

August 20, 2013 Minutes
Cordry-Sweetwater Conservancy District
Board of Directors Meeting
"Minutes"

August 20, 2013, 7:00 PM, CSLOA Clubhouse

Board Members Present: Larry Kolar, Jim Ray, Anita Wright, Quinn Hetherington, Herbie Benshoof, Francis Gantner, Cathey Byers

Board Members Absent: None

CSCD Attorney: Roger Young

Managers Present: Rod Blasdel, Nina Latimer, Vernon McGaha, Anthoney Haywood, Dan Lee

Managers Absent: None

Guests: Dave Moebs, Neil Gilson, Shawn Michel, Margaret Bruce, Mary and Mike Fouch, Dave Jarrett

A. Welcome and Pledge of Allegiance: Mr. Kolar called the meeting to order at 7:00 PM

B. Announcements:

1. None

C. Agenda Modifications:

1. Mr. Kolar requested the approval of guardrail be added as line item 6D-2, approval of hiring consultant be added as line item 8B, and submission of CSCD 2012 water review as line item 6E-1 to the agenda.

MOTION: Mr. Kolar made a motion to add approval of guardrail as line item 6D-2, approval of hiring consultant as line item 8B, and submission of CSCD 2012 water review as line item 6E to the agenda, seconded by Mr. Gantner— motion carried unanimously.

D. Freeholder Concerns:

1. None

E. Approval of Minutes:

1. July 16, 2013 Executive CSCD Board Meeting Minutes

MOTION: Mr. Ray made a motion to approve the July 16, 2013 Executive Board meeting minutes as submitted, seconded by Mr. Benshoof— motion carried unanimously.

2. July 16, 2013 CSCD Board Meeting Minutes

MOTION: Mr. Ray made a motion to approve the July 16, 2013 CSCD Board meeting minutes as submitted, seconded by Mrs. Wright— motion carried unanimously.

F. Management Reports:

1. Conservancy Manager: Mr. Blasdel

- a. Mr. Blasdel read his manager's report on the various projects in progress within the District.
- b. Footer and piers for stanchions have been poured at the site for the new office building. Gave an overview of the construction schedule through September.
- c. Boat ramps material is ready to be delivered to the contractor. Have decided to delay the project until after the holiday weekend. Work will begin the week of September 16th. We will post signage at the work sites well in advance and will also post it on the website and at our offices. Mr. Hetherington asked how long the project will take. Mr. Blasdel stated that it would take about a week for replacing the Sweetwater boat ramp and about 3 days to repair the Cordry boat ramp depending on the weather.
- d. The dredging of Cordry Lake is estimated to be about 45% complete. They are tracking daily quantities.
- e. Paving and re-graveling was completed. The contractor is returning to finish spreading millings at Cordry parking lot.
- f. The road stripping and sign installation will begin this week. Project will include installations of 10 stop bars and miscellaneous signs.
- g. The new dental and vision care plans for employees have been implemented.

2. Financial Clerk: Mrs. Latimer

- a. Mrs. Latimer read the financial report.

MOTION: Mr. Benshoof made a motion to approve the financial report subject to audit, seconded by Mr. Ray— motion passed unanimously.

- b. The Board reviewed the claims for the month. Mrs. Latimer stated that item number 571 was to move over money to the new building fund in order to track the cost of the new office building. Thought it would be better to use the Districts own money first to save on interest payments from the loan. Mr. Kolar stated line item 603, which is for the cost of port-a-pots for the firework celebration, should have a copy made and sent to CSLOA for reimbursement. Mr. Kolar asked Mr. McGaha about line item 577. Mr. McGaha stated that Officer Taggart had an accident on

Sweetwater Dam responding to a call. They have an accident report and took pictures of the damage. He went over what happened and the damages that the accident caused.

- c. Mr. Hetherington asked about line item 541, candy for residents. Mrs. Latimer stated that there is a bowl of candy on the counter at the office for the residents. Mr. Gantner asked if we have a petty cash fund for these situations. It was requested that the Board approve to add a petty cash fund in the amount of \$250, document it and a report to be provided to the Board and to replenish when the fund amount reached \$50 using money from the general fund.

