

**Cordry-Sweetwater Conservancy District
Board of Directors Meeting
“Minutes”**

June 19, 2012, 7:00 PM, CSLOA Clubhouse

Board Members Present: Quinn Hetherington, Dave Jarrett, Anita Wright, Herbie Benshoof, Francis Gantner, Dave Moebis

Board Members Absent: Larry Kolar

CSCD Attorney: Roger Young

Managers: Marty Anderson, Anthoney Haywood, Vernon McGaha

Managers Absent: None

Guests: Jeff Tow, Nancy Harrison, Margaret Bruce, Mary McCary, Robert Sheldon, Greg Handerhan, Bob Beam, Karl Radtke, John Davis, Harry Shelman, Shawn Michel, Mary Fouch, Bill Boyle, Cheryl Boyle, Patricia Sherman

A. Welcome and Pledge of Allegiance: Mr. Gantner called the meeting to order at 7:03 PM.

B. Agenda Modifications:

1. Mr. Gantner recommended the movement of item 6.e.1. Recommend Approval of Dam Inspection Proposal to the Ecology Commission section as 6.b.1.
2. Mr. Benshoof recommended replacing item 6.e.1. Recommend Approval of Dam Inspection Proposal with 6.e.1. Approval of Purchase of Three Tablets for Monthly Meter Reads and Update Software.
3. Mr. Benshoof recommended the addition of item 6.e.2. Water Tank Painting Request for Proposal.
4. Mr. Young recommended the addition of item 9.h. Handerhan Discussion.

MOTION: MR. MOEBS MADE A MOTION TO APPROVE THE AGENDA AS AMENDED, SECONDED BY MR. BENSHOOF- MOTION CARRIED UNANIMOUSLY.

C. Freeholder Concerns:

1. Nancy Harrison expressed concern regarding the annual deer reduction program and requested that the District consider reducing the number of reduction dates in October and take advantage of the newly permitted January dates as adopted by the Indiana Department of Natural Resources.
2. Joe Davis expressed concern regarding the hiring of a conservancy manager and the associated salary expenditure. He stated that he would like to see the money spent on something else as he feels the office operates very well. He also would like to see a better

concept for the boat database to avoid unnecessary expenditures involved in having a boat removed from the lake and measured that has been on the water for years.

3. Carl Radtke expressed concern regarding dredging and asked for the patrol boat to monitor the speed of boats at the north end of Sweetwater Lake to help reduce the amount of sediment re-deposited into the lake.
4. Robert Beam asked the District to address the situation of the dam between Grizzly and Grey Wolf Drives due to mosquitos, pollution, and other concerns. He also expressed concern about the odor of the dredging spoils.
5. Margaret Bruce expressed concern regarding the money spent to change the wording in the conservancy act to allow interlocal agreements and the issuance of beach passes to renters as she felt it commercializes the lake(s). The Board asked the Security Commission to investigate the issuance of beach passes to both renters and owners as well as boat decals.
6. Cheryl Boyle expressed concern regarding the money spent to change the wording in the conservancy act as well and also stated that employees are given beach passes.
7. Anita Wright announced that CSLOA is hosting a free concert this Saturday, June 23, 2012, open to the public at the Sweetwater Beach.

D. Approval of Minutes:

1. May 15, 2012 Executive Session Minutes

MOTION: MR. BENSHOOF MADE A MOTION TO APPROVE THE MAY 15, 2012 EXECUTIVE SESSION MINUTES, SECONDED BY MR. HETHERINGTON- MOTION CARRIED WITH 4 VOTES FOR AND 2 ABSTAINING. ROLL CALL WAS AS FOLLOWS:

**BENSHOOF – YES
MOEBS – ABSTAIN
GANTNER – ABSTAIN
HETHERINGTON – YES
JARRETT – YES
WRIGHT – YES**

2. May 15, 2012 Board Meeting Minutes

MOTION: MR. HETHERINGTON MADE A MOTION TO APPROVE THE MAY 15, 2012 EXECUTIVE SESSION MINUTES, SECONDED BY MR. BENSHOOF- MOTION CARRIED WITH 4 VOTES FOR AND 2 ABSTAINING. ROLL CALL WAS AS FOLLOWS:

