

October 15, 2013 Minutes  
**Cordry-Sweetwater Conservancy District**  
**Board of Directors Meeting**  
**“Minutes”**

October 15, 2013, 7:00 PM, CSLOA Clubhouse

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

**Board Members Absent:** None

**CSCD Attorney:** Roger Young

**Managers Present:** Rod Blasdel, Nina Latimer, Vernon McGaha, Anthony Haywood

**Managers Absent:** None

**Guests:** Katheryn Pratt, Greg & Marcia Harper, JoAnn Hamilton, Karol Ruby, L.H. Shrewsbury, Jeff Huber, Matt Roop, Matt Petersen, Jodi Lawrence, Don & Debbie Kurats, Geff Hays, Steve Herald, Shelly Walters, Blake Facey, Tom Jarvis, Doug Lemmins, Mike Heldman, Michael Learitt, Ben Skirvin, Bill Macias, Susie Macias, David Wallew, Rick Normington, Geoff Flian, Todd Hancock, John & Debra Dawson, Stephen Rieman, Joe & Tracy Clevenger, Gregg & Tereasa Gillentine, Geory & Donna Neher, Louis & Laura Wenzler, Richard Perry, Joe & Becky Cerda, Donn Patterson, Terry Ryker, David Krohne, Jack Brake, Gawain Guy, Paul Day, Don Younger, Shawn Michal, Margaret Bruce, Bill & Jeanine Childers, Roberta Stuart, Jean Shumaker, Joe & Joyce Foust, Patsy Collins, Sue Babeoik, Jime Kee, Nancy Harrison, Bob Ellis, Art & Sharon Baker, Cully Kinnick, Ken Brasseur, Carter & Karen Westfall, Dan Miley, Bill Culbertson, CJ & Sharon Ketner, Mark & Leslie Bryant, Ted & Kenna Frink, Marvin Brames, Greg Vavul, Dave Moebs, Bob Lugight, Ruthann Gillentine, Nancy Bowker, Deborah Noe, U. Noe, Gregg Parris, Denise Lorene, Robert Beam, Brett Fathauer, Dave Everett, Laura Scott Bauer, Skip Walters, Barry Morgan, Gene & Ellen Carter

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

**B. Announcements:**

1. None

**C. Agenda Modifications:**

1. Mr. Benshoof requested the approval of engineering services of Dixon Engineering by adding line item 7e-2. Mr. Kolar requested that line item 6 be moved below line item 4 on the agenda.

**MOTION: Mr. Ray made a motion to add the approval of engineering services of Dixon Engineering as line item 7e-2 and to move line item 6 to right below line item 4 on the agenda, seconded by Mrs. Byers– motion carried unanimously.**

**D. Freeholder Concerns:**

1. Mr. Kinnik asked the Board to confirm that there was an open meeting tomorrow between the Board and Brown County representatives. Mr. Kolar stated that there is a meeting but it is not open to the public. It was asked if there will be minutes. Mr. Kolar stated that there will be no minutes for the meeting. It was asked what the purpose of the meeting is. Mr. Kolar stated that it is a meeting between the County Commissioner and the CSCD to discuss potential legal issues.
2. Mr. Noe asked the Board about the taxes and why they are going up 3 times what they were in 2013, and asked the Board to find other ways to come up with the money besides from taxes. Mr. Kolar stated that they would be discussing the budget later on in the meeting. He asked if the freeholders would be able to talk during that portion of the meeting. Mr. Kolar stated that they would be able to talk during that time. Mrs. Walters stated that the tax levy issue may affect home sales. They have had a negative effect on the property values in the area as well.