MOTION: Mr. Gantner made a motion to approve the establishment of a petty cash fund in the amount not to exceed \$250, to document in writing all expenditures from the account, a report to be provided to the Board, and to replenish when the fund amount reached \$50 using money from the general fund, seconded by Mr. Ray— motion passed unanimously.

MOTION: Mr. Benshoof made a motion to approve the claims subject to audit, seconded by Mrs. Wright— motion passed unanimously.

3. Roads/Water Supervisor: Mr. Haywood

- a. All water leaks found from ME Simpson have been fixed. Have had at least 19 new leaks pop up since last month.
- b. Getting ready for the holiday weekend

4. Security Manager: Mr. McGaha

- a. Working on getting Vial 4 Life Medical kits put together. This is a program where individuals fill out a form and put it on their refrigerator. This is in case of an emergency and the individual is not able to inform the EMS of any medical information. They will be available at the District Office. All emergency personnel will have to be trained to observe for the vials when they are put into service.
- b. Two new Digital Ally cameras have been ordered.
- c. Leo Caplette is getting his updates and should be on the road soon.
- d. Two of our radar units have been repaired and are now back in service. We have been checking speeds throughout the District.
- e. New lockout tools have been purchased.
- f. The 2012 Explorer had a rear main seal leaking and was repaired under warranty.
- g. Mr. Kolar asked how many tickets have been given out. Mr. McGaha stated that he would have that information next month. Mr. Kolar also asked about the issue where an boat patrol employee took her child to work. Mr. Blasdel and Mr. McGaha stated that the issue has been resolved.

G. Commission Reports:

1. Building: Mrs. Wright

- a. The Commission reviewed 9 building permits.

13-040

Mr. Kolar stated that this permit was lacking a shore stabilizer plan. Mr. Lee stated that the shore stabilizer plan has not been submitted. Mr. Gantner asked why that would not have required as part of the application. Mr. Lee stated that when he took over this was a verbalized thing and not needed in writing. It was suggested that this permit be sent back to the Commission for further review.

13-049

Mrs. Byers stated this permit should have a staked survey and it should be provided to the Board. Mr. Kolar stated that this permit needed to be sent back to the Commission for further review.

13-050

At the time of the Commission meeting there was a question about the height of this new house. Mr. Lee stated that the issue has been resolved and he received an email from the builder stating that the actual height of the house will be 25ft.

13-053

This permit is for a new home. The Commission did not receive the application until the time of the meeting. Mr. Lee stated that after the Commission meeting the builder wanted to change the footprint of the home. Mr. Lee notified them that they would need to resubmit drawings after the modification was made and that no work was to be done until approval of the permit. This permit also needed a shore stabilizer plan. It was suggested this permit be sent back to the Commission.

13-054

Mrs. Wright stated that a stop work order had been place on this permit due to a neighbor's complaint concerning space requirements set out in the Rules. The owner is submitting a formal survey. It was requested that it be sent back to the Commission for review.

Mr. Gantner questioned the procedure for approving permits. Mr. Kolar stated that the Board approves all building permits until we get the process cleaned up. Mr. Young asked if there was a filing deadline for the building permits. Mr. Lee stated that it is no later than the Wednesday before the Commission meeting. This gives 6 days for review. Mr. Young suggested that it be pushed out more than 2 weeks prior to the Commission meeting.

MOTION: Mrs. Wright made a motion to approve the building permits 13-047, 13-048, 13-050, 13-051, 13-052, seconded by Mr. Hetherington; there was discussion – motion passed unanimously.