**BENSHOOF – YES
MOEBS – ABSTAIN
GANTNER – ABSTAIN
HETHERINGTON – YES
JARRETT – YES
WRIGHT – YES**

3. May 22, 2012 Board Meeting Minutes

MOTION: MR. MOEBS MADE A MOTION TO APPROVE THE MAY 15, 2012 EXECUTIVE SESSION MINUTES, SECONDED BY MR. HETHERINGTON- MOTION CARRIED WITH 5 VOTES FOR AND 1 ABSTAINING. ROLL CALL WAS AS FOLLOWS:

BENSHOOF – ABSTAIN

MOEBS – YES

GANTNER – YES

HETHERINGTON – YES

JARRETT – YES

WRIGHT – YES

E. Management Reports:

1. Financial Manager: Mrs. Anderson

- a. Mrs. Anderson read aloud the financial report.

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

- b. The Board reviewed and discussed the claims.

MOTION: MR. BENSHOOF MADE A MOTION TO APPROVE THE CLAIMS SUBJECT TO AUDIT, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

2. Infrastructure Manager: Mr. Haywood

- a. The guardrails project is a little over 50 percent completed. Mr. Gantner commented on the high quality of the work.
- b. The department has been working on water mains. Mr. Haywood requested approval for purchase of ten loads of riprap to cover the area of one water main as it has eroded at a price of approximately \$2,700.

MOTION: MR. JARRETT MADE A MOTION TO APPROVE THE EXPENDITURE FOR RIPRAP NOT TO EXCEED \$3,000 TO BE PLACED ON SWEETWATER DRIVE BETWEEN FLAMINGO AND GROSBEAK, SECONDED BY MR. BENSHOOF- MOTION CARRIED UNANIMOUSLY.

- c. The department will be needing five radios. Mr. Haywood will discuss at the next meeting.
- d. Mr. Haywood requested that meter reads be estimated for the month due to time constraints over the next two weeks. It was the consensus of the Board to approve the request. Mrs. Wright asked that hers be read as she had leaks in the water meter pit the previous month. Mr. Gantner stated he will compose an explanation to be placed on the water bills.
- e. The Aquatic Control weed survey is upcoming.
- f. The Goose Roundup is occurring soon.
- g. The Consumer Report of Water Quality will be distributed to residents before July 1, 2012.

3. **Security Manager:** Mr. Hetherington discussed in the temporary absence of Mr. McGaha due to an emergency.
 - a. The PM 400 radios have been ordered
 - b. Idle lights are set to go yellow at 8:11 p.m.
 - c. Seasonal help has been hired and all have been CRP certified. Boat patrol personnel have also been given a maintenance checklist for each time they begin and end a shift.
 - d. The new patrol car is still not in service.
 - e. The patrol car used by Terry West is in need of a new steering column.
 - f. The weather siren can now be set off at the sheriff's office. Testing for the siren occurs every Friday at 11:00 a.m.

F. Commission Reports:

1. Building : Mr. Jarrett

- a. Letters were distributed to address the dilapidated condition of property and abandoned foundations. Owners at 7866 Kingnut and 7308 Salmon have taken corrective actions.
- b. Mr. Jarrett and Dan Lee investigated CSCD owned waterfront properties and composed a list of those in need of shoreline stabilization. Mr. Jarrett will discuss a recommendation at the next meeting.
- c. A letter was distributed to the owner of 7287 Halibut asking for corrective action to the dilapidated condition of his/her dock within 30 days.

