

**Cordry-Sweetwater Conservancy District
Board of Directors Meeting
November 19th, 2024**

“DRAFT MINUTES UNTIL APPROVED”

1. **Board Members Present:** Pat Sherman, Randy Brumfield, Ted Adolay, Jim Maulden, Mark Rasdall, Aaron Parris, and Mike Leavitt
2. **Board Member Present Virtually:** None
3. **Board Members Absent:** None
4. **Also, Present:**
 - a. **Staff:** Nick Johann & Brittany Bay
 - b. **CSCD Attorney:** Roger Young
 - c. Estimated 35 freeholders in attendance & numerous online viewers.
5. **Welcome:** Mr. Leavitt called the meeting to order at 7:01 PM
6. **Agenda Modifications:**
 - a. Mr. Parris requested to add line item 8i. Employee Bonuses. Mrs. Bay requested to add line items 6ai. Variance Requests, 8f. Hiring Jeff Dollens, and 8g Hiring Heather Glover (2025). Mr. Leavitt requested moving up line items 7a. Resolution 2024-20 to after freeholder concerns and 8e. Resolution 2024-22 Equal Assessment to right after that one.

MOTION: Mr. Parris motioned to approve the agenda modifications as requested, seconded by Mr. Brumfield.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: aye

Motion passed unanimously.

7. **Approval of Minutes:**

MOTION: Mr. Parris motioned to approve October 15th, Executive Session Board Minutes as submitted, seconded by Mr. Adolay.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye
Mr. Maulden: Aye
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye
Mr. Brumfield: aye

Motion passed unanimously.

MOTION: Mr. Adolay motioned to approve October 15th Board Minutes as submitted, seconded by Mr. Brumfield.

Roll Call Vote:

Mr. Sherman: Aye
Mr. Rasdall: Aye
Mr. Maulden: Aye
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye
Mr. Brumfield: aye

Motion passed unanimously.

8. Freeholder Concerns:

- a. Matt Petersen (SW49) noted on October 16th during a Facebook conversation concerning boat measurements, Mr. Brumfield asked if he was dyslexic or just stupid. Mr. Peterson noted that referring to someone as dyslexia in a derogatory way is inappropriate and disrespectful to millions of individuals who live with dyslexia and demonstrate talent resilience. Mr. Petersen noted that dyslexia is a neurological condition and a different way of processing information and have excellent problem solving and critical thinking skills; and noted that individuals in a position of power should use their position to celebrate neurodiversity and the viewpoints of others. Mr. Petersen referenced the employee handbook regarding the employee code of conduct and the responsibility of the Board to uphold the code of conduct. Mr. Petersen noted that this is not the type of conduct he would want of a Board member representing him. Mr. Petersen noted that the goal of the CSCD Board and members of the community is to create a safe and enjoyable environment and that if constructive dialogue is not welcome or met with derogatory comments how can the CSCD continue to be a thriving and successful community. Mr. Petersen noted that he was disgusted with the comments and wanted everyone to hear what he had to say. Mr. Petersen handed the Board a copy of the letter he read.
- b. Diana Caldwell (7195 Centerlake) introduced herself and noted it was nice to meet everyone and her neighbors she has not met, she hopes to see them on Cordry sometime. Mrs. Caldwell noted that she has a daughter with intellectual disabilities, and she had heard about the previously mentioned comment and was disgusted with it. Mrs. Caldwell noted that her daughter enjoys the lake and her differences they celebrate and everyone should celebrate. Mrs. Caldwell noted that it was a walk-in comment not what she was prepared to say. Mrs. Caldwell noted that they lived in a log cabin on Cordry for 20 years, the second house off of the dam and her 3 daughters have grown up spending summers there, and it is a precious place for their family. Mrs. Caldwell noted that 2 of their closest friends and their in-laws have purchased homes on Cordry because of them. Mrs. Caldwell noted that she plans to retire here and is committed to keeping this place special, and that it should be a community

of kindness and respect, not divisive discord. Mrs. Caldwell noted that she asked every Board Member for a conversation and had sent them all an email last week; she had received phone calls from 2 of them, Aaron and Randy. Mrs. Caldwell noted that she believed banning a specific type of boat on the lake had been resolved as that was a very challenging time for the community. Mrs. Caldwell noted again they had been weekenders here for 20 years with many full-time residents of lakes as friends. Mrs. Caldwell asked why this topic was being brought up again as an agenda item from October without it being properly communicated, and noted she felt there was not adequate time given to address it. Mrs. Caldwell noted that in the same proposal that was walked in there was a proposal to increase the maximum fishing boat HP. Mrs. Caldwell noted that she did not understand trying to ban a specific boat type while trying to increase the HP on a fishing boat. Mrs. Caldwell noted she felt this was personal, toxic and broke her heart because this is a special place. Mrs. Caldwell noted that this is not rooted in data, and she is a woman of science and believes in data. Mrs. Caldwell noted that she does have a surf boat as her husband and daughters enjoy the sport and she enjoys spending time with them. Mrs. Caldwell noted that the Board already voted on this topic, and they were living with a compromise, why bring this up again to turn the community. Mrs. Caldwell urged the Board to vote against this resolution and put it to rest. Mr. Leavitt noted that Mrs. Caldwell's 3 minutes were up, and she thanked them.

- c. David Jarrett noted he had 2 topics, the 1st being questioning the way the information was presented in the October meeting, as it did not come from the security commission or any other recognized CSCD group. Mr. Jarret noted topic 2 the section devoted to pontoon boats, questioning why they are being limited to 24 feet. Mr. Jarrett noted that the answer that came back for the pontoon length limit was that people were asking for variances for covered storage. Mr. Jarrett noted that according to his contacts on the Building Commission that is not the case. Mr. Jarrett noted some answers were the weight of loaded pontoons and lastly it was about pontoons being measured. Mr. Jarrett noted that he had some brochures from pontoon manufacturers, and they gave 3 length measurements for each 1; an overall length, a deck length, and a pontoon length and asked the Board which they would use. Mr. Jarrett then asked the Board to strike the pontoon section from the proposal. Mr. Jarrett noted that he agreed with the previous speaker they need to get this over with and quit dividing the community.
- d. Marc Quigley (SW 515) noted he had an off-agenda item and that his son has dyslexia and that was a disgusting comment and reflects every one of them, and that something needs to be done about it. Mr. Quigley noted that he came down a year ago to discuss these same issues, and that there was a compromise reached based on a study that was conducted. Mr. Quigley noted that he felt the compromise worked, there is already weight & length restrictions, and asked so why are they here Mr. Quigley noted that they have been on the lake for 10 years, and that the lake is busy 1 ½ days a week from Memorial Day to Labor Day, that has stood true for decades. Mr. Quigley noted that there are 23 days that the water is choppy, and that is because everyone is out on the lake in their pontoons, fishing boats, bowriders, every type of boat and that is the reason the water is so choppy. Mr. Quigley noted that people are out pulling tubes, people are out using the lake, enjoying the lake. Mr. Quigley noted he believed it is not because of wake boats or wake surfing and mentioned that you would be hard to find 2 wake surfers on Sweetwater on a given day. Mr. Quigley asked how is it the Board thinks that this is the problem to be solved, to eliminate wake boats and wake surfing. Mr. Quigley noted that regulations that are not necessary and not proper for the Board to pass and demonstrate a slippery slope, then asked what's next. Mr. Quigley noted that some Board Members wanted to decrease the length and weight of boats and increase the fishing boat HP. Mr. Quigley noted that the Board says they want to pass this resolution to ensure the health,

safety, and welfare of those using the lakes and he believes this is false. Mr. Quigley noted that he believes everyone knows wake surfing is a safe activity. Mr. Quigley noted that at a wake committee meeting boat patrol mentioned wake surfing being one of the safest activities on the lakes. Mr. Quigley noted that the next reason the Board needs to pass this resolution is to protect the ecology of the lakes from erosion. Mr. Quigley noted he believed there was nothing to suggest these boats or this activity are causing any erosion. Mr. Quigley then noted the new boat weight restriction of 3,495 pounds.