- b. Mr. Lee sent out letters to the property owners whose grass that needed to be cut and for paddleboats that need to be removed. He has been in contact with one of the paddleboat owners and will be following up on the other issues. Mrs. Wright stated that permission was given to build a dock on Sweetwater. The roof ended up higher than what is allowed. Mr. Lee and Mr. Blasdel measured it and it came out to be 16ft 2 inches. The homeowner takes full responsibility for the error and he has been asked to appear before the next Commission meeting to discuss the issue. He is willing to take full responsibility and is willing to do whatever he needs to do. Mr. Kolar asked about the home on Lion Dr. Mr. Lee stated that a stop work order had been issued for the deck that was being build. The homeowner stated that he obtained a building permit from Brown County. He is coming into the office for help in obtaining a District building permit and will appear at the next Commission meeting. Mr. Gantner asked if it is required to see a Brown County permit before construction starts. Mr. Lee stated that it is required that a homeowner obtain a building permit from the District first before they obtain one from Brown Count on all construction. It is a requirement for the District to see both septic and building permits before a homeowner can receive a District building permit. Mr. Kolar stated that the 1st two stages of the application process have not been working. There have been incomplete applications brought forth to the Commission. This is more on the building permits for waterfront construction. It is suggested to put a "moratorium" to all waterfront permits until the Board has a good checklist and process for the applications for waterfront building permits. Those that are currently in process are allowed to move forward. Mr. Benshoof asked how long will the process take. Mr. Kolar stated that he hopes it will take only 30 days for review. Mr. Benshoof asked if the whole process while cleaning up the process and checklist. Mr. Kolar stated that it should be in order for the Board to get a handle on the issue. Mrs. Wright asked how we are going to come up with the procedure. Mr. Kolar stated that Mr. Lee and Mr. Blasdel need to get together and work on the process. Mr. Gantner stated that he thinks that the checklist is the first thing that needs to be done. Mrs. Wright asked if there is a time limit. Mr. Kolar stated that it is 30 days and to approve at the next Board meeting. It was stated that an application deadline timeframe needs to be established.

MOTION: Mr. Kolar made a motion that effective immediately a "moratorium" to any new waterfront structure applications until a better procedure and checklist is implemented to insure that the applications are in compliance to District rules and that current applications will still be processed, seconded by Mr. Gantner; there was discussion – motion passed with 6 votes for and 1 against. Roll call is as followed:

Byers – Yes

Benshoof – No

Hetherington – Yes

Gantner – Yes

Ray – Yes
Wright – Yes
Kolar – Yes

2. Ecology: Mr. Ray

- a. The fishermen have been complaining about the decreased amount of plants within the water.
- b. Fisheries that were installed are working well.
- c. It was suggested that Christopher B. Burke Engineering come to the next Board meeting to make a presentation on the study of the watershed. There was no objection from the Board.
- d. Angler's Club to organize a fishing tournament that would allow Camp Atterbury personnel to be included. They are asking the Commission to help fund the event. This would be in an amount of \$500. The money would come from \$150 remaining in the Youth Conservation budget and \$350 from the left over goose roundup budget. Mrs. Wright asked what boat the military would be in. Mr. Ray stated that they would be in the same boats as Angler Club member. Mr. Kolar stated that he supports the military but he doesn't see to use freeholder's tax money for events that don't directly benefit the residents. He believes that there are other places in which the money could come from.

MOTION: Mr. Ray made a motion to approve that \$500 be made available to support the Angler's Club military personnel fishing tournament during the last weekend in September; seconded by Mr. Gantner; there was discussion— the passed with 6 votes for and 1 against. Roll call is as followed:

Byers – Yes
Benshoof – Yes
Hetherington – Yes
Gantner – Yes
Ray – Yes
Wright – Yes
Kolar – No

MOTION: Mr. Gantner made a motion to amend the previous motion to approve that \$500 be donated to the Angler's Club in order to support a military personnel fishing tournament during the last weekend in September; seconded by Mr. Benshoof; there was discussion— the motion was passed unanimously.

3. Security: Mr. Hetherington

- a. Discussion on people fishing in the main body of the lakes during green-light periods.
- b. Looking into making an effort to state that freeholders are not able to have personal buoys next year.
- c. 42 tickets have been written so far this year.
- d. Deer hunting reduction program was discussed. Proposed hunting dates were discussed. They went over the rules and procedures and sign in sheet by the hunters. September 20th there will be a deer reduction orientation. Rick Normington will be heading up the program. It will be under the same procedures and hunting area as past years. The information on whom and how many deer will be available to the office and Board members. The schedule for deer hunting dates was discussed. Mr. Kolar stated that he has been asking how and who is going to manage the program among other details about the program procedures. It is suggested that a waiver for legal issues. He has also suggested that they trim back the dates and a study needs to be conducted to find out if the reduction is necessary. Mrs. Byers asked how many hunters do we have compared to freeholders wanting to walk the trails. Questions were asked whether a deer reduction is needed and was suggested that a study be conducted on the population of deer within the area. Mr. Gantner stated that if a study is not conducted in time for the start of the program than we should not have the deer reduction program this year. Mr. Hetherington stated that they have never had an overflow of hunters over the years. Mr. Gantner stated that the subject be brought back to the Commission for further review.
- e. It was discussed about a new water sport of fly boarding. This is when a person is pushed out of the water by the use of a jet ski. The Commission voted to ban the activity of fly boarding on the lakes. Mr. Young stated that it would be helpful to the patrol personnel that it is specified in the rule book. Mr. Kolar suggested that it be backed up in a resolution form to be ratified at next month Board meeting.