**E. Approval of Minutes:**

1. September 17, 2013 CSCD Board Meeting Minutes

**MOTION: Mrs. Wright made a motion to approve the September 17, 2013 CSCD Board meeting minutes as submitted, seconded by Mr. Benshoof– motion carried unanimously.**

**F. Special Presentations**

1. Mike Egelburger with, Christopher B. Burke Engineering, summarized the 2013 dam inspection report and stated that the dams are in fair condition. Mr. Ray asked if Mr. Egelburger could put the scale of “fair” into perspective. Mr. Egelburger stated that it goes from unsatisfactory, conditionally poor, fair, then satisfactory. He stated that he has never given a “satisfactory” in his career. “Satisfactory” means that there is nothing wrong with the dam.
2. Mr. Egelburger also spoke about the erosion issue at the Grizzly ravine. Christopher B. Burke Engineering was retained to provide recommendations to resolve the breach in the earth berm that spans the cove. Three alternatives were provided. The first one was to stabilize the existing breach. This is the least expensive alternative. The repair cost would be approximately \$73,500. Alternative two would be to widen and stabilize the breach. The cost would be approximately \$87,700. Alternative three would be to completely remove the earth berm. The cost would be approximately \$107,700.
3. Mr. McGuckin gave a presentation about deer reduction within the District. He gave an overview of his background. There are two capacities to look at when considering a deer reduction within an area. They are the biological care capacity aspect and the social care capacity. He stated that currently on the biological care capacity side that the deer

population does not seem too bad but on the social capacity side may be too high. Mr. McGuckin explained the issues involved with both capacities.

## **G. Management Reports:**

### **1. Conservancy Manager: Mr. Blasdel**

- a. Mr. Blasdel summarized his manager's report by commenting on the status of the following projects: the new office/maintenance building, Sweetwater and Cordry boat ramps and dredging.
- b. It was asked how the District determines what coves are to be dredged next year on Sweetwater Lake. Mr. Ray stated that the process started within the last couple years. The Board started setting money aside for the dredging of all coves on both lakes. Hired a consultant to do a study on the amount of sediment within each cove within each lake. From that the District prioritized which coves would be dredged first. The coves that were in greatest disrepair would be dredged first. The list was approved by the Board last year. The list can change due to circumstances that are unforeseen. The list of which coves would be dredged each year will be available at the District Office. Mrs. Beam asked if they are on the top of the list next year. Mr. Ray stated that it is on the list for next year.
- c. David Moebs has accepted the part-time position of Building Compliance Officer. He will begin November 4<sup>th</sup>. He has experience with working with the Building Commission.
- d. Working on updating the Status Reports for building projects that have been approved through the building permit process.

### **2. Financial Clerk: Mrs. Latimer**

- a. Mrs. Latimer summarized the financial report.

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

- b. The Board reviewed the claims for the month. Mrs. Latimer went over the marina credit card income from both lakes. 40% of the total sales on Sweetwater Lake were from credit card payments and about 28% were from credit card payments on Cordry Lake. Mrs. Latimer has contacted paygov.us to create a website for the District. The District will be contracting with them to build us an official website for the District. It would be a \$30 fee to do updates to the website.

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

### **3. Roads/Water Supervisor: Mr. Haywood**

- a. Working on winter equipment.
- b. Pulling out the patrol boats for the winter.

- c. Will set the buoys one more time. It was asked how they determine how far out the buoys are from the shoreline. Mr. Haywood stated that they typically try to keep them 50 feet from the shoreline. It was asked if there is a way to request a place for putting buoys. Mr. Haywood stated that they send the requests to the Security Commission. Mr. Hetherington asked how old the patrol boats are. Mr. Haywood stated that they are about 6-7 years old.

#### 4. **Security Manager: Mr. McGaha**

- a. From the September Security Commission until today we have written 27 warning tickets for speeding and 3 UTT's for speeding.
- b. Still have boaters on the lakes but the numbers are down.
- c. Idle lights have been reset and will go yellow at 6:16PM which is one hour before sunset.
- d. Working on getting everyone's vacation down to the minimum before the end of the year.
- e. Working on updating the security inventory to turn in.