1. Mr. Leavitt noted that Mr. Quigley's 3 minutes were up.
 2. Mr. Quigley noted that a Board member had made the comment this weight was a number that he came up with.
 3. Mr. Quigley requested additional time.
 4. A freeholder offered their time to Mr. Quigley. Mr. Leavitt noted he would not go down that road, and that they did not have the means to track a person's time. Mr. Leavitt noted the speaker gets 3 minutes and that is it.
 5. Mr. Quigley noted that the resolution mentioned boat was designed and intended to create a large wake but a large wake was undefined. Mr. Quigley asked what creates a large wake.
 6. Mr. Leavitt noted that he would suspend all comments at the meeting.
- e. Terri Casey (SW 201) noted that the Board has a fiduciary duty of loyalty and care, the Board must act in the best interest of the Conservancy over personal interest. Mrs. Casey noted that the Board must give consideration to all members of the organization not just the group supporting its own personal interest. Mrs. Casey noted that Director's should not be distracted from their official duties for personal interests, and noted that this was the law, not suggestions. Mrs. Casey noted the Board had an obligation to exercise diligence in making decisions and to use reasonable care to ensure the Conservancy will benefit from their decisions. Mrs. Casey noted that the Board should base decisions on factual support not speculations and bias, and they have to consider the consequences of actions. Mrs. Casey noted the Board should consider the impact of these decisions on freeholders that have already spent money on wake surf equipment and asked if they were prepared to pay them for this. Mrs. Casey asked the Board what about boats that can no longer be sold to other freeholders, and asked about the property value impact. Mrs. Casey asked the Board if they had thought about the financial impact of their decision. Mrs. Casey noted that the Board must act fairly and openly, and that they had a duty to make decisions transparently and ensure all freeholders are informed of significant matters that will affect them. Mrs. Casey asked the Board how could the Board claim to have complied with this obligation when last month less than 3 hours prior to the meeting certain Board Members added these proposals to the agenda. Mrs. Casey noted the Board must act within the scope of its authority set forth in the district plan and the Indiana Conservancy Act and they have an obligation to uphold the trust placed in the members by the freeholders as a whole. Mrs. Casey noted that this is the law and if the Board does not comply with these obligations you'll be in breach of your fiduciary duties and there are consequences, and mentioned Director's are liable for their breach of fiduciary duties.
1. Mr. Leavitt noted that Mrs. Casey's 3 minutes were up.
- f. Dan Williams thanked the Board for all of the work they put into the proposal. Mr. Williams noted he agreed with everything the Board wanted to implement. Mr. Williams noted that whenever he goes to the beach the waves are a lot bigger than they were 10 years ago. Mr. Williams noted he believed the proposal was excellent, he supported the Board and is behind them regardless of the people and their wake boat stuff. Mr. Williams noted Cordry and Sweetwater lakes are small lakes by statute and believes these boats are meant for large lakes.

Mr. Williams noted he believed they are doing damage to the lakes, and they can do the research, and noted he had researched the topic, and it does suggest that there is damage and erosion. Mr. Williams thanked the Board for the proposal and the work they had done to come up with the proposal, and he hoped the Board would adopt it.

- g. Marcia Harper (387) noted 10 years ago the Board decided to allow wake boats, boats that are designed to create a large wake on the lakes. Mrs. Harper noted they convinced the community all boats would soon be wake boats and promised the community very strict rules would be in place and enforced to prohibit boats from using wake-enhancing equipment. Mrs. Harper noted that freeholders had to sign an affidavit and permanently disable the equipment and if they used the equipment once they would be off the lake forever. Mrs. Harper noted those rules were never published. Mrs. Harper noted that most of the wake boats on the lakes were never inspected to ensure the wake enhancing devices were disabled. Mrs. Harper reviewed what some freeholders and boat dealers did to disable their wake-enhancing devices. Mrs. Harper noted a Board member told the wake committee he would recommend a wake survey not be allowed if the questions were not how he wanted. Mrs. Harper discussed the wake committees survey issued last year. Mrs. Harper gave a review of the survey's comments section. Mrs. Harper noted that she believed some people are still gaslighting the community, mentioning all boats will be hybrid boats in the future. Mrs. Harper discussed the wake boat demo at the beach and suggested the 2 people in charge of it had a personal agenda as wake boat owners.
- h. Greg Harper discussed wake no longer having to be disabled because a Board member did not believe freeholders should have to deface their boats. Mr. Harper noted that she believed not having to disable the boats permanently took away boat patrols 1 tool to ticket and enforce the use of this equipment. Mr. Harper noted that she made an information request in July 2024 regarding wake boat training, and there was no specific protocol or training. Mr. Harper noted she believes the current Board is faced with the responsibility of cleaning up the failures of the past. Mr. Harper noted they are not pushing a personal agenda they are trying to reign in what is out of control, restore safety on the lakes, and preserve lakes for generations to come. Mr. Harper noted that they appreciated the Boards leadership looking at what is best for the community as whole not catering to a select few. Mr. Harper noted that she was submitting the information request and Roger Yong's response to Mike Leavitt.
- i. Scott Casey (SW199) noted he had a wake boat and that it is a multipurpose boat, and he does not have or use any wake enhancing devices. Mr. Casey noted on June 1 of last year the Board voted to continue to allow wake surfing in the middle of the lakes, last summer that was shortened and made to only be able to run in a straight line. Mr. Casey asked the Board what new information or data does the Board have that says wake surfing in the middle of the lake with an unballasted 20 foot 4,000 pound boat going 10 MPH causes erosion. Mr. Casey discussed the heights of waves from the wake testing conducted the previous summer. Mr. Casey asked the Board why they had not run a test to confirm or deny the test they had previously done. Mr. Casey asked where the safety issue was. Mr. Casey asked the Board to compare the issues of erosion, ecology, and safety to speedboats or large pontoon zigzagging 50 feet from the shore. Mr. Casey asked about the wake study the Board was going to do.

 - 1. Mr. Leavitt noted that Mr. Casey's time was up.
- j. Jean Robinson (SW 435) noted she served on the wake committee. Mrs. Robinson noted that there were many comments made in the wake survey comment section where people noted the cost, the safety, and what has happened to their property from the waves hitting their docks. Mrs. Robinson noted all of the research her and her husband did on the data from the research on this topic. Mrs. Robinson noted that what is happening is the wake boats are creating erosion under the docks that you don't see until the dock collapses. Mrs. Robinson

noted that they brought this issue to the ecology commission in 2020. Mrs. Robinson noted that they have lived her 38 years and they have seen a difference and the kids cannot enjoy the lakes on the weekends because of the waves knocking into them. Mrs. Robinson noted that if the Board cannot listen to all of the people saying there is erosion and safety issues then this Board is not doing what they are supposed to do.