2. Ecology: Mrs. Wright

- a. The dredging will remove approximately 8,500 cubic yards of spoils. Plans are being developed to begin prioritizing the next site(s) to be dredged.
- b. The dams were mowed June 8, 2012. Mowing equipment is being investigated for possible purchase by the District.
- c. Mr. Ganter presented some information regarding dam inspection proposals. Ann Luther, a local engineer who volunteers services, reviewed two proposals received for dam inspections and recommended the Board approve the proposal submitted by Christopher B Burke Engineering LLC which is a three year proposal of annual inspections with written reports at a cost of approximately \$17,500 per dam on average each year. It was the consensus of the Board to submit the proposals to the Ecology Commission for review and a recommendation.
- d. Aquatic Control will be in the area tomorrow to survey American Pondweed and areas deemed to be the worst with aquatic vegetation.
- e. The Commission is investigating a method to deter birds from the shelter near the fire house.
- f. Trapping will be completed on both lakes June 20, 2012.
- g. The Commission is investigating water quality testing.
- h. The Commission is considering placement of boat safety online course information in the newsletter.

Discussion: Mr. Jarrett expressed a desire to make the dredging contractor's information available to freeholders who may wish to privately dredge while the contractor is at the District

and stated he would discuss with Jim Ray. He also urged the Ecology Commission to more aggressively address the Sweetwater boat ramp condition. Mr. Moebis asked that the Ecology Commission consider the silt being washed into the lake at the culverts on the road opposite lakeside and did not know if they were within or outside of the Conservancy.

3. Security: Mr. Hetherington

- a. Mr. Lee is sending letters to contractors to remind them of responsibilities to keep the boat ramp areas clean and to move out of the way when freeholders need use of the ramp.
- b. Concerns are being discussed regarding buoy placement on both lakes.
- c. The Commission discussed whether flotation devices should be required for paddleboards.
- d. Safety concerns regarding wake surfing were expressed.
- e. Patrol boats will be monitoring flotation platforms as they are not to be left out overnight and must be returned to shoreline each evening.
- f. Indiana Department of Natural Resources has expressed concerns over the large deer population and has extended the hunting season for 2012-13. The Security Commission approved the following dates of deer reduction for the upcoming season within the designated District area: Archery Oct 6-7, Oct 13-14, Nov 3-4, Nov 10-11; Firearm Nov 17-18, Nov 22,23,24,25, Dec 1-2; Muzzleloader Dec 8-9, Dec 15-16. The state has expanded the season into January, but the Security Commission chose not to include those dates.

MOTION: MR. HETHERINGTON MADE A MOTION TO APPROVE THE DATES OF THE DEER REDUCTION FOR 2012, SECONDED BY MR. MOEBIS- MOTION FAILED DUE TO SUBSEQUENT MOTION TO TABLE.

MOTION: MR. GANTNER MADE A MOTION TO TABLE THE MOTION TO APPROVE THE DEER REDUCTION DATES, SECONDED BY MR. MOEBIS- MOTION CARRIED UNANIMOUSLY.

Discussion: The Board asked the Security Commission to consider the January dates and return with recommendations and possible revisions.

- g. The Commission would like to have two patrol boats on Sweetwater Lake during the weekends. Mr. McGaha is working on getting an additional patrol boat on Sweetwater Lake on the weekends without spending outside of the budget.

4. Roads: Mr. Gantner

- a. A change order to the guardrail bid was presented to raise the levels of guardrails on both dams to state required specifications. Approximately 5,300 linear feet of existing guardrail can be used and 3,300 linear feet would need to be new. The total estimated cost would be approximately \$60,850.

MOTION: MR. MOEBIS MADE A MOTION TO APPROVE CHANGE ORDER #1 TO THE GUARDRAIL CONTRACT TO RAISE THE DAM GUARDRAILS UTILIZING EXISTING RAILS WHERE IN GOOD

SHAPE AND PROVIDING NEW GUARDRAIL IN THOSE SITUATIONS WHERE IT'S REQUIRED IN THE AMOUNT OF \$60,850 PREDICATED ON APPROXIMATELY 3,300 LF AT \$8.00 PER UNIT PRICE AND 5,300 LF AT \$6.50 PER UNIT PRICE, SECONDED BY MR. BENSHOOF- MOTION FAILED TO CARRY WITH 3 VOTES FOR AND 3 VOTES AGAINST. ROLL CALL WAS AS FOLLOWS:

BENSHOOF – YES

MOEBS – YES

GANTNER – YES

HETHERINGTON – NO

JARRETT – NO

WRIGHT – NO

Discussion: Ralph Nicolosi urged the Board to reject the proposal as he stated this had not been approved by the Roads Commission. Mr. Gantner stated he was attempting to take avoid mobilization and demobilization charges for James Drew Corporation to come back to do the work when they were already in the District since no one attended the June Roads Commission meeting besides himself. Much discussion ensued regarding potential liability involved with leaving the guardrails the height they are and the procedure involved for the approval of the change order.

- b. The gravel on Bass and Buffalo Drives has been yielding positive results.
- c. Mr. Gantner recommended that the change order for the Rieth Riley contract be rescinded.

MOTION: MR. MOEBS MADE A MOTION TO RESCIND CHANGE ORDER #1 TO THE RIETH RILEY CONTRACT, SECONDED BY MR. HETHERINGTON- MOTION CARRIED UNANIMOUSLY.

- d. The Commission is anticipating a request for proposal in August for asphalt patching after the creation of a comprehensive list.

5. Water: Mr. Benshoof

- a. The Commission is discussing evaluation of water towers. The blue water tower needs to be painted inside and outside this year and the white water tower will need to be painted next year. As this is such a large investment, the specifications need to be laid out carefully. The Commission recommended that Norman Noe put together the specifications that will go into the request for proposal at an approximate cost of \$3,995 plus a possible \$280 to test paint.

MOTION: MR. BENSHOOF MADE A MOTION TO APPROVE NORMAN NOE TO COMPOSE THE 100 PAGE SPECIFICATIONS AND SEND THEM OUT TO COLLECT BIDS TO PAINT THE BLUE WATER TOWER INSIDE AND OUTSIDE AT A COST NOT TO EXCEED \$4,300, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

- b. Tablets were used to read the meters last month with great success and great amounts of time saved. The Commission requested approval to purchase three

tablets at a cost of \$250 each and updated software at a cost of \$500 for a total cost between \$1,250 and \$1,500.

MOTION: MR. BENSHOOF MADE A MOTION TO APPROVE AN EXPENDITURE OF \$1,250 TO \$1,500 FOR PURCHASE OF METER READING TABLETS AND SOFTWARE, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

- c. The Commission is working on a long term capital budget and five year plan.
- d. Ms. Luther will be composing a request for proposal for the water loss audit and distributing to ten different companies.

G. Other Governmental Interface Meeting Reports:

1. Brown County Solid Waste: Mr. Moebis

- a. Mr. Moebis proposed that in the interest of time, he would provide Betsy Edwards with the minutes from the meeting to distribute to Board members.
- b. Scrap metal appliance days will occur on September 8, 2012 and December 1, 2012, from 8 a.m. to 12 p.m.

H. Status from CSCD Attorney: Roger Young

1. Mr. Young stated that one freeholder filed an answer that his property is not unkept so the District may go to trial.

I. Unfinished Business:

1. Mr. Haywood met with an insurance broker and gave him the District's information.
2. Mr. Young stated that a vehicle lease agreement needs to be signed and approved in order to give the county insurable interest in the police vehicles.

MOTION: MR. MOEBS MADE A MOTION TO APPROVE THE VEHICLE LEASE AGREEMENT AND AUTHORIZE ITS EXECUTION AND AUTHORIZE IT TO BE SIGNED BY THE VICE CHAIRMAN ON BEHALF OF THE CHAIRMAN AND SECRETARY OF THE BOARD, SECONDED BY MR. BENSHOOF- MOTION CARRIED UNANIMOUSLY.

3. The architect has begun speaking with employees to gather input for the new office/maintenance building.
4. Mr. Gantner asked that Board members examine the 2013 budget and direct any questions to Mr. Kolar.
5. There were no additions to the goals for 2012 and 2013.
6. The Board began to discuss the topic of hiring a conservancy manager.

MOTION: MR. MOEBS MADE A MOTION TO TABLE THE APPROVAL OF THE JOB DESCRIPTION OF THE CONSERVANCY MANGER POSITION UNTIL SUCH TIME AS A WRITTEN DOCUMENT IS MADE AVAILABLE TO THE MEMBERS OF THE BOARD OF DIRECTORS THAT EXPLAINS THE NEED FOR SUCH A POSITION, RESOLVES AND/OR EXPLAINS THE OVERLAP IN SEVERAL CURRENT JOB DESCRIPTIONS FOR CURRENT POSITIONS WITHIN THE CSCD, EXPLAINS THE INEFFICIENCIES THAT ARE PRESENT THAT NEED TO BE RESOLVED, EXPLAINS WHY SUCH A POSITION IS BEST

FOR THE CSCD AND DEFINES THE LONG LASTING RESULTS THAT WILL BE ACHIEVED, SECONDED BY MR. JARRETT- MOTION CARRIED UNANIMOUSLY.

Discussion: Much discussion ensued regarding fairness to current employees by how the proposed Conservancy Manager job description will affect their job descriptions. Some Board members expressed confusion regarding what the inefficiencies of the current situation are. Other issues that arose were the level of job requirements, if the Conservancy Manager is deemed necessary as the Board has not approved this yet, and the possible reasons for conducting an executive session as some Board members expressed that the discussion and reasoning requires a discussion of existing personnel performance. Mrs. Anderson also stated that existing employees have not been told what performance problems exist that may necessitate a Conservancy Manager.

7. Mr. Young stated that a freeholder, Mr. Handerhan, is unable to install an approvable septic system on his lot and asked for an easement across hummingbird to install the finger system. Mr. Young composed a list of requirements and tonight received an easement document from Mr. Handerhan that meets all of the requirements set forth. Mr. Young recommended the easement be approved and the vice chairman be authorized to execute the easement as soon as the following two typographical errors are corrected: page 2 grammar and the legal description of the easement on the platted survey.

MOTION: MR. BENSHOOF MADE A MOTION TO APPROVE THE EASEMENT SUBJECT TO THE CORRECTION OF TWO TYPOGRAPHICAL ERRORS AND AUTHORIZE THE VICE CHAIRMAN TO EXECUTE IT AS SOON AS THE TYPOGRAPHICAL ERRORS ARE CORRECTED, SECONDED BY MR. MOEBS- MOTION CARRIED UNANIMOUSLY.

J. New Business: None

K. Board Member Concerns:

1. Mrs. Wright announced that the CSLOA is putting together a newsletter and advised anyone that has anything to place in it to contact the CSLOA.
2. Mr. Hetherington stated that the rate of water leaving Sweetwater Lake has not changed but the changing of the tube may be causing freeholders to think that it is lowering more slowly.
3. Mr. Moebs stated that he will be attending the next Security Commission meeting to discuss lot numbers on boats and handicapped parking.

L. Adjourn

MOTION: MR. MOEBS MADE A MOTION TO ADJOURN THE MEETING AT 10:45 P.M., SECONDED BY MR. BENSHOOF- MOTION CARRIED UNANIMOUSLY.

Respectfully submitted by Betsy Edwards.

Approved this 17th day of July, 2012, at Nineveh, IN

ABSENT

Larry Kolar, Chairman Aye Nay Francis Gantner, Vice Chairman Aye Nay

David Moebs ✓ Herbert Benshoof ✓

David Moebs Aye Nay Herbert Benshoof Aye Nay

Quinn Hetherington Aye Nay Anita Wright ✓

Quinn Hetherington, Secretary Aye Nay Anita Wright Aye Nay

Dave Jarrett ✓ Quinn Hetherington Attest:

Dave Jarrett Aye Nay Quinn Hetherington, Secretary