#### H. **Commission Reports:**

##### 1. **Building: Mrs. Wright**

- a. The Commission approved 1 building permit. This permit has been on the Commission agenda several times. Mrs. Wright provided a summary of the history of this permit application.

**MOTION: Mrs. Wright made a motion to approve the building permit 13-049, seconded by Mr. Benshoof; there was discussion – motion failed with 0 votes for and 7 against.**

**MOTION: Mr. Ray made a motion to table the building permit 13-049 until questions are answered and that an immediate stop work order is issued, seconded by Mrs. Byers; there was discussion – motion passed unanimously.**

- b. Mr. Kolar stated that in order for the Board to move on with the process of approving new building permits items 20 & 21 on the application check list need clarification. The Board needs to come to an agreement on the interpretation of these items. One issue is whether the side yard setbacks should be included or excluded in the calculation of the maximum permissible square footage of a dock.

**MOTION: Mr. Benshoof made a motion that the side yard setbacks would not be included in the calculation of the maximum permissible square footage of a dock, seconded by Mr. Gantner; there was discussion – motion passed unanimously.**

The second issue is to determine whether the calculation of the square footage of a dock includes or excludes the boat slip area. Mr. Ray stated that he didn't think it should be included since within the current rules it states that the roof or deck above is not included.

**MOTION: Mr. Benshoof made a motion to interpret that boat slip area will be excluded in the calculation of the total square footage of a dock, seconded by Mr. Ray; there was discussion – motion passed unanimously.**

It was asked if these were new sections of the application. Mr. Kolar stated that they were not new sections but that it was for the Board to clarify the rules. Those who are applying for a building permit will get a list of things that need to be included within the application for a building permit.

**MOTION: Mr. Kolar made a motion to approve the application with the modifications approved here tonight, seconded by Mr. Benshoof; there was discussion – motion passed unanimously.**

Mr. Kolar stated that with these clarifications the current moratorium could be lifted on accepting and processing applications for lake structures. Mr. Hetherington asked how many applications have come in. Mr. Blasdel stated that four applications have been submitted.

**MOTION: Mr. Benshoof made a motion to lift the moratorium on accepting and processing applications for building permits for lake structures effective October 16, 2013, seconded by Mr. Ray; there was discussion – motion passed unanimously.**

**2. Ecology: Mr. Ray**

- a. It was discussed about concerns on the beach shelter house.
- b. It was discussed about the fisheries management plan. There are still issues that need to be discussed within the Commission.

**3. Security: Mr. Hetherington**

- a. They met but did not have a quorum so it was not an official meeting.

4. **Roads: Mr. Gantner**

- a. They did not have a roads commission meeting.

5. **WATER: Mr. Benshoof**

- a. Spending time on reviewing billing and accounting software. It has three parts to it. It has billing part for our water company, it has meter reading, and it has the accounting solution portion to it. They have selected a software company to go with. It was determined to purchase software from InterData at an up-front cost of \$30,000 with a monthly charge of \$200-\$250. The money is generated by the water and not coming out of the District's money. There were only good reviews for the software company.

**MOTION: Mr. Benshoof made a motion to approve the purchase of software from InterData at an up-front cost not to exceed \$30,000 with a monthly charge of \$200-\$250, seconded by Mr. Ray; there was discussion – motion passed unanimously.**

- b. Need to re-paint our water towers. Putting together all the bidding information together. We are looking into contracting with Dixon Engineering to help with this process. This is the same company who inspected the water towers. The white tank needs to be painted inside and outside and the blue tank will only need to be done on the outside. They would come back and inspect after each process of painting the tanks. The cost would be not to exceed \$20,000 with \$3,000 - \$4,000 this year. Mr. Gantner asked if the cost would come from the water budget. Mr. Benshoof stated that it would come from the water budget.