- k. Cully Kinnick (Ginseng Drive) noted he was going to reiterate some of what Dave Jarrett said. Mr. Kinnick noted that things were being thrown into this issue that shouldn't be and mentioned if this is a wake boat and wake surfing issue then pontoons should not be included. Mr. Kinnick noted that his concern was about the boat weight restriction being lowered from 4,000 pounds to 3,495 pounds. Mr. Kinnick noted that his boat makes one of the smallest wakes made for a runabout, it's a ski boat, and it weighs 3,300 pounds, and he previously had one that weighed 2,800 pounds. Mr. Kinnick noted the boats are getting heavier, that doesn't mean the wakes are getting bigger from those boats. Mr. Kinnick asked the Board if they were going to deal with wake surfing and wake boats do not throw all of these other things on there. Mr. Kinnick noted the second thing he wanted to say was he had heard this was an erosion issue, and that wake boats are causing erosion; but he has not heard anything coming out of ecology about how to secure the shorelines to also help with the erosion issue. Mr. Kinnick noted that there are better ways to manage the erosion than just by banning the wake boats. Mr. Kinnick noted that if they were going to go down the path of banning wake boats then they would need to come up with a better plan for erosion control on the shoreline, because as everyone else is mentioning other boats are causing erosion also.
- l. Cathie Brown (DF 51) noted that she is not just there as a freeholder but she is also there as lake safety. Mrs. Brown noted that she wasn't going to pick a side she was just going to mention some facts. Mrs. Brown noted that she has been in her house on Cordry for the last 10 years and that they have no erosion, and they are located where the fast water turns to no wake. Mrs. Brown noted her problem was more with people disobeying the rules and speeders going through the no wake zone. Mrs. Brown noted that lake safety is desperately trying to get that under control; but given the fact the speeders go so fast past her house she should have some erosion, and she doesn't. Mrs. Brown reviewed the lake safety training of wake boats where lake safety spent an afternoon on the lake training in September. A freeholder commented on their request for information on the training was in July and Mrs. Brown noted nothing moves fast. Mrs. Brown noted the wake boat training was eye opening and believed that boat patrol learned a lot and mentioned one thing for her was that boat patrol was writing tickets for the right reasons.
 - 1. Mr. Leavitt noted that Mrs. Brown's time was up.
- m. Matt Geryak (7862 Elderberry) noted that wake and the size of wake is a matter of opinion, and everyone has a different opinion, and the size of a wake is very hard to measure. Mr. Geryak noted that 5 MPH is a fact, driving at idle is a fact. Mr. Geryak asked the Board as they move forward adjusting the rules they consider the facts, items that can be measured like 5MPH. Mr. Geryak noted that to compound on what Cathie said a lot of drivers have used the no wake zone rule and the driver has an opinion on whether or not they are making a wake and that will differ amongst everyone in this room and reiterated but 5 MPH is 5 MPH. Mr. Geryak asked the Board to use actual data in the weight of the boats that are currently approved on the lakes, and noted he had no idea where the weight change came from but urged the Board to look at the boats currently approved for the lakes and find a weight close to that.
- n. Stacy Barry (7368 Kiwi Dr) noted she has had her home for over 10 years. Mrs. Barry noted she was there to speak on behalf of the real estate opinion as well. Mrs. Barry noted she believed a resolution was met on this issue by having the wake boats go down the middle of

the lakes to surf and she felt that was a compromise. Mrs. Barry noted her and her family were very surprised to get a last minute agenda item on this. Mrs. Barry asked if it was common practice to just be able to add things to the agenda at the last minute. Mrs. Barry noted that the resolution was not correct and was missing keywords such as grandfathered in and what that means. Mrs. Barry noted that she believed that it was important to make sure that when sending out the resolution to make sure it is correct, she still had not seen the correct resolution draft before coming to the meeting today. Mr. Leavitt noted that the draft resolution was still a work in progress. Mrs. Barry asked if the Board was planning on voting on the resolution this evening. Mr. Leavitt noted that the resolution could still be amended or changed at the meeting tonight. Mrs. Barry noted that nobody there tonight knows what the proposed amendments are because they didn't have the full resolution presented to them. Mrs. Barry noted that she believed as residents at the lakes whether they owned a wake boat or not they would care about their property values. Mrs. Barry noted she felt they were not getting the right information, and it was not being presented correctly. Mrs. Barry noted that to her grandfathered to her meant it could be sold with the property but that term needs to be defined. Mrs. Barry noted her point was not to tell them what to vote for, but resale is constantly going down. There were freeholder comments about grandfathering.

1. Mr. Leavitt noted that Mrs. Barry's time was up.
 2. There was discussion amongst the freeholders. There was discussion amongst the freeholders and the Board.
 3. Mrs. Barry noted that it is important to know how many homes aren't selling.
 4. Mr. Leavitt noted Mrs. Barry's 3 minutes were up and mentioned adjourning the meeting.
- o.** Melissa Swineford (OES 261/262) noted that she appreciated all of the Board members there and would love for people to stop attacking the Board on Facebook. Mrs. Swineford noted the Board members are all volunteers and they are taking time away from their families to be here. Mrs. Swineford noted that insults have been thrown back and forth not just by Board members but by members of the community. Mrs. Swineford noted that they are all adults, if they have concerns, bring them to the meeting, email the Board don't use Facebook as a venting post. Mrs. Swineford noted that the argument about wake boats is huge in the community and noted that she is not for wake boats, but she also is not on the water and doesn't see the erosion daily but feels the lakes are too small.
- p.** Dave Wallace (OES 324) noted he had been a resident for 22 years, served on the ecology commission for 7 years, and as boat patrol for 5 years. Mr. Wallace noted that he was the Anglers Club President and has been a part of the club since 2002 and has served as the President for the last 14 years. Mr. Wallace noted the community is important to him, his fishing rights are important to him, the same as their rights to wake board and having wake boats are important to them; and noted he respected that. Mr. Wallace asked so what has changed in 22 years and noted not a lot because he doesn't go out on the lake when all the people are out there. Mr. Wallace noted that he wanted to talk about respect on the water, being respectful to other boaters, following the rules, those are the things he comes up with the most. Mr. Wallace noted he was a college graduate and is dyslexic and mentioned he wanted Mr. Brumfield to know that his comments did not offend him,
- q.** Chris Garrity (WS 42) noted him, and his wife were in the market to purchase a ski boat as their current one is 25 years old. Mr. Garrity noted that they have done a lot of research over the past several months. Mr. Garrity noted they walked into dealerships throughout the state and the salespeople look happy to see them and then they notify them there from Cordry Sweetwater and they say they have nothing they can sell to them. Mr. Garrity noted they are skiers, they do not know anything about wake boarding or surfing, and they wanted to purchase a ski boat. Mr. Garrity noted he is concerned about the reduction in length from 20

feet to 19 feet. Mr. Garrity noted that they were set to buy a chapparral, they wanted a crownline, but they do not offer anything to meet the requirements. Mr. Garrity noted that Yamaha, Cobalt offer nothing and Chaparral offers 1 boat, and they ordered it and can get it in 6 months. Mr. Garrity noted that he saw this new resolution and called around and there is 1 boat a Bayliner model that would meet a 19 foot requirement. Mr. Leavitt noted that 19 feet is not the maximum length.

- r. Brian Clancy (WS 375) noted he was on the wake boat committee, and he was the secretary and took minutes, it was a lot of writing and that he is currently serving as the Chairman for the Security Commission. Mr. Clancy noted there were a few things he wanted to bring up, first noted he reviewed the resolution they were looking to pass in part or all off and he did not envy the Board. Mr. Clancy noted that first he wanted the Board to look at the portion of the resolution discussing floatation devices and revisit and reconsider the part where it says personal floatation devices are recommended for children under 6 years of age. Mr. Clancy noted that he believed children under 6 needed to have a life vest on, and they needed to protect the children. Mr. Clancy noted that some people are saying they don't see things on Cordry, and he wanted everyone to know there are only 3 wake boats on Cordry, and there are like 70 on Sweetwater. Mr. Clancy noted that it is not about the size of the wake, it's about the power of the wake produced. Mr. Clancy noted they had a 2 to 1 of people who refer against wake boats. Mr. Clancy discussed the wake committee survey results. Mr. Clancy noted that the security commission was tasked with making a wake surfing course for wake boats earlier this year and they voted unanimously that they did not think it was safe and this included pro wake surf people because it's hard to come up with a course that is safe.