MOTION: Mr. Gantner made a motion to prohibit fly boarding regardless of unit used to elevate the individual on both lakes; seconded by Mrs. Byers— motion passed unanimously.

4. Roads: Mr. Gantner

- a. Reviewed what has been done over this year so far.
- b. Considering paving approaches to each gravel drives next year. This approach would be about 15ft to 20ft.
- c. Considering a walking/bike path along the main roads.
- d. Looking into tree trimming next year. Mr. Ray stated his support to the notion of tree trimming and suggested taking it a step further to remove some vegetation along the main roads.
- e. There was more paving work that needed to be done than what was specified in the paving contract. There was some patch work needed on some roads. A resolution for a change order number 1 was suggested to the paving contract. The change

order would be in the amount of \$47,373. The original contract amount was \$172,510. The new contract amount is for \$219,883.

MOTION: Mr. Gantner made a motion for a resolution which approve change order number one to the original 2013 paving contract in the amount of \$172,510 by increasing the amount for additional work that was done by Robertson Paving in the amount of \$47,373 for a revised total contract amount of \$219,883; seconded by Mr. Benshoof— motion passed unanimously.

- f. There was a request to look at guardrails on Sweetwater Drive that is north of Sweetwater Dam. It would be 100ft on both sides of the road at that location. It is requested to get approval for a quote for a total of 250ft. of guardrail in the amount of \$5,600.

MOTION: Mr. Gantner made a motion for a resolution authorizing Mr. Blasdel to move forward in entering into a contract with James Drew Corp. to place guardrail amounting to 250ft at the location half way between the west end of the Sweetwater Dam and the right turn not to exceed \$5,600; seconded by Mr. Ray— motion passed unanimously.

5. WATER: Mr. Benshoof

- a. Reviewed and approved the December 31, 2012 water report.
- b. Looking into the water communication system again for water tanks.
- c. Looked at water loss report. Went back 3 years. Looking into new water system. Had a company come in to give a presentation on their water system.
- d. Looking at capital budget. In late 2013 working on RFP for water tank. In 2014, looking to painting water tank. In 2015, looking into painting other water tank.
- e. Looking into Prince's Lake contract for water. Forwarding it onto Mr. Young for review.
- f. Mr. Gantner asked if they are looking into a consultant for the water tanks. Mr. Benshoof stated that they were. Do any of the other previous entities we have used do this work? Mr. Benshoof stated that he wasn't sure but will ask them to provide a quote if they do.
- g. Most of the water loss is coming for the water billing software. Looking into new software.

h. Other Governmental Interface Meeting Reports:

1. Brown County Solid Waste: Mrs. Byers

- a. Democrat will be running a story on the state of financial affairs of BCSWD. Currently, we are losing money.

- b. BCSWD met with Mike Thompson regarding raising our Property Tax Allotment for \$.0134/\$100 toward the cap of \$.0833/\$100.
- c. Visited Martin County Solid Waste operation. They make money. It took 9 years to develop this operation. Looking to move toward a similar operation but to take 5 years to develop for Brown County.

