

Cordry Sweetwater Conservancy District Board of Directors Meeting “Minutes”

December 20, 2011, 7:00 PM, CSLOA Clubhouse

Present: Larry Kolar, Quinn Hetherington, Francis Gantner, Norman Noe, David Moebs, Dave Jarrett

Absent: Cheryl Boyle

CSCD Attorney: Roger Young

Managers: Marty Anderson, John Collins, Vernon McGaha

Managers Absent: None

Guests:

A. Welcome and Pledge of Allegiance: Mr. Kolar called the meeting to order at 7:02 PM.

B. Agenda Modifications: None

C. Freeholder Concerns:

1. Lanny Rossman stated that he felt Rick Normington had misrepresented his residency status in his resume in the CSCD Newsletter. Mr. Normington stated that it does not make a difference whether or not he lives full time or part time in the area and that he still has the right to represent the people and that his resume was incorrectly published in the newsletter.
2. Anita Wright stated that she had been a lot owner since 1969 and that her reasons for running for the CSCD Board of Directors were to represent all freeholders and to protect the lakes.
3. Mr. Normington stated that he has been a lot owner for 22 years, a president of the Anglers Club, and a member of the Ecology Commission and that he was running for the CSCD Board of Directors to maintain the good condition of the lakes and the land around it. He stated that he would like to represent all freeholders regardless if they live in the district or not.
4. Herbie Benshoof stated that he is a member of the Building Commission and felt he has a pretty good background and a good feel for what people want. He stated his main reasons for running for the CSCD Board of Directors were to ensure the condition of the lakes and the infrastructure.
5. Norman Noe stated that he has been on the CSCD Board of Directors for eight years and was the Chairman for one and one half years and that he felt it is a pleasure to serve.
6. Dave Jarrett stated that he was interested in the good of the community.

D. Approval of Minutes:

1. November 15, 2011 CSCD Board Meeting Minutes

MOTION: MR. HETHERINGTON MADE A MOTION TO APPROVE THE NOVEMBER 15, 2011 CSCD BOARD MEETING MINUTES, SECONDED BY MR. JARETT- MOTION CARRIED WITH 4 VOTES FOR AND 2 VOTES ABSTAINING. ROLL CALL WAS AS FOLLOWS:

NOE – YES

MOEBS – ABSTAIN

GANTNER – ABSTAIN

HETHERINGTON – YES

KOLAR – YES

JARRET- YES

E. Management Reports:

1. Financial Manager: Marty Anderson

- a. The financial report was read aloud by Mrs. Anderson.
- b. Mrs. Anderson stated that the property taxes should be received before the end of the year.

MOTION: MR. GANTNER MADE A MOTION TO APPROVE THE FINANCIAL REPORT, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

- c. The claims were reviewed and discussed by the Board members.

MOTION: MR. GANTNER MADE A MOTION TO APPROVE THE CLAIMS, SECONDED BY MR. HETHERINGTON- MOTION CARRIED UNANIMOUSLY.

2. Infrastructure Manager: John Collins

- a. Mr. Collins stated he would deliver information during the following Commission discussions.

3. Security Manager: Vernon McGaha

- a. There have been some packages missing from area mailboxes.
- b. Mr. McGaha expressed caution over burning of leaves.
- c. There is money remaining in the security budget for 2011 and Mr. McGaha expressed a desire for approval to purchase four narrow band radios for full time deputies at an approximate cost of \$1,528.00.

MOTION: MR. HETHERINGTON MADE A MOTION TO ALLOW THE PURCHASE OF FOUR NARROW BAND RADIOS AT A PRICE NOT TO EXCEED \$1,600.00, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

MOTION: MR. GANTNER MADE A MOTION TO AMEND THE MOTION TO STATE THAT THE FOUR NARROW BAND RADIOS TO BE PURCHASED BY THE DISTRICT WILL BE FOR THE DEPUTIES' USE, SECONDED BY MR. HETHERINGTON- MOTION CARRIED UNANIMOUSLY.

- d. The Security Commission had decided to test the inclement weather siren at 11:00 a.m. on Fridays.

F. Commission Reports:

1. Building- Mr. Jarrett

- a. Dan Lee will be sending certified letters to freeholders concerning trash and the status of property and is making personal contact with the owners of three dilapidated dock structures.
- b. Concerning the letter the district drafted for use in the septic inspection program, the state has produced a very similar letter.
- c. Ed Kiern, the Chairman of the Covenants Committee, has asked for access to the district's attorney as an advisory role. The Board stated that they would monitor the use and had no objections. Mr. Moebis stated that the access would be only for Mr. Kiern.

MOTION: MR. JARRETT MADE A MOTION TO TABLE THE APPROVAL OF RESOLUTION 2011-6 FOR TWO MONTHS, SECONDED BY MR. GANTNER- MOTION CARRIED WITH 5 VOTES FOR AND 1 VOTE AGAINST. ROLL CALL WAS FOLLOWS:

NOE – YES

MOEBS – NO

GANTNER – YES

HETHERINGTON – YES

KOLAR – YES

JARRETT - YES

2. Ecology-Mr. Kolar

- a. Mr. Kolar asked for approval for the REMC Raptor Program.