1. Mr. Leavitt noted Mr. Clancy's time was up.

- s. Chris Buckman (164) noted that he appreciated the Boards concern over safety, security and ecology of the lakes. Mr. Buckman noted he attended or read all of the wake committee meetings and minutes. Mr. Buckman noted he reviewed every wake study and wake study piece of information that is out. Mr. Buckman noted that every wake boat from every study referenced is currently prohibited on the lakes with the current rules. Mr. Buckman noted that he heard from wake committee members and board members that it is a safety issue and noted they have heard tonight that boat patrol has said it's the safest of all towing lake activities, so compared tubing and activities like that. Mr. Buckman noted that everything mentioned at meetings with respect to erosion safety has been anecdotal. Mr. Buckman noted there had been no studies indicating Sweetwater is experiencing erosion issues or that the dam is compromised more than typical maintenance and repair of any dam. Mr. Buckman noted that nothing has confirmed claims of erosion are accurate or whether they are related to shoreline activity or insufficient shoreline protection. Mr. Buckman noted the only study that was done was the one Scott Casey mentioned, and it was deemed unofficial as it showed no difference. Mr. Buckman noted wake surfing was moved to the middle of the lakes, and it did not appear that anyone had reflected on whether this was effective in preventing the concerns. Mr. Buckman noted the new resolution went out of its way to prohibit 1 specific activity but allows the other activities to continue and closer to the shoreline than wake surfing. Mr. Buckman noted that the new resolution suggests changes to both sizes and a reduction in the weight of boats without any basis. Mr. Buckman noted that a Board member at the last meeting mentioned he chose a number less than 4,000. Mr. Buckman noted there is no definition of what a wake boat is. Mr. Buckman noted he felt there was no legitimate reason to make changes to the current rules. Mr. Buckman noted yes, the lake is more crowded than in the past, yes, it is busier and rougher on weekends and holidays but that is part of living on a lake and this resolution is not going to change that, it just penalizes one particular group. Mr. Buckman noted he hoped the Board voted this resolution down.

- t. Judy Hamilton (528) noted she was in favor of voting the wake boats down on the lakes because the lakes are too small. Mrs. Hamilton noted there are state-owned lakes that are large and can handle them.
- u. Barb Bowers (CD 68) noted she wasn't prepared to speak but mentioned she was on the wake committee and most of the committee felt the lakes were too small for wake surfing. Mrs. Bowers noted that safety was an issue for the committee. Mrs. Bowers noted many committee members felt the Board member on the committee had a personal interest and the committee members asked him to refrain from voting. Mrs. Bowers noted that many freeholders felt safety is an issue and shoreline.
- v. Tom Quill (WS 98) noted the Board's mission statement was at the top of the resolution and that is for the betterment and safety of the lakes. Mr. Quill noted that this is not a new issue, it has been on the books since 2004 and he felt the majority has spoken. Mr. Quill noted that he did not need to repeat Brian Clancy or information about the wake survey but would comment that he has read the dam reports and since 2015 when wake boats were allowed the dam rating has gone down. Mr. Quill noted the importance of preserving the integrity of the dam.
- w. Gary Huett (G 8) noted he had been at the lakes for 35 years and asked if it was comfortable or is it crazy or nice or necessary. Mr. Huett noted they tried jet skis many years ago and realized they weren't going to work. Mr. Huett noted that they need to realize some things are nice, but they aren't necessary. Mr. Huett noted that people need to consider how many people can truly enjoy the lakes in a comfortable manner.
- x. Todd Durham (6957 Muskrat) noted that they keep hearing about heavy boats, but 20 feet is 20 feet, and 4,000 pounds is 4,000 pounds. Mr. Durham noted that there were already rules in place. Mr. Durham noted that he believed it was ludicrous to suggest that these boats were stirring up algae blooms at the bottom of the lakes. Mr. Durham noted that the weight restrictions in the proposal would make it impossible for an overweight man to purchase a boat that they can do anything behind. Mr. Durham noted he believed they needed to find a way for everyone to use the lakes equally. Mr. Durham welcomed the Board to come sit on his property and watch and if there were 10 surfers out, he would be shocked. Mr. Durham noted that as someone mentioned there are 20 busy days a year.
- y. Shawn Rexroth (OES 260) noted she wasn't prepared to speak but asked what happens when there are 300 wake boats on the lake. Mrs. Rexroth noted they tried to get a scientific survey, nobody wanted that. Mrs. Rexroth noted that she believed it was a little bit of people who wanted to ruin the time for $\frac{3}{4}$ of the people. Mrs. Rexroth noted she believed active lake surfing is plowing, and the population goes down and stirs 20 feet. A freeholder commented it was 100 feet deep out there. Mrs. Rexroth noted that they know what the damage is and now they are spending money on the dams.
- z. Mr. Johann read a letter from Shannon Gardener. Mrs. Gardener noted that she was a 3rd generation freeholder and wanted to share her support of the Board decision to alter the rules and ban wake boats while grandfathering currently stickered boats. Mrs. Gardener noted in her letter that change is hard for many people. Mrs. Gardener noted no one could have anticipated the number of high-powered boats on the lakes and noted those with high-powered toys are the minority. Mrs. Gardener discussed the effect of them on the lakes. Mrs. Gardener noted that for those wanting to wake surf she is a retiree who wants a clean, safe, and peaceful lake community. Mrs. Gardener noted that she appreciated the Boards efforts,
- aa. There was an altercation in the audience.
 - 1. Mr. Leavitt recessed the meeting.
 - 2. Mr. Leavitt called the meeting back to order after a short recess.

- bb.** Mrs. Bay read a letter from Lindsey Tanner. Mrs. Tanner noted that she had concerns over the draft resolution and that wake surfing is an activity enjoyed by the vast majority and doesn't believe that it contributes significantly to the shoreline erosion, integrity of the dams or lake safety. Mrs. Tanner noted that making reasonable rules regarding the boats allowed on the lakes and allowing owners to use their boats how they want seems a very appropriate activity. Mrs. Tanner noted that eliminating an activity can potentially adversely affect property values. Mrs. Tanner noted that she believed banning wake surfing is unlikely to make a significant difference in the shoreline erosion or safety of the lakes. Mrs. Tanner noted that they appreciated the work of the Board to keep the lakes clean and safe but too many rules and restrictions have the potential to detract from the enjoyment of the lakes. Mrs. Tanner added that their experience over the past few years is that tubers are a more problematic activity, and they have not seen more than 1 surfer out at a time. Mrs. Tanner noted that erratic driving boats pulling tubers tend to follow too closely and create safety issues on an overall busy day on the lake. Mrs. Tanner noted that she hoped the clause banning wake surfing would be removed entirely from the resolution.
- cc.** Mr. Johann read a letter from Steve and Diane (CD 58). Steve and Diane noted that the lakes are undiscovered treasures and still retain their beauty after 75 years, because residents worked hard to preserve them. They noted they believe a handful of irresponsible recreational enthusiasts want to pursue activities that are harmful to the lakes. They noted they have no doubt that wake surfing is enjoyable, but they believe the lakes are too small. They noted lastly, they are opposed to wake surfing.
- dd.** Mrs. Bay read a letter from Dale and Anita Sears. The Sear noted they have a few questions regarding the removal of decals after issuing 3 tickets, firstly is the 1-year suspension from the date of the first ticket or last ticket and do the tickets drop after a year. Their second question is copies of tickets given to the violators at the time of the infraction. Lastly, the Sears noted they were stopped and never received a copy of the ticket.
- ee.** Mr. Johann read a letter from Mike and Wendy (6710 Eagle Dr). They noted they were new to lakes and joined the community in 2021 and they love everything about this place. They noted that they believe that they have effective lake rules that work for the greater good of the community but are concerned with the new rules and wake surfing ban. They noted they believe banning wake boats and surfing is not positive for the community and will have negative consequences. They noted that they are supporters of both lake conservation and recreational activities and believe this topic should take a balanced approach. They noted the Board recently implemented a wake surfing course in the middle of the lake and it seemed to work well to enhance safety and allows ways for the wake to dissipate over a longer distance. They noted that they felt this also reduced wake surfing to later in the evenings when it was slower on the lakes. They noted they believed it would be prudent before issuing this snap decision that reduces the opportunities for many families to enjoy the lake to evaluate the new rule. They noted that they do not have any shoreline issues. They noted that research shows that deeper lakes have implemented surfing in the middle of the lake and do not produce shoreline erosion at a higher rate than regular boats. They noted they do not see much difference between standard tubing boats and wake surfing boats. They noted that wake surfing is a fun sport, and they have 2 daughters who enjoy it and it has become a fun family activity. They noted they believe banning this sport will reduce property values. They noted that most importantly what they love about the lake is they have been welcomed in and appreciate the conservancy that works to address concerns of lake residents. They noted that without concrete data on shoreline impact a wake surfing ban would hurt specific individuals and families without making a positive difference that benefits the community. They asked

the Board to consider the recreational interest of all lake residents and thanked the Board for their time.

- ff.** Mrs. Bay read a letter from Blake Hornsby (8036 Bass). Mr. Hornsby asked what the logic of the current grandfather rule, for someone buying your property that wants the boat with the house, it's the net same impact on the lake. Mr. Hornsby asked why the decal couldn't go with the home and noted there is no change or further impact. Mr. Hornsby asked if the freeholder purchases another property, would the boat still be grandfathered and transfer to the new home. Mr. Hornsby asked about succession and estate planning, would this break the grandfather rule. Mr. Hornsby noted he felt this rule was very vague and unclear and could be very detrimental to current and future freeholders. Mr. Hornsby noted that a rule for no logical reason is pointless and should not be a rule. Mr. Hornsby noted that a Board member on Facebook was unable to answer these questions with certainty. Mr. Hornsby asked what the science behind the new weight limits for speed boats is, and noted he believed the 3,495 pounds was just a guess or opinion emotionally driven. Mr. Hornsby reviewed different boat weights with different amounts of people on those boats. Mr. Hornsby asked about the reduction in pontoon length and where that number came from. Three minutes was called by the Board.
- gg.** Mr. Johann read a letter from Barbra Brown. Mrs. Brown noted that in her opinion she believes Cordry Lake is too small for wake surfing and her vote is against wake surfing and wake boats.
- hh.** Mrs. Bay read a letter from The Rossman's (SW 289). They noted that they were opposed to the draft resolution being proposed. They noted they believe that the Board should not impose any additional limits on the types of new watercraft that are being added to the lakes. They noted they believed the rule would prevent future lot owners from stickering one of the most popular recreational boats, prevent current owners from upgrading or replacing boats and may cause potential home buyers to look elsewhere. They noted they believed that this would further scapegoat any particular boat or wake surfing for soil erosion is wrong and arbitrary. They noted there are a large number of tubers and boats out on the weekends weaving and driving erratically and dangerously all over the lake, this happens every weekend in the summer. They noted they believed that this should be no reason to scapegoat a particular boat, and this resolution should not pass. They also noted that the Board should clarify the grandfather language.
- ii.** Mr. Johann read a letter Kevin Gearheart. Mr. Gearheart noted he had strong opposition to the ban on wake boats. Mr. Gearheart noted as a community member that he believes this will negatively impact on the overall enjoyment of the lakes for many residents causing frustration. Mr. Gearheart noted that he believes wake boats provide recreational opportunities for individuals and families and experience popular activities. Mr. Gearheart noted that he purchased their home to enjoy lake activities and while they would still be able to enjoy some, they are removing key activities. Mr. Gearheart noted he believed that restricting wake boats would reduce the number of home buyers and reduce property values. Mr. Gearheart noted he would not want to purchase a home with these restrictions. Mr. Gearheart noted this is a slippery slope and asked what would be next. The Board called 3 minutes.
- jj.** Mrs. Bay read a letter from Kelly Tulley. Mrs. Tulley noted she owned a home since 2008 and mentioned the perceived not scientifically proven assumption that wake boats are causing damage to shorelines. Mrs. Tulley wanted everyone to keep number 32 in mind because that is the number of days that the lakes see the most boat traffic on the holidays and weekends. Mrs. Tully noted any given weekday it would be unusual to find more than 3 boats out on the lakes and mentioned these lakes spend most of their time dormant and that meant for 333

days these lakes are barely used. Mrs. Tully noted that if they wanted to reduce issues with large waves that are backed by science, they should have homes with sea walls to remove these structures and replace them with rip rap. Mrs. Tulley noted that sea walls are structures that damage the lakes and ecology due to the energy of waves being bounced back instead of being absorbed and noted that is not an assumption that is data driven scientific fact. Mrs. Tulley noted that she believed it would be a mistake if the Board started mandating non-data driven nonscientific proven resolutions that are not benefiting the health of the lake.

- kk.** Mr. Johann read a letter from Rob Tulley. Mr. Tulley noted the resolution prohibited v drive boats. Mr. Tulley noted that he had a V drive boat that is less 21 feet in length and asked how v drive boats like his would be considered moving forward. Mr. Tulley noted that the Board needed to clarify and remove v drive boats from the ban. Mr. Tulley noted removing v drive boats would not solve any problems and would still allow IO's.
- ll.** Mrs. Bay read a letter from Beth Wolf. Mrs. Wolf noted that she had been communicating with Mr. Brumfield regarding the proposed language in the resolution. Mrs. Wolf noted that this vote was not done by the lots but wanted it noted that she opposed this proposed draft rule change. Mrs. Wolf noted that she believed this rule change by creating boating water sport restrictions not based on established rules or any analysis is overreaching. Mrs. Wolf noted she felt the proposed language lacked consideration for diverse situations without flexibility and poor communication about the rules purpose. Mrs. Wolf noted she believed this coupled with decision-making power in the hands of a few is problematic to her as a freeholder.
- mm.** Mr. Johann read a letter. They noted that she believed banning wake boats is not valid or appropriate, and to her knowledge there is no justification evidence to warrant a ban. They noted there is no evidence suggesting damage to the lake, ecology, shoreline, or dam from wake boating, they noted that if the majority of freeholders are truly concerned about adverse effects of watercraft on the lake, she believed the obvious offender would be tubers. They asked how a wake boat ban could be considered before tubing if the justification is on lake ecology, shorelines, the dams and lake safety. They noted that she believed the manner in the way the Board attempted to vote at the last Board meeting on 10/15/24 by adding resolutions is unacceptable, and the attempt to ban wake boats is controversial at best. They noted that the Board represents the best interest of the freeholders and not to be self-serving or have ulterior motives, and believes any member involved in the activity at last month's meeting is not fit to be a Board member and should not represent the lakes nor freeholders.
- nn.** Mrs. Bay read a letter from Sandra Snodgrass. Mrs. Snodgrass noted she was opposed to the new rules and the ban of wake boats and wake surfing; Mrs. Snodgrass noted surfing was an activity her grandson just learned and enjoyed, and it had been fun for her to watch him develop his skills. Mrs. Snodgrass noted that they use their boat in the proper manner and follow the rules. Mrs. Snodgrass noted that it is an uncomfortable feeling when new restrictions have been put in place to feel their neighbors videotaping hoping to catch them breaking the rules.
- oo.** Mr. Johann read a letter from Tim Masterson. Mr. Masterson noted their family of 5 have been on the lake for 10 years and nothing has brought them more than spending time on the water each summer. Mr. Masterson noted they transitioned to wake surfing because of injury risks that come with high velocity activities and has found wake surfing to be extremely safe and enjoyable activity for his whole family. Mr. Masterson noted he believed when the Board addresses agenda items with haste and some form of secrecy it involves feelings of mistrust with the Board and suspicions of self-serving actions that do not reflect the population of freeholders who have varied interest outside of fishing, cruising or floating. Mr. Masterson noted that during the summer busy times the water can be choppy but believed that is 20 -30

days out of the year. Mr. Masterson noted that everyone could use a little more understanding and diversity of interest that exists on the lakes. Mr. Masterson noted he felt until data was provided outlining in detail the issues at hand were created by surfing that there are already limits and restrictions in place, Mr. Masterson noted he hoped that this agenda item would be tabled until both sides came up with suitable solutions.