I. Status from CSCD Attorney: Roger Young

1. The case with the removal of the dilapidated house. Had a pre-trial since last meeting. The homeowner showed up and stated that they would remove it yet it is still there.
2. There are two new litigations for docks. They have to do with the permit applications enforcement for building rules. The first one was filed by the District against a homeowner who is building a boat shelter that is in violation of obtaining a permit and the District rules. The District is asking the homeowner to remove the construction to the point that it is no longer in violation to the District rules. It is set to go to pre-trial on September 8th. The second one is of a freeholder filing a lawsuit against the District for denying a building permit to build a dock. The application that was filed was in violation of the District rules and the District gave them an option that would not violate the District rules. They are asking for damages. The insurance would pay for the damages if the freeholder does win the case.
3. For the case that a freeholder has filed a lawsuit against the District, it is recommended to hire a consultant for litigation purposes to represent us. Sarah Peele with Arian Consultants and Inc. is an expert in watershed management. It could cost as much as \$8,000 for her services. Mr. Young stated that he invited the insurance company to help pay the consultants bill. He has not heard back from them yet.

MOTION: Mr. Kolar made a motion to approve the hiring of a consultant to help in preparation of legal services up to a cost not to exceed \$8,000 and to hire Sarah Peele of Arian Consultants and Inc.; seconded by Mr. Gantner— motion passed unanimously.

J. Unfinished Business:

1. Mr. Kolar stated that we are still waiting to hear back from Brown County over the Interlocal Agreement.
2. The Board needs to review the progress for the 2013 goals and if needed move them to the 2014 goals.
3. Mr. Kolar stated that he and Mrs. Latimer attended a meeting with Department of Local Government of Finance. There are some changes that need to be made to the budget. The first reading will be on September 17th at the regular Board meeting and the second reading will be on October 15th during the regular Board meeting. It looks like the budget for 2014 will be considered to be a normal year with property taxes looking to go up.

K. New Business:

1. Mr. Blasdel requested that the Board approve a job description change for Josh Rooks who has been working in the maintenance department for 3 years. He has other experience in mechanical work. The change in the job description is to formalize what Josh Rooks like to do which is mechanical work. They are looking into implementing a scheduled maintenance of equipment and vehicles. It is proposed that his pay rate increase to \$13.50 per hour. Mr. Hetherington asked if Josh Rooks is willing to increase his job description to include mechanical work. Mr. Blasdel stated that he is. He will be available to help with any other maintenance work.

MOTION: Mr. Kolar made a motion to approve the job description change of Josh Rooks effective for the next pay period of a pay rate increase to \$13.50 per hour to coincide with the new responsibilities of the job description, seconded by Mr. Gantner— motion passed unanimously.

L. Board Member Concerns:



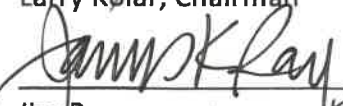
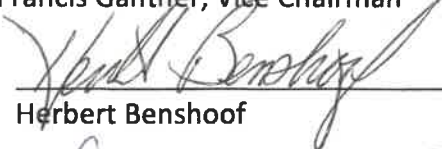

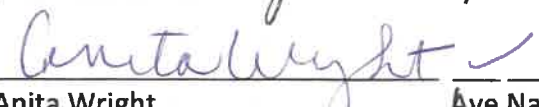
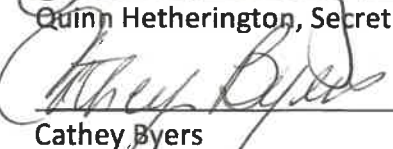
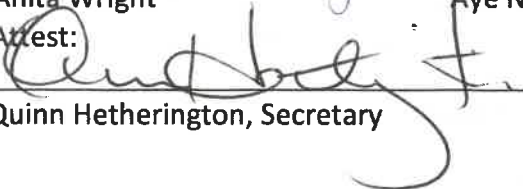
1. Mr. Hetherington stated that within the District it looks like a lot of trees are dying. He encourages all freeholders to remove them from their property. Put it in the next newsletter.

M. Adjourn

MOTION: Mr. Gantner moved to adjourn, seconded by Mr. Benshoof – motion carried unanimously.

Respectfully submitted by Kristi Putnam.

Approved this 17th day of September, 2013, at Nineveh, IN

	✓		
Larry Kolar, Chairman	Aye Nay	Francis Gantner, Vice Chairman	Aye Nay
	✓		✗
Jim Ray	Aye Nay	Herbert Benshoof	Aye Nay
	✓		✓
Quinn Hetherington, Secretary	Aye Nay	Anita Wright	Aye Nay
		Attest:	
Cathey Byers	Aye Nay		Quinn Hetherington, Secretary