**MOTION: Mr. Benshoof made a motion to approve the hiring of Dixon Engineering for bid document work for painting the water towers not to exceed \$30,000, seconded by Mr. Gantner; there was discussion – motion passed unanimously.**

**I. Other Governmental Interface Meeting Reports:**

**1. Brown County Solid Waste: Mrs. Byers**

1. There was no meeting due to a holiday.

**J. Status from CSCD Attorney: Roger Young**

1. Mr. Young has been told that there was an agreed judgment on a house that needed to cover up unfinished foundation that posed a safety hazard and that the homeowners have complied with it. Mr. Blasdel stated that they have complied. There are three pending litigations. The Kahn case is set for trial on February 11<sup>th</sup>. The Kuchik case is in the early stages of litigation and no dates are set. The case to remove the dilapidated house is set for trial in November 2013. The homeowners have stated that they would remove the house. Mr. Blasdel stated that no progress has been made.

**K. Unfinished Business:**

1. Mr. Kolar stated that we are still waiting to hear back from Brown County over the Interlocal Agreement.
2. The Board needs to review the progress for the 2013 goals and if needed move them to the 2014 goals.
3. This was the second public hearing for the 2014 budget. Mr. Kolar went over the budget for 2014. There is an increase of \$291,491 from last year due to costs going up. The budget increased about 13% over last year. It was asked about the rainy day fund. Mr. Kolar stated that it was established last year and it is there if the District needs money. They have a 10% contingency on the budget for the things that come up that are unforeseen. They then put the money that was not spent over the year and roll it over to the rainy day fund. It was asked if our property taxes would go up approximately 300%. Mr. Kolar stated that they were because the tax levy for last year and for the past couple years were less because the District had surplus funds and did not need to raise as much through property taxes. The tax levy for 2014 is more reflective of a normal year. It was asked why the District couldn't phase the taxes over a few years instead of all at once. Mr. Hetherington stated that if we did that we would have to take away some of the maintenance needed within the District such as dredging. The question is where we draw the line. It was asked to explain the line item codes and why they don't line up from last year. Mr. Kolar stated that some line items were added to make it more detailed. A freeholder stated that the most increase in the budget is the personnel cost and health benefits for the employees. Mr. Kolar stated that they have struggled with this in the past and that the cost keeps going up. It was asked if the State has a cap property taxes. Mr. Kolar stated not for Conservancy Districts. Mr. Kolar states that the District tries to live within the budget but where do you draw the line. Do you cut 24-hour security or something else? It was suggested that homeowners start paying for the use of some of the amenities such as renting out the beach shelter. It was asked where the income comes from that is not identified within the budget. Mr. Kolar went over where the income comes from. It was asked for a more detailed budget. Mr. Kolar went over the budget in more detail. The budget for 2014: Rainy Day Fund \$181,000 and General Fund \$2,408,183 for a total of \$2,589,183 with \$2,035,641 to be raised through tax levy.

**MOTION: Mr. Gantner made a motion to approve the 2014 budget as submitted, seconded by Mr. Ray; there was discussion – motion passed unanimously.**

**L. New Business:**

1. None

**M. Board Member Concerns:**

1. Mr. Gantner stated to the audience that it was very much appreciated that they came to tonight's meeting and for participating within the meeting but that if they came to more meetings that they would see that the Board doesn't try to overspend on things that need to be done within the District. Mr. Hetherington stated that instead of going by what your hearing homeowners can come to the meetings and actually see what is going on within the District. It was asked by the homeowners that minutes from both the Board and Commissions be more available for those who cannot make the meetings. It was widely expressed by many homeowners that they would appreciate more communication from the Board and the Commissions within the District.
2. Mr. Gantner asked the homeowners if they would like to have a walking/biking path within the District. The homeowners stated that they were not interested.
3. It was asked when the taxes that are going up will be going into effect and how much they will be going up. Mr. Kolar stated that it would be sometime in the spring and that the County will have the information on how much.

**N. Adjourn**

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

Respectfully submitted by Kristi Putnam.

Approved this 19th day of November, 2013, at Nineveh, IN

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