- pp.** Mrs. Bay read a letter from Kathleen and James Michael. They noted they were upset to hear the Board was revisiting this issue. They noted they have followed all of the rules responsibly and believe all boating activities can cause erosion. They noted if there was truly an erosion issue then why not consider reducing the number of wake hours and believed this would eliminate the complexity of adding rules about boat types and activities. They noted they believed the complexity of what causes the most erosion would not end.
- qq.** Mr. Johann read a letter from Matt Allen. Mr. Allen noted they have had a home for almost 10 years. Mr. Allen noted he was grateful for the community and the environment for people to enjoy the lake differently and hopes that doesn't change. Mr. Allen noted they do have a wake boat and wished his children would enjoy wake surfing more than tubing as he believes tubing on Sweetwater is far more dangerous and damaging to the shore. Mr. Allen reviewed research that has been done primarily in shallow lakes. Mr. Allen noted their home is on Eagle and they have noticed a larger number of tubers throwing larger waves and this far supersedes the wake boats. Mr. Allen noted if the main concern is shorelines and erosion, he believes they are aiming their attention in the wrong direction. Mr. Allen noted it would be unfair to make a rash decision to ban wake boats and wake surfing. Three minutes were called.
- rr.** Mrs. Bay read a letter from the Glovers. They noted they felt this was a full time versus part time issue. They noted they have been here 30 years and live in the white house in the point by Sweetwater dam and get more wake than anyone else on the lake and they have no erosion because they have maintained their rip rap. They noted this maintenance is the responsibility of the property owner. They noted the biggest wake they have seen is not from a wake boat and they rarely see wake surfers out. They noted that they feel the lakes have grown and that is a contributing factor. They noted they believe banning wake boats would not eliminate choppy water. They noted they believed the wake committee was biased. They discussed that wake boats with wake enhancing devices disabled are no different than other boats. They noted they believed their Cobalt produced more wake than their wake boat. They noted they believed this would affect their property values, that this was overreach, and they do not need more regulations. They noted they believed the lakes needed a shoreline committee. 3 minutes were called.
1. A freeholder noted he would like to object to the freeholder concern because the person who wrote the letter is not a freeholder. The freeholder noted he would like to have that struck from the record because her parents are freeholders not her.
- ss.** Mr. Johann read a letter from Matt Bradley. Mr. Bradley asked what the basis for the proposed changes is. Mr. Bradley noted the wake committees wave study should be dismissed because it was not scientific, however he believes any study that is better than none, and that study should keep this proposal off the agenda. Mr. Bradley noted that he believed the lack of logic is a fatal flaw to the board authors. Mr. Bradley noted that no one has identified any erosion from a specific type of boat or activity. Mr. Bradley noted that the nonscientific study at least led to a wake course for wake surfing on the lake and believe the Board abandoned the scientific study because they knew what it would conclude. Mr. Bradley noted that busy lakes have big waves whether anyone is surfing or not. Mr. Bradley noted there are rules in place to limit wakes by all boats. Mr. Bradley asked the Board to make the rules simple and

clear and support boat patrol enforcing the current rules, and he hopes the Board votes against this.

- tt. Mrs. Bay read a letter from Heidi & Jonathan Ehlke. They noted they do not own a wake boat, but they disagree with this initiative and strongly recommend that wake boats and wake surfing be allowed at the lakes.
- uu. Mr. Johann read a letter from John and Terry Zisko. They noted they are opposed to the proposed amendments and ban wake surfing and wake boats. They noted they wanted the Board to remember their responsibility is to represent all freeholders and their goal should be to meet the wants of all freeholders, allowing for a reasonable compromise. They noted that the lakes could be choppy on weekends and holidays but to blame this on 1 particular boat is absurd and they believe it is the numerous boats on the lakes. They noted they believe it's the Board job to make informed decisions that protects the safety and integrity of the lake community. They noted they have heard the shoreline argument and have seen no such damage and noted that it was the property owner's responsibility to maintain their shoreline. They noted this issue had been debated and asked the Board to come up with some kind of compromise.
- vv. Mrs. Bay read a letter from Susan Center. Mrs. Center noted that changes in water activities and boat types and sizes affect all freeholders, she believes it is unfair to make these changes when 75% of the freeholders are not at the lake or aware of the proposed changes, and she believes the Boards action is not transparent. Mrs. Center noted they currently have rules in place, and that this is a rash decision when it isn't even the season as boats are not on the lakes. Mrs. Center noted this topic should be tabled until the Board reaches all freeholders, and further information is gathered and can make an informed recommendation.
- ww. Mr. Johann read a letter from Stormi Brake. Mrs. Brake noted she believed the proposed changes were one-sided and the current rules should not be amended nor should wake boats be banned. Mrs. Brake noted she believed the Board should provide research showing the reasons for changes and personal preference should not be the reason of the Board s overreach. Mrs. Brake noted the Board should enforce current rules related to sea walls ballasts, and wake surfing patterns before proposing additional rules. Mrs. Brake urged the Board to perform a study with an outside consultant.
- xx. Mrs. Bay read a letter from Will Weisiger. Mr. Weisiger wanted to express his concerns about the proposed changes and that he believed they would not be in the best interest of the community. Mr. Weisiger noted they have lived on the lakes for 20 years and his family enjoys spending time on the water, and the wake surf less than one total hour per day. Mr. Weisiger noted these changes could impose hardship both financially and logistically. Mr. Weisiger noted he believed maintaining a positive and inclusive environment for all is crucial for the overall well-being and appeal of the lake community. Mr. Weisiger asked the Board to come up with a compromise that satisfies both the Boards objectives and interest if boat owners.
- yy. Mr. Johann read a letter from Jack Brake. Mr. Brake noted he believed current rules should not be amended, and wake boats should not be banned, because they already have rules in place to address safety and erosion concerns. Mr. Brake noted they own property on the main body and have no erosion issues and believe the extra waves are from the number of boats on the lake. Mr. Brake strongly advised the Board to have a study with evidence before making such a drastic change.
- zz. Mrs. Bay read a letter from Ed DeSimone. Mr. DeSimone noted he was strongly opposed to modifying the rules and banning wake boats. Mr. Desimone noted the limitations could have a negative impact on property values. Mr. DeSimone noted the potential for legal costs. Mr.

DeSimone asked for this motion be delayed or denied until research and community outreach can be conducted in an effort to see if such changes are desired and warranted.

- aaa.** Mr. Johann read a letter from Kurt Wanninger. Mr. Wanninger noted they built their home in 2019, purchased their boat in 2022 and it was on the preapproved list and under the new rules their boat would no longer be allowed. Mr. Wanninger noted that this resolution would require him to purchase another boat at significant cost. Mr. Wanninger noted to him it seemed the Board was targeting some freeholders and is investing an inordinate amount of time on an issue that is insignificant, wake surfing. Mr. Wanninger asked the Board to vote down this resolution.
- bbb.** Mrs. Bay read a letter from Matt Murtha. Mr. Murtha noted that they are year-round residents and own a pontoon and a fishing boat. Mr. Murtha noted he served on the Coast Guard for 28 years and served as CSCD Boat Patrol this past summer. Mr. Murtha noted he patrolled both lakes and saw the busiest and congested days his observations are wake surfing is not an issue and instead of banning the sport they should tweak the courses to improve boater safety for all. Mr. Murtha noted the other issue he saw was that there are too many large heavy boats operating on the small, confined lake and referenced comments freeholders had made online. Mr. Murtha reviewed the length restrictions.
- ccc.** Mr. Johann read a letter from Tony Kuykendal. Mr. Kuykendal noted he did not own a wake boat, but he did not have an issue with wake boats being on the lakes.
- ddd.** Mrs. Johann read a letter from Brandon Ritter. Mr. Ritter noted he did not own a wake boat but hoped they did not ban wake boats. Mr. Ritter discussed grandfathered boats. Mr. Ritter noted that he would like the option to be able to purchase one in the future.
- eee.** Mr. Brumfield asked for a round of applause for those two for reading freeholder comments. Mr. Brumfield noted he wanted to address the freeholders about the accusations made against him. Mr. Brumfield noted that the individual who made the comments was playing the victim but came to his site and accused him of doing something that was false. Mr. Brumfield gave his apology to the freeholders.

