zisko noted that a good compromise is everybody is not totally happy, he noted that he is hopeful to find a way to work this issue out.

**10. Management Reports:**

**a. Director of Finance & Administrative:**

1. Mrs. Bay summarized the fund report. The current balance is \$3,162,975.64.

**MOTION: Mr. Sherman motioned to approve the financial report subject to audit, seconded by Mr. Brumfield. Motion passed unanimously.**

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: Aye**

**Randy Brumfield: Aye**

**Motion passed 6-0.**

2. Mrs. Bay summarized the appropriation report and monthly claims list. The monthly claims total is \$274,187.77. The unexpended remaining balance for 2024 is \$1,747,623.77 or 83.83%.

**MOTION: Mr. Brumfield motioned to approve the monthly claims subject to audit; seconded by Mr. Maulden. Motion passed unanimously.**

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: Aye**

**Randy Brumfield: Aye**

**Motion passed 6-0.**

**b. Director of Operations**

1. Mr. Johann summarized his report.
2. Mr. Johann discussed the dock and lift bids.
  - i. Mr. Sherman asked if all included a similar scope of work, Mr. Johann noted that they did. There was discussion over the completion of the work timeline. Mr. Young noted that if the Board is going to accept something other than the lowest bid the record needs to show why the lowest bid is not accepted; Mr. Young noted the law required you accept the lowest responsible and responsive bidder. Mr. Young then discussed responsible meaning a bidder who appears to have sufficient equipment, manpower, and capital to complete the project and responsive meaning a bidder who most closely bids back to specifications. Mr. Young noted that if a completion date was not in the specs and that is critical to the schedule then you need to send out the specs and have the companies rebid the work to include the completion date, then you could hold a special meeting. Mr. Young noted that if this is the case all the bids need to be rejected and Mr. Johann can solicit additional bids.

**MOTION: Mr. Rasdall motioned to approve resubmitting this out to bid with a seven-day turnaround to include a completion date due by 2pm April 23<sup>rd</sup>, bids will be opened at that time and Nick will make a recommendation, then the Board will convene for a special meeting to approve the selection, seconded by Mr. Maulden.**

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Aye**  
**Jim Maulden: Aye**  
**Michael Leavitt: Aye**  
**Ted Adolay: Aye**  
**Randy Brumfield: Aye**

**Motion passed 6-0.**

**11. Commission Reports:**

**a. Building:**

1. Mr. Johann discussed a complaint on Groundhog Drive that was received at the April Building Commission meeting. Mr. Johann noted that the residents wanted him to bring this up and see what could be done. Mr. Sherman noted that this is a similar issue to the boat house that was dilapidated, and it could be hazardous to pedestrians, a while ago, and wanted to know if something could be done in the same manner that was done with that previous boat house. Mr. Young noted there is only a limited amount the District can do, as the District does not possess zoning authority, and it appeared to be a zoning violation on private property. Mr. Young noted that the one thing that the board might be able to use is the deed covenants which require all property within the District be used for residential not for business or commercial. Mr. Young noted that there appeared to be a lot of wood in the photo and so it is reasonable to think that there is a commercial enterprise operating out of there and that is clearly against the covenants and the covenants are enforceable by the Board.
2. Mr. Johann reviewed the Clark (6928 Lemur) variance request. Mr. Johann noted that there was one remonstrator.

**MOTION: Mr. Rasdall motioned to approve variance requests for Clark (6928 Lemur) for approval from the CSCD Board contingent upon lot owners meeting all conditions by the Building Commission, seconded by Mr. Maulden.**

**Roll Call:**

**Pat Sherman: Aye**  
**Mark Rasdall: Aye**  
**Jim Maulden: Aye**  
**Michael Leavitt: Aye**  
**Ted Adolay: Aye**  
**Randy Brumfield: Aye**

**Motion passed 6-0.**

3. Mr. Johann reviewed the building applications.

**MOTION: Mr. Sherman motioned to approve building applications 24-009, 24-011, 24-016, 24-018, 24-022 and 24-024 for approval from the CSCD Board contingent upon lot owners obtaining all permits required by Brown County and meeting all**

**conditions by the Building Commission, seconded by Mr. Brumfield.**

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Abstained**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: Aye**

**Randy Brumfield: Aye**

**Motion passed 5-0, with one abstaining.**

4. Mr. Johann reviewed the dredging applications.

**MOTION: Mr. Sherman motioned to approve dredging application D24-002 for approval from the CSCD Board contingent upon lot owners meeting all conditions by the Building Commission, seconded by Mr. Brumfield.**

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: Aye**

**Randy Brumfield: Aye**

**Motion passed 6-0.**

**b. Ecology:**

1. Mr. Brumfield summarized the ecology minutes.

- i. Mr. Brumfield discussed campers and RV's. Mr. Brumfield noted that current communication with the Health Department gave clarification on the current green book rule regarding parking campers and RVs in the CSCD is enforced. Mr. Brumfield noted that on page 6 of the rule book campers and RV's on residential lots are okay as long as there is a septic system in place and in use, campers and RV's on vacant lots can only be present if the owner has received a 72-hour permit or a 2-week permit from the CSCD Office, after which the camper or RV must be removed from the premises.
- ii. Mr. Brumfield mentioned the Nineveh Road clean up on April 20<sup>th</sup>.
- iii. Mr. Brumfield mentioned the Anglers Club Kids Tournament behind the Fire Station and that would be happening July 6<sup>th</sup>, the same day as the CSLOA Fireworks and Ox Roast.

- iv. Mr. Brumfield discussed adding a walking trail and that the CSLOA would be in full support of adding this to the District. Mr. Brumfield discussed the CSCD receiving grants to help fund this project.

**c. Roads:**

1. No meeting lack of an agenda.

**d. Security:**

1. Mr. Maulden summarized the security minutes.
2. Mr. Maulden discussed the rule (2004-3) regarding red light on the lake and no watercraft permitted to be operated during red light. Mr. Maulden noted that non-motorized watercraft is not going to create a wake so the commission would like to recommend modifying the current rule to allow non-motorized watercraft on the lakes during red light.

Mrs. Bay asked if this would exclude trolling motors that are decaled as a non-motorized watercraft. Mr. Maulden noted this would exclude any motors. Mr. Sherman noted that he thought the reason the Board at the time opted not to allow any watercraft during red light was because they were concerned if people saw other boats out on the lake, they would presume it was open.

**MOTION: Mr. Maulden motioned to approve modifying the current red light lake status rule to allow non-motorized watercraft excluding trolling/electric motors to be allowed out on the lake during red lake light status, seconded by Mr. Brumfield.**

**Roll Call:**

**Pat Sherman: No**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: No**

**Randy Brumfield: Aye**

**Motion passed 4-2.**

**e. Water:**

1. The water minutes were available.

**12. Old Business:**

**a. Determining Boat Length**

- i. Mr. Brumfield discussed using the maximum length that a manufacturer statement or JD power lists as the length, whichever is less, so that it would be easier for staff, and they wouldn't have to measure boats. Mr. Brumfield noted the current verbiage is subjective.

**MOTION: Mr. Brumfield motioned to approve the maximum length of a speedboat is 20feet and shall be determined by the horizontal distance measured along the centerline of the boat from the bow point minus the rub rail, to the rear most point of the running portion of the hull that is in the water while on plane.**

**Discussion: Mr. Sherman asked how this would be easier for staff to know where the running portion of the hull is. Mr. Brumfield noted that he wanted to go by what manufacturer specs or JD Power stated the length was, but some people did not like that, so now he is trying to come up with an easier way for staff to measure. Mr. Rasdall discussed IO's. Mr. Sherman mentioned educating freeholders on this so that they do not go out and purchase an expensive boat that would not meet the measurement requirements. Mr. Brumfield mentioned then that it would be easier to use the manufacturers measurements or JD power. There was discussion over swim platforms. There was discussion about whether staff understood the new way of measuring. Mr. Maulden asked Mr. Johann if he could explain this to which he noted that he could but is it going to make sense to freeholders, he didn't know. Mr. Johann noted if you're asking if this will be easier, he noted it is not easier, it's the same thing, it's just a different way of measuring. Mrs. Bay noted that this would eliminate the previous premeasured list and gave an example. Mr. Johann noted that if the goal is to keep a larger boat off the lake the easy way for staff would be to go by length and weight of the manufacture site and JD power. Mr. Leavitt noted using the manufacturer's site and JD power would be the easiest way for freeholders to understand and the office to determine. Mr. Sherman discussed that there are two official websites that are different in what the lengths are listed as for watercraft (the manufacturers site and JD Power).**

**Mr. Rasdall seconded the motion.**

**Roll Call:**

**Pat Sherman: No**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: No**

**Randy Brumfield: Aye**

**Motion passed 4-2.**

**MOTION: Mr. Maulden motioned to approve Resolution 2024-7: Requiring Boat Safety Test, seconded by Mr. Brumfield. Motion passed unanimously.**

**b. Wake Boats**

- i. Mr. Rasdall discussed amending the moratorium on wake boats to extend an additional 6 months.**

**MOTION:** Mr. Rasdall motioned to approve amending the original 60-day moratorium to extend 6 more months past the current expiration, seconded by Mr. Brumfield.

**Discussion:** Mr. Sherman asked for clarification on if the Board would just be extending the moratorium for a period of time, Mr. Rasdall answered yes.

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: Aye**

**Randy Brumfield: Aye**

**Motion passed 6-0.**

**13. New Business:**

- a. None

**14. Board Member Concerns:**

- a. Mr. Rasdall thanked everyone for showing up and participating, and their opinions are valued. Mr. Rasdall noted they are not going to make everyone happy but they're trying to do the right thing.
- b. Mr. Maulden thanked everyone for coming and welcomed everyone to attend a security meeting.
- c. Mr. Sherman noted that the Brown County tax bills have just come out recently, and the burden that falls on the District's freeholders. Mr. Sherman asked the Board, and the Board Chairman, Mr. Leavitt, permission to meet with the Director of ILEA and see if he has a person who could put together policies, then see what that proposal would look like, and the cost of this. Mr. Leavitt gave Mr. Sherman permission to proceed.

**15. Adjourn (9:45)**

**MOTION:** Mr. Brumfield moved to adjourn, seconded by Mr. Maulden. Motion passed unanimously.

**Roll Call:**

**Pat Sherman: Aye**

**Mark Rasdall: Aye**

**Jim Maulden: Aye**

**Michael Leavitt: Aye**

**Ted Adolay: Aye**

**Randy Brumfield: Aye**



**Motion passed 6-0.**

Respectfully submitted,



---

Ted Adolay, Board Secretary  
Date Submitted: