

These minutes are not official until approved by the CSCD Board of Directors
Cordry Sweetwater Conservancy District
Board of Directors Meeting
“Minutes”
November 17, 2009
7:00 PM

Present: Norman Noe, Quinn Hetherington, Cheryl Boyle, Gregg Gillentine, Jerry Fenwick, Larry Kolar, David Moebs

CSCD Attorney: Roger Young

Managers: Marty Anderson

Absent: John Collins & Vernon McGaha

Guests: Charles Burge, Shawn Michel, Duane Mercer, Vonda Mercer, Brian Walker, Phillip Hepburn, Margaret Bruce, Tom Smith, Brian Lucas, Sam Eggers, Jackie Bennett, Stacy Wethington

Minutes prepared by: Stacy Wethington

A. Welcome and Pledge of Allegiance:

Mr. Noe called the meeting to order and led in the Pledge of Allegiance.

B. Freeholder Concerns: Charlie Burge expressed his concern with the coyote problem in the district. Mr. Noe said this issue will be addressed with the Security Commission Report.

C. Approval of Minutes:

1. October 20, 2009 Board Meeting Minutes:

Motion: Mr. Fenwick made a motion to approve the October 20, 2009 Minutes, as written, seconded by Mrs. Boyle – motion tabled

Discussion: Mr. Moebs questioned a motion on Page 2, item F.1.A., Smith garage variance. There was an issue with how the motion was written in the minutes. Mr. Moebs stated that he and Stacy Wethington will review the tapes from the October 20, 2009 meeting to obtain the proper motion, if it can be heard on the tape recording. The approval of these minutes will be tabled until the December meeting.

2. September 21, 2009 Special Board Meeting Minutes:

Motion: Mr. Gillentine made a motion to approve the September 21, 2009 Special Board Meeting Minutes, as written, seconded by Mr. Kolar – motion carried unanimously

3. September 28, 2009 Special Board Meeting Minutes:

Motion: Mrs. Boyle made a motion to approve the September 28, 2009 Special Board Meeting Minutes, as written, seconded by Mr. Fenwick – motion carried unanimously

4. October 7, 2009 Special Board Meeting Minutes:

Motion: Mrs. Boyle made a motion to approve the October 7, 2009 Special Board Meeting Minutes, as written, seconded by Mr. Gillentine – motion carried unanimously

D. Financial and Claims Reports:

1. **Business Manager, Marty Anderson:** Mrs. Anderson read the financial report for the district for the month of October. Mr. Kolar asked if there had been any updates on property tax bills for 2008 payable 2009. Mrs. Anderson stated that there had not been any changes or updates that she was aware of.

Motion: Mrs. Boyle made a motion to approve the Financial Report, subject to audit, seconded by Mr. Moebs, no further discussion - motion carried unanimously.

2. **Approval of Claims:**

Motion: Mr. Fenwick made a motion to approve the claims, subject to audit, seconded by Mr. Moebs, no discussion – motion carried unanimously.

3. **Infrastructure Reports, John Collins:** Mr. Collins was on vacation and unavailable at the meeting.

E. Budget Forecast Report, David Moebs: Mr. Moebs gave the budget forecast report and will have the 2010 budget forecast at the December meeting.

F. Commission Reports:

1. **Building – Mr. Fenwick:** Mr. Fenwick summarized the minutes from the November 3, 2009 meeting. Mr. Noe questioned item #5, a “Stop Work Order”. Mr. Fenwick stated that he has talked with Attorney Mr. Roger Young and asked that a letter be sent to the home owner regarding the stop work order issue.

2. **Ecology – Mr. Kolar**

- A. **Cordry Dock Replacement:** The commission received three bids to replace the existing dock, build to new specs and make ADA accessible. Discussion: Mr. Gillentine asked if the new dock would be to the American Disability Act Code, Mr. Kolar stated that it will be built to code.

Motion: Mr. Kolar made a motion to award the bid to replace existing Cordry Dock to Herald Construction at a cost of \$12,770.00, seconded by Mr. Fenwick – motion carried unanimously.

- B. Mr. Kolar stated that there are two trappers set up for trapping muskrats and beavers. Mr. Mel Smith will be trapping on Sweetwater Lake and Mr. Rob Jacobs will be trapping on Cordry Lake.
- C. **Cordry Dam Repair:**

1. Central Engineering is working on the repair of Cordry dam, weather permitting. There was some additional work that needed to be done on the dam that needed to be done immediately.

Motion: Mr. Kolar made a motion to approve additional repair to the Cordry Dam in the amount of \$ 3,950.00, seconded by Mr. Noe – motion carried unanimously.

2. Mr. Kolar stated that there was a miss measurement on a length of pipe to extend to cover the terrace of the dam and that there could be additional repair work. Mr. Noe suggested that a motion be made to allow additional work orders to be approved for work on the dam.

Motion: Mr. Kolar made a motion to allow an additional \$ 2,500.00 to be approved for amendments to the dam repair, seconded by Mr. Gillentine – motion carried unanimously.

3. Mr. Kolar asked that the Deer Hunt signs not be put out on the Dam during the repair. Mr. Noe said he would contact Central Engineering to see if they will be working the weekend of the Deer Hunt.
4. Mr. Noe asked if the name of the person who prepares the minutes for each commission would appear on the front page of the minutes.

3. Security - Mr. Noe: Mr. Noe summarized the security minutes.

- A. Deer Reduction: Mr. Noe asked if the board would be apposed to expanding the deer hunt to include November 21st, 22nd and 27th. The board agreed, as long as there is no interference with Central Engineering's work on the Cordry dam repair.
- B. Security Lights: There was a discussion on the cost of operating the security lights at the basketball court. The board decided to leave the decision up to Mr. McGaha as to leaving them on or turning them off.
- C. Coyote Problem: Mr. Noe summarized a hand out on the issues with coyotes in the area. He will continue to research the issue. Mr. Noe also asked the board to allow him to hunt coyotes in a specific area. Resident Charlie Burge discussed his concerns with the coyote problem

Motion: Mrs. Boyle made a motion to allow Norman Noe to hunt coyotes to see if it was able to be done, seconded by Mr. Gillentine – motion carried.

- D. Steel Cable: The commission is looking into replacing the steel cable at the beach that prevents vehicle traffic onto the beach area with another type of barrier.
- E. New Commission Member: CSLOA has recommended Bill Boyle as their representative on the Security Commission.

Motion: Mr. Noe made a motion to approve Mr. Bill Boyle to be the CSLOA representative on the Security Commission, seconded by Mr. Fenwick – motion carried 6-0-1 with Mrs. Boyle abstaining.

4. Roads – Mr. Hetherington summarized the Roads Report by mentioning:

- A. The commission is looking into drainage problems on several roads.
- B. There has been some crack sealing completed.

5. Water – Mrs. Boyle summarized the Water Report by mentioning:

- A. The water loss is down slightly
- B. Boil Water Order was issued due to a Prince's Lakes Water Utility computer problem.
- C. Automatic Meter Read Program: Mrs. Boyle stated that the Water Commission was recommending that the CSCD Board approve the Automatic Meter Read program. After a lengthy discussion on this program, there were two motions made, they are as follows:

Motion: Mr. Kolar made a motion to allow the Water Commission to proceed with the Automatic Meter Read program, seconded by Mr. Fenwick – motion was amended by Mr. Moebis.

Motion: Mr. Moebis made a motion to amend the previous motion by Mr. Kolar to approve the Automatic Meter Read Program to replace that motion with a motion to direct the Water Commission to do a formal bid process as recommended by the CSCD Attorney and that the Water Commission schedule a public meeting to inform the freeholders of the proposal, costs, advantages and disadvantages of the program, seconded by Mr. Noe – motion carried unanimously.

Motion: The motion made by Mr. Kolar as amended above by Mr. Moebis was then voted upon and motion carried unanimously.

G. Unfinished Business:

- 1. **Resolution 2009-5:** Tabled until Mr. Moebis has revised Resolution 2009-5.

H. New Business:

- 1. Duck Ct. Road Easement (Culbertson Request): There was a discussion on a request for the CSCD Board to approve having the lot owners at their expense go through the quit claim deed process to deed the road easement that the CSCD currently owns from their property line closest to the road up to the road to each of the lot owners. Mr. Young stated that he didn't see the need in the board conveying property away to a freeholder. Mr. Jackie Bennett (lot owner on Duck Ct.) stated his concerns with liability concerns with the property issue. Mr. Young will look into this issue.
- 2. Indiana Bond Bank Proposal: Duane Mercer explained the Indiana Bond Bank application process and stated that there was a \$ 500.00 application fee; this fee would be backed out if CSCD decides not to accept the draw. The Indiana Bond Bank loans money to government entity's at a low interest rate. This money is borrowed and 50% would be paid back when CSCD receives the first tax installation from Brown County and the second 50% would be paid when the second installation is received from Brown County.

Motion: Mr. Gillentine made a motion to apply to the Indiana Bond Bank for application for a bond, application fee not to exceed a \$ 600.00, seconded by Mr. Moebs – motion carried unanimously

I. Specific Dam and Lake Issues and Board Member Concerns:

1. Mr. Kolar stated his concerns with the firing of a full-time employee without Board approval. Mr. Noe stated that this issue will be discussed at the Executive Meeting on Wednesday evening.

Motion: Mr. Kolar made a motion that the CSCD Board of Directors will approve all hiring and termination of all full-time employees and support this motion by a resolution at the December Board meeting, seconded by Mrs. Boyle – motion carried by a vote of 6-1, Noe voted no.

2. Mr. Moebs discussed looking into different banks for placing CSCD funds to draw interest.
3. Mr. Noe stated his concerns of the Agenda of a Special Meeting that was called to discuss Computer Software purchase, saying that the board deviated away from the agenda to approve \$ 172,000.00 in roads repairs without the CSCD Board Chairman or the Road Commission Board Representative present. Mr. Noe had CSCD Attorney, Mr. Young; prepare a resolution that was handed out to the Board of Directors for their review. This resolution will be on the agenda for the December CSCD Board Meeting and voted on that time.

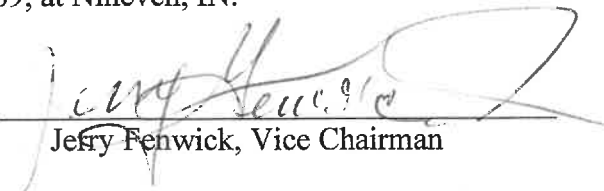
J. Adjournment:

Motion: Mr. Kolar made a motion to adjourn at 10:23 pm, seconded by Mr. Fenwick – motion carried unanimously.

Continued from page 4 of the November 17, 2009 CSCD Board of Director Meeting Minutes

Approved this 15th day of December 2009, at Nineveh, IN.

Norman Noe, Chairman



Jeffrey Fenwick, Vice Chairman

David Moebs, Secretary




Larry Kolar



Quinn Hetherington



Cheryl Boyle



Gregg Gillentine