9. Resolution 2024-20

MOTION: Mr. Rasdall motioned to Resolution 2024-20, seconded by Mr. Brumfield.

Discussion: Mr. Sherman noted that he had not heard of any justification for the weight restriction reduction to 3,495 pounds. Mr. Sherman noted with that weight restriction he believes it will grandfather numerous boats, and he believes that to be unfortunate.

Mr. Parris noted that 3,495 is an arbitrary number, and the weight restriction has never been decreased before.

Mr. Adolay noted he believed the 3,495-pound restriction would make it difficult for freeholders to purchase boats, as very few meet that requirement.

MOTION FOR AMENDAMENT: Mr. Sherman motioned to approve amending the resolution weight restriction to no more than 4,000 pounds, as it currently is. Seconded by Mr. Adolay.

Roll Call Vote:

Mr. Sherman: Aye
Mr. Rasdall: Nay
Mr. Maulden: Nay
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye
Mr. Brumfield: Nay

Motion passed 4-3.

Discussion: Mr. Sherman discussed pontoon horsepower. Mr. Sherman discussed increasing horsepower on pontoon boats and then allowing them to replace the freeholders speed/power boat.

Mr. Parris asked Mr. Young if there was a way for someone to purchase a higher-powered pontoon then not be allowed to get a speed boat.

Mr. Rasdall noted this had been done with fishing boats.

Mr. Sherman discussed the classifications of boats and that they could classify it as a #1 classification and then they could have another class 1 boat.

Mr. Adolay noted that allowing 150 HP on a pontoon would solve a lot of problems because then people would not buy power boats, and it would cut down the number of boats.

Mr. Sherman noted that if the horsepower on the pontoon boat is in excess of 100 it would be classified as a power boat.

Mr. Maulden noted that now pontoon boats would be making bigger wakes too.

Mr. Leavitt noted but they would be eliminating someone having a power boat.

Mr. Maulden noted that pontoon boats would be pulling skiers, and they are harder to turn.

Mr. Leavitt noted he would be more inclined if they limited the horsepower for the pontoons being classified as power boats.

MOTION: Mr. Sherman motioned to approve amending the resolution to allow pontoons at a maximum length of 24 feet to have a maximum HP off 100 but if the pontoon HP is in excess of 100 but no more than 150 HP it would be classified as a class 1 power boat, seconded by Mr. Adolay.

Roll Call Vote:

Mr. Sherman: Aye
Mr. Rasdall: Nay
Mr. Maulden: Nay
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye
Mr. Brumfield: Aye

Motion passed 5-2.

Discussion: Mr. Leavitt noted that you can still have a power boat if your pontoon is 100 HP or less.

Discussion: Mr. Sherman asked to delete paragraph 5 under prohibited watercraft. Mr. Sherman noted that the rules have been defined as that they cannot use any wake-enhancing devices and boat patrol has been trained on the devices that training occurred last September. Mr. Sherman noted that boat patrol could identify these devices being used and issue tickets. Mr. Sherman noted he believes this is already in the rules and regulations.

Mr. Young noted that in 2004 the basic resolution prohibited watercraft designed to create a large wake and then there was a resolution subsequent to that allowing operation.

Mr. Rasdall noted that it was repealed in its entirety. Mr. Rasdall noted that there is no wake boats allowed because there was no verbiage put into the new resolution, so they are already banned.

Mr. Young noted that they are operating on the 2004 resolution so if you remove paragraph 5 from page 6 you would also remove paragraph 4 from the existing resolution.

Mr. Rasdall noted that wake boats are already banned.

Mr. Young noted that it is correct you are currently operating under paragraph 4 of the 2004 resolution.

Mr. Maulden noted that right now they are voting on whether to ban or not ban wake boats. Mr. Maulden noted that Mr. Sherman is wanting to remove this terminology, so that it will not ban wake boats.

Mr. Rasdall noted 2015-10 was repealed in its entirety and was the only verbiage that allowed wake boats. Mr. Rasdall noted that currently, today, wake boats are prohibited on the lakes.

Mr. Young noted Mr. Shermans motion would permit them to be on the lake.

Mr. Rasdall noted that there has been a moratorium most of this year.

Mr. Maulden asked so with Mr. Sherman's motion it would put wake boats right back on the lake.

Mr. Young suggested putting some grandfathered language in there.

MOTION: Mr. Sherman motioned to approve the amendment to the resolution deleting paragraph 5 under prohibited watercraft and deleting paragraph 4 from the original resolution in 2004, seconded by Mr. Parris.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Nay

Mr. Maulden: Nay

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Nay

Mr. Brumfield: Nay

Motion failed 4-3.

MOTION: Mr. Rasdall motioned to approve amending the resolution to grandfather all boats that were put onto the lakes and legally stickered from the time the resolution 2015-10 was repealed in its entirety and strike v-drives, seconded by Mr. Maulden.

Discussion: Mr. Parris asked the definition of a wake boat and asked about v drive boats. Mr. Parris asked if all v drive boats are considered wake boats. There was discussion they weren't. Mr. Rasdall asked if v drive boats should be stricken.

Roll Call Vote:

Mr. Sherman: Nay

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Nay

Mr. Parris: Nay

Mr. Leavitt: Aye

Mr. Brumfield: Nay

Motion 4-3.

Discussion: Mr. Sherman asked how the Board has defined a large wake.

There was a discussion over the language Mr. Brumfield gave to Mr. Young.

Mr. Sherman asked how do you know what construction is intended by the manufacturer. Mr. Sherman then asked how they defined a large wake.

Mr. Rasdall noted that the manufacturer will design and specify it's a wake boat.

Mr. Parris asked when it crossed the line of being or not being a wake boat.

Mr. Rasdall noted that some models are designed as wake boats.

Cathie Brown asked if they are banning wake boats. Mr. Rasdall noted that they are all banned. Mrs. Brown noted the grandfathered, and that they were allowing v drive boats, they confirmed. Mrs. Brown asked about the pontoon being classified as a power boat. Mrs. Brown noted the weight of the new motor would be more than 4,000. Mr. Leavitt noted that pontoons do not have a maximum weight. Mrs. Brown asked if this would increase the wake of the boat.

Mr. Sherman asked if they could include manufacturers' certificate of origin under proof of ownership.

There was discussion over the current rules on turning decal back into the office if you sale your lot and/or boat.

Mr. Sherman asked if a test required was modified then the Board would have to approve the change. Mr. Young agreed that

is how it is written. Mr. Young noted the only way to amend the test is to amend the exhibit a from resolution 2024-7.

Mr. Sherman noted his next question was about grandfathering. Mr. Sherman noted it says the watercraft decal has expired and he would like to change that to unless the watercraft has been sold or is not owned by the current freeholder. Mr. Sherman noted that if you missed June 15th because you could not get here then their boat would be gone as it is currently written.

Mr. Maulden noted that somebody has lost their jets ski privilege because they missed that date.