MOTION: MR. KOLAR MADE A MOTION TO GRANT APPROVAL FOR THE REMC TO ERECT RAPTOR HABITAT(S) ON CSCD PROPERTIES, SECONDED BY MR. GANTNER- MOTION CARRIED UNANIMOUSLY.

Discussion: Mr. Gantner asked if there would be any effect on small pets in the area. Mr. Normington replied that the largest of raptors included in this program, eagles, are already present in the area and there have been no reports of pets missing. Mr. Noe asked if there would be any effect on the deer reduction program, to which Al Taylor replied that there would be no effect.

- b. The trapper will be working on both lakes targeting everything (beavers, muskrat, etc.).
- c. Dredging planning will continue after the first of the year.
- d. Fish structures will be dropped in the Spring.
- e. There will be a meeting concerning aquatic vegetation and weeding on February 13, 2012.

3. Security-Mr. Hetherington

- a. Mr. Hetherington asked the Board to approve the inclement weather siren testing time, which the Commission determined to be Fridays at 11:00 a.m. in order to reduce confusion.

MOTION: MR. HETHERINGTON MADE A MOTION FOR THE APPROVAL OF 11:00 A.M. ON FRIDAYS AS THE TESTING TIME FOR THE INCLEMENT WEATHER SIREN, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

- b. 21 deer were harvested as of December 13, 2011; 12 during the archery season and 9 during the firearm season with an average of 10 hunters per day.
- c. Boat stickers will need to be ordered early Spring.
- d. One patrol boat has been repaired and returned.

4. Roads-Mr. Noe

- a. The Commission voted to spend \$3,000.00 on tires for the backhoe. Mr. Collins collected three bids with Gem City Tire being the best at \$2,698.80.

MOTION: MR. NOE MADE A MOTION TO APPROVE THE PURCHASE OF TIRES BY GEM CITY TIRE, SECONDED BY MR. GANTNER- MOTION CARRIED UNANIMOUSLY.

5. Water-Mr. Collins reported in the absence of Mrs. Boyle

- a. A large water loss was experienced during the month due to three leaks that had leaked through the summer and were not reported until now. After the leaks were fixed, water loss figures decreased. Mr. Collins asked freeholders to report any suspicious standing water.
- b. When working at 7885 Ebony, the water department caught a wire and it is the district's responsibility to repair it. SSI has submitted a quote to repair it for \$750.00.

MOTION: MR. GANTNER MADE A MOTION TO APPROVE THE BORING BY SSI AT A PRICE NOT TO EXCEED \$750.00 EXCLUDING AN ADMISSION OF LIABILITY, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

- c. Shawn Michel formed a committee with the Water Commission to form a Five Year Improvement Plan; members are Mr. Michel, Mrs. Boyle, and Mr. Moebis.
- d. Horizon CPA Services do an annual review; this topic was determined to be revisited at a later time.

Discussion: Mr. Noe stated that the Water Loss Report has changed to not reflect known loss and he felt that it should be added back to the report and then combined with unaccounted for loss and be termed unbillable water.

G. Brown County Solid Waste: Mr. Moebis

- 1. During the 11/21/11 meeting, it was reported that during America Recycles Day, 7,450 pounds of documents were shredded, 11,576 pounds of electronic waste, and 75 pounds of medication were all collected and, therefore, saved from landfills. Statistics of people driving through the center were also considerably increased.
- 2. During the 12/19/11 meeting, it was reported that during the Appliance Day, four truckloads of metal and 30 Freon containing appliances were dropped off for recycling.
- 3. The Commission is investigating a new internet service and a possible second website termed BrownCountyRecycling.org.
- 4. An illegal burning and dumping situation continued and the prosecutor is being contacted for possible suit.
- 5. The Commission was 24 tons short of meeting the 2010 recycling statistics but was \$5,000.00 ahead on the year.

H. Status from CSCD Attorney: Mr. Young

1. The Indiana Supreme Court declined to hear the Klosinski case and the case is now over.
2. The court has approved the district's authority to enforce the septic inspection ordinance in a suit against the freeholders in the first rotation group (approximately 10 freeholders). A list of second and third rotation freeholders who are in violation is being compiled. The consequence(s) for noncompliance with a court order will range from fines to incarceration.

MOTION: MR. GANTNER MADE A MOTION TO AUTHORIZE ROGER YOUNG TO INITIATE THE SECOND LAWSUIT REGARDING THE SEPTIC INSPECTION PROGRAM VIOLATIONS, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

Discussion: Mr. Gantner suggested seeking attorney fee recovery. Mr. Moebis requested an update on the lobbyist status. Mr. Gantner stated that the lobbyist was meeting with Senator Steele on December 21, 2011 to discuss his support of the proposed legislative change.

I. Unfinished Business:

1. The septic analysis for the possible site of the proposed new office and/or maintenance building(s) is currently with the state. Mr. Kolar stated that he felt the current site would be the best location for the new building(s) due to infrastructure and space among other reasons. After much discussion, it was the consensus of the Board to use the present site for reasons including the following: proximity of office and maintenance department members, infrastructure, space, proximity to boundary of district for heavy truck deliveries. However, concerns were voiced regarding the differences between an office and a maintenance environment if all three departments were housed in the same building. The Board decided to check on costs for the next phases as a next step.

MOTION: MR. GANTNER MADE A MOTION THAT FOR PURPOSES OF CONTINUING DISCUSSIONS THAT THE CURRENT LOCATION WILL BE UTILIZED, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

2. The Interlocal Agreement is still being reviewed by the county.
3. Mr. Kolar initiated a discussion by the Board regarding increasing Board Members' pay rates. Much discussion ensued among the Board Members.

MOTION: MR. NOE MADE A MOTION TO INCREASE THE BOARD MEMBERS' PAY RATES TO THE STATE RECOMMENDED LIMITS, INCLUDING MILEAGE REIMBURSEMENT, AND ANY OTHER REIMBURSEMENTS APPROVED BY THE BOARD, SECONDED BY MR. HETHERINGTON- MOTION FAILED TO CARRY WITH 1 VOTE FOR AND 5 VOTES AGAINST. ROLL CALL WAS AS FOLLOWS:

NOE – YES

MOEBS – NO

GANTNER – NO

HETHERINGTON – NO

KOLAR – NO

JARRETT – NO

MOTION: MR. KOLAR MADE A MOTION TO CHANGE THE BOARD MEMBERS' PAY RATES TO \$100 PER MONTH FOR ATTENDING AT LEAST ONE MEETING, \$50 (UP TO TWICE IN ONE MONTH) FOR WORK OUTSIDE OF THE DISTRICT OR FOR WORK ON SPECIAL PROJECTS LASTING 4 HOURS OR MORE NOT TO INCLUDE COMMISSION MEETINGS, AND EXPENSE REIMBURSEMENTS FOR EXPENSES TO ATTEND A MEETING OUTSIDE OF THE DISTRICT, SECONDED BY MR. GANTNER- MOTION CARRIED WITH 5 VOTES FOR AND 1 VOTE ABSTAINING. ROLL CALL WAS AS FOLLOWS:

**NOE- ABSTAIN
MOEBS – YES
GANTNER – YES
HETHERINGTON – YES
KOLAR – YES
JARRETT - YES**

4. Information regarding the insurance broker is still being gathered.
5. The 2012 Holiday Schedule was presented to the Board.

MOTION: MR. NOE MADE A MOTION TO APPROVE THE 2012 HOLIDAY SCHEDULE, SECONDED BY MR. GANTNER- MOTION CARRIED UNANIMOUSLY.

6. Resolution 2011-8 regarding the authority to pay full time rates was presented to the Board.

MOTION: MR. NOE MADE A MOTION TO APPROVE RESOLUTION 2011-8, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

7. The agreement between the CSCD and the CSLOA was presented.

MOTION: MR. GANTNER MADE A MOTION TO APPROVE THE AGREEMENT BETWEEN THE CSCD AND THE CSLOA, SECONDED BY MR. HETHERINGTON- MOTION CARRIED UNANIMOUSLY.

8. There was a review conducted of the election procedures provided by Mr. Moebis. The Election Committee will consist of Mr. Hetherington, Margaret Bruce, Tom Dassler, and Betsy Kolar. After discussion concerning the placement of election signs on district property, it was the consensus of the Board that election signs may be posted at back two entrances and at the flagpole across from the CSLOA clubhouse and on any consenting freeholder's property.
9. There was a short discussion regarding the office's use of freeholder email addresses during which Mr. Moebis urged the CSCD Board Administrative Assistant to utilize the freeholder email addresses to distribute information more often.





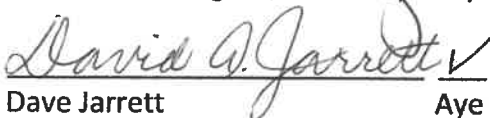
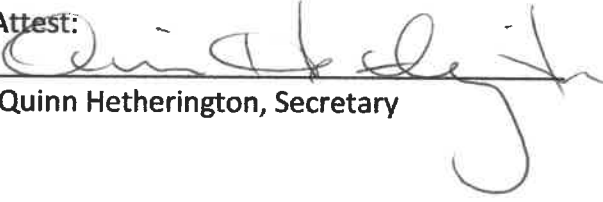
J. Board Member Concerns: None

K. Adjourn:

MOTION: MR. GANTNER MADE A MOTION TO ADJOURN THE MEETING AT 9:29 PM, SECONDED BY MR. MOEBS-MOTION CARRIED UNANIMOUSLY.

Respectfully submitted by Betsy Edwards.

Approved this 14th day of January, 2012, at Nineveh, IN

 Larry Kolar, Chairman	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	 Francis Gantner, Vice Chairman	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
 David Moebes	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	Absent		
			Cheryl Boyle	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
 Quinn Hetherington, Secretary	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay	Norman Noe	<input type="checkbox"/> Aye	<input type="checkbox"/> Nay
 Dave Jarrett	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	Attest:		
				Quinn Hetherington, Secretary	