Mr. Maulden asked Mrs. Bay when decals become available. Mrs. Bay answered that typically we get them in the office between March and April.

Mr. Sherman noted that he believes it's not fair if someone continuously owns a watercraft and the parcel.

Mr. Parris suggested what if it said the watercraft decals are expired by more than 6 months.

Mr. Leavitt noted that it was a significant amount of time what if it were 3 months.

MOTION: Mr. Sherman motioned to approve amending the resolution under the grandfathered portion to state that grandfathered watercraft must be decaled within 3 months after decals expire, seconded by Mr. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

Discussion: Mr. Sherman discussed revocation of decals, and suggested categorizing offenses. Mr. Sherman noted a few different types of offenses.

Mr. Rasdall noted that there were 4 offenses.

Mr. Sherman noted he believes that the Board should consider that not all offenses are of the same magnitude.

Mr. Sherman asked if there was a reason they couldn't exclude fishing from the ski area.

Mr. Brumfield noted that especially during the hot times there are fish in the deep part.

There was a discussion.

Mr. Brumfield noted the fisherman used due diligence, and if it's extremely busy they will come back at a different time.

Mr. Sherman suggested Memorial Day through Labor Day during green light.

Mr. Rasdall noted that he believed common sense would prevail and most fisherman are not going to be out there on those points during holidays and weekends it's too rough.

There was discussion over speed limits.

Mr. Sherman asked about requiring children under the age of 6 to wear a life jacket.

Mr. Brumfield noted that the Coast Guard is 13 and under.

There was discussion over drinking while boating.

There was discussion over trespassing.

Mr. Young noted there should be verbiage included to prohibit the impaired from operating watercraft. Mr. Young noted that impairment could be established by the observation of the boat patrol.

MOTION: Mr. Maulden motioned to approve amending the resolution to include verbiage about prohibiting operating while impaired, seconded by Mr. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield Aye

Motion passed unanimously.

Discussion: There was discussion about tubing and flag up.

There was discussion over pulling kids on a rope.

There was discussion over wake surfing.

Mr. Rasdall discussed the different lanes of traffic on the lake.

Mr. Maulden noted that wake surfing was safe for the person doing the activity but not for those around.

Mr. Parris discussed wake surfing.

Mr. Rasdall discussed the multiple lanes and that came from a boat patrol member.

Mr. Parris noted he disagreed with that.

Mr. Parris noted if you asked the boat patrol every one of them would say tubing is more dangerous than wake surfing.

Mr. Parris noted he didn't believe there was a problem with wake surfing.

Mr. Parris addressed Mr. Brumfield and Mr. Rasdall and noted if they believed the vast majority want to ban wake surfing on the lake then put it on a referendum.

MOTION: Mr. Parris motioned to approve adding a referendum on wake surfing to the ballot stating “should the CSCD ban wake surfing? YES or NO?” – tabled to after amendments

MOTION: Mr. Sherman motioned to approve amending the resolution to remove paragraph 7.

Discussion: Mr. Parris discussed getting lake rights revoked for 365 days wake surfing.

Mr. Young noted it could be made a 3-strike event.

There was agreement on the Board that it should be a 3-strike event.

MOTION: Mr. Parris motioned to approve amending the resolution to strike out wake surfing as one violation event, seconded by Mr. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

MOTION: Mr. Rasdall motioned to approve Resolution 2024-20 as amended, seconded by Mr. Brumfield.

Roll Call Vote:

Mr. Sherman: Nay

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Nay

Mr. Parris: NAy

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed 4-3.

MOTION: Mr. Parris motioned to approve adding a referendum on wake surfing to the ballot stating “should the CSCD allow the sport of wake surfing? YES or NO?” Seconded by Mr. Rasdall

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Nay

Mr. Adolay: Aye
Mr. Brumfield: Nay
Mr. Parris: aye
Mr. Leavitt: Aye

Motion passed 5-2.

10. Resolution 2024-22

- a. Mr. Sherman discussed the 2025 budget that had been sent to DLGF.
- b. Mr. Sherman noted 81% of the budgeted is being paid by the freeholder in the 200,000-600,000 assessed value properties.
- c. Mr. Sherman discussed the financial model.
- d. Resolution tabled until December meeting.
- e. There was discussion over the annual increase of the assessment.

MOTION: Mr. Sherman motioned to table the resolution until December meeting, seconded by Mr. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

11. Management Reports:

a. Director of Finance & Administrative:

1. Mrs. Bay reviewed to Resolution 2024-23 Transfer of Funds within the Budget.

MOTION: Mr. Sherman motioned to approve Resolution 2024-23 Transfer of Funds within the Budget, seconded by Mr. Parris.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

2. Mrs. Bay summarized the fund report. The current balance is \$6,320,814.28.

MOTION: Mr. Brumfield motioned to approve the financial report subject to audit, seconded by Mr. Rasdall.

Roll Call Vote:
Mr. Sherman: Aye
Mr. Rasdall: Aye
Mr. Maulden: Aye
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye

Motion passed unanimously.

3. Mr. Sherman summarized the appropriation report and monthly claims list. The monthly claims total is \$301,569.52. The unexpended remaining balance for 2024 is \$ 628,635.59 or 29.29%.

MOTION: Mr. Sherman motioned to approve the monthly claims subject to audit; seconded by Mr. Brumfield.

Roll Call Vote:
Mr. Sherman: Aye
Mr. Rasdall: Aye
Mr. Maulden: Aye
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye
Mr. Brumfield: Aye

Motion passed unanimously.

b. Director of Operations

1. Mr. Johann summarized his report.

12. Commission Reports:

a. Building:

1. Mr. Sherman reviewed the variance request. Mr. Johann noted there were no remonstrators.
- 2.

MOTION: Mr. Sherman motioned to approve the variance request 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. Parris.

Roll Call Vote:
Mr. Sherman: Aye
Mr. Rasdall: Aye
Mr. Maulden: Aye
Mr. Adolay: Aye
Mr. Parris: Aye
Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

3. Mr. Sherman reviewed the building applications.

MOTION: Mr. Sherman motioned to approve building applications 24-086, 24-089, and 24-090, 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. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

b. Ecology:

1. Mr. Brumfield summarized the ecology minutes.

c. Roads:

1. No Meeting

d. Security:

1. No meeting

e. Water:

1. No meeting

13. New Business:

a. Limit Liability for Referrals

1. Mr. Young advised to not give any recommendations for liability issues .

b. Annual Meeting Location

MOTION: Mr. Rasdall motioned to approve Resolution 2024-21 Annual Meeting seconded by Mr. Maulden.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

c. Commission Meeting & Times

MOTION: Mr. Parris motioned to approve Commission Meeting Calendar, seconded by Mr. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

d. Observed Holiday

MOTION: Mr. Parris motioned to approve Observed Holidays, seconded by Mr. Maulden

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

e. Hiring Jeff Dollens as a full-time employee

MOTION: Mr. Rasdall motioned to approve hiring Jeff Dollens for full-time employment, seconded by Mr. Maulden.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

f. Hiring Heather Glover as a full-time employee

MOTION: Mr. Maulden motioned to approve hiring Heather Glover for full-time employment, seconded by Mr. Rasdall.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

g. Employee Bonuses

MOTION: Mr. Parris motioned to approve bonuses for Brittany Bay and Nick Johann in the amount of \$5,250, seconded by Mr. Brumfield.

Roll Call Vote:

Mr. Sherman: Aye

Mr. Rasdall: Aye

Mr. Maulden: Aye

Mr. Adolay: Aye

Mr. Parris: Aye

Mr. Leavitt: Aye

Mr. Brumfield: Aye

Motion passed unanimously.

14. Board Member Concerns

- a. Mr. Leavitt thanked everyone for sticking around..**

15. Adjourn (11:09)

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

Respectfully submitted,



Ted Adolay, Board Secretary

Date Submitted: