

**Cordry-Sweetwater Conservancy District**  
**Board of Directors Meeting**  
September 17<sup>th</sup>, 2024  
**“DRAFT MINUTES UNTIL APPROVED”**

1. **Board Members Present:** Randy Brumfield, Pat Sherman, Aaron Parris, Ted Adolay, Jim Maulden, Mark Rasdall, and Mike Leavitt
2. **Board Members Absent:** None
3. **Also, Present:**
  - a. **Staff:** Brittany Bay & Nick Johann
  - b. **CSCD Attorney:** Roger Young
  - c. Estimated 11 freeholders in attendance & numerous online viewers.
4. **Welcome:** Mr. Leavitt called the meeting to order at 7:01 PM
5. **Agenda Modifications:**
  - a. None
6. **Approval of Minutes:**

**MOTION: Mr. Parris motioned to approve August 20<sup>th</sup>, Board Executive Session Minutes as submitted, seconded by Mr. Brumfield. Motion passed unanimously.**

**MOTION: Mr. Rasdall motioned to approve August 20<sup>th</sup>, Board Minutes as submitted, seconded by Mr. Sherman. Motion passed unanimously.**

**MOTION: Mr. Parris motioned to approve August 26<sup>th</sup> Board Executive Session Minutes as submitted, seconded by Mr. Sherman Motion passed unanimously.**

**7. Bond Issuance - Patrick Sherman**

- a. Mr. Leavitt asked Mr. Sherman to review the bond issuance. Mr. Sherman noted that the bond was issued, and it was deposited into a separate account. Mr. Sherman noted that in the budget year 2025 there will be an interest only payment of \$82,864 due on the bond, so that will increase the 2025 budget. Mr. Sherman noted that there would not be principal payment due on the bond until 2026. Mr. Sherman noted that the District has a very favorable interest rate on the bond through the Indiana Bond Bank (IBB).

**8. Freeholder Concerns:**

- a. Sharon Vankooten (I 65 & G 58A) noted that her freeholder comments were not motivated by any animosity towards Board Members or high assessed value properties. Mrs. Vankooten noted that for most of the Board Members equal assessment fees do not appear to provide substantial tax savings, and a number of Board Members may pay more based on the new

funding methodology. Mrs. Vankooten noted that she empathized with freeholders who have seen their assessed values and taxes increase. Mrs. Vankooten noted that she and her husband have seen their taxes almost double. Mrs. Vankooten noted she believed the increased boat decal fees are a better option than equal assessment. Mrs. Vankooten noted that Boat decal revenue decreases the certified levy. Mrs. Vankooten noted she believes the equal assessment unfairly shifts costs from those that benefit the most from the works of improvement. Mrs. Vankooten noted she believes under the current funding methodology freeholders of low assessed value properties are assessed at a higher tax rate than the freeholders with high assessed value properties. Mrs. Vankooten review Attorney General opinion 27 dated April 17<sup>th</sup>, 1962, and opinion 57 dated December 28<sup>th</sup>, 1967. Mrs. Vankooten noted she found it interesting that the Baker Tilly representative mentioned that for marketability the bond repayment guarantee would need to be based on Ad Valorem taxes. Mrs. Vankooten went over properties up for tax sale. Mrs. Vankooten asked the Board if any protocols were in place to ensure equal assessments are accurately assessed.

- b. Cathie Brown (DF 51) noted that there are a lot of freeholders that are trying to get their watercraft on or off the lake before the dam repair and asked when watercraft would need to be off the lake for the repairs. Mr. Leavitt noted that this is still in progress and hopefully it will be resolved by next week. Jennifer Roll asked the Board what the issue was. Mr. Leavitt noted that the Board originally asked for an excess bond of 150%. Mr. Leavitt noted that the contractor was not able to get that, and it wasn't a requirement of the bid documents, so they could not enforce the issue. Mr. Leavitt noted the Board then asked the contractor to get the 100% bond which they are in the process of doing. Mrs. Roll asked what happens if the contractor can't get a 100% bond, Mr. Leavitt noted that then it would go to the next lowest bidder. Mrs. Roll asked if the next lowest bidder would be ready to start, Mr. Leavitt noted that they must maintain their bid for 60 days per the bid documents. Mrs. Roll then asked if the Board could say what the conditions of the bid are regarding the start date. Mr. Leavitt noted that it was more of a completion date, the contractor must have the project completed in a certain amount of time. Mr. Leavitt noted that there is not a specific start date in the bid document, there is a completion date of 180 days. Mrs. Roll noted that there was not a completion date then it was more of a timeline.
- c. Jennifer Roll (7786 Elm Drive- DF 52A) asked about the timeline and contractors for the Cordry Spillway Project. Mr. Leavitt noted that the contractors are obligated to stand by their bid for 60 days, and once the notice to proceed is issued the contractor has 180 days to complete the project. The bidding process was discussed. Mr. Rasdall noted that if a contractor is selected and they do not perform they lose their 5% bid bond. Mrs. Roll noted that a lot of Cordry residents are concerned about the time frame. Mr. Leavitt noted that this project needed to happen and was confused with the opposition of some of Cordry lot owners about the project because it has to happen. Mrs. Roll noted she doesn't believe the Cordry lot owners are not opposed to the project, the lot owners on Cordry are concerned that they are not going to be able to use the lakes next season, and the concern has increased since this contractor has had trouble getting his bond. Cathie Brown asked if the timeframe to remove boats by October 1<sup>st</sup> was still intact. Mr. Leavitt noted that once the preconstruction meeting was scheduled, they would know more. Mr. Rasdall noted that if this contractor cannot get the bond, the price of the project goes up \$800,000. Mr. Sherman noted that he and Mr. Leavitt spoke before the District financed the bonding so that if the lowest one failed there would be enough money for the next lowest, meaning there is enough money in the bond to pay for the next lowest bidder. Mr. Sherman noted that if this contractor did not work out there would be funds available to cover the next lowest bidder, so that the District would not have to go through the binding process again.

**9. Management Reports:**

**a. Director of Finance & Administrative:**

1. Mrs. Bay summarized Resolution 2024-16 Transfer of Funds within the Budget.

**MOTION: Mr. Sherman motioned to approve Resolution 2024-16 Transfer of Funds within the Budget, seconded by Mr. Parris. Motion passed unanimously.**

2. Mrs. Bay summarized the fund report. The current balance is \$3,797,240.05.

**MOTION: Mr. Sherman motioned to approve the financial report subject to audit, seconded by Mr. Adolay. Motion passed unanimously.**

3. Mrs. Bay summarized the appropriation report and monthly claims list. The monthly claims total is \$507,403.44. The unexpended remaining balance for 2024 is \$812,589.77 or 38.97%.

**MOTION: Mr. Rasdall motioned to approve the monthly claims subject to audit; seconded by Mr. Brumfield. Motion passed unanimously.**

**b. Director of Operations**

1. Mr. Johann summarized his report.

**10. Commission Reports:**

**a. Building:**

1. Mr. Sherman reviewed the building applications.

**MOTION: Mr. Sherman motioned to approve building applications 24-071, 24-072 and 24-064 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. Brumfield. Motion passed unanimously.**

2. Mr. Johann discussed the firewood sign the Board discussed at the last meeting. Mr. Johann noted that he spoke with the zoning inspecting and this issue is up to the Board to pursue, because there is nothing in the County Ordinance about selling firewood on personal property.
3. Mr. Adolay asked about holding tanks. Mr. Johann noted that the County just repealed their ordinance on them because of the new State Law and noted that the County cannot override State Statue.

**b. Ecology:**

1. Mr. Brumfield summarized the ecology minutes.
2. Mr. Brumfield went over the deer reduction hunt.
3. Mr. Brumfield updated where the ecology commission is with the America the Beautiful Grant.

**c. Roads:**

1. Mr. Rasdall summarized the roads minutes.
2. Mr. Rasdall noted a freeholder asked for a 15-mph sign on Hummingbird Drive and asked Mr. Johann to have one placed there since it did not need Board approval the speed limit is already set.

**d. Security:**

1. Mr. Maulden summarized the security minutes.
2. Mr. Maulden discussed both stationary cameras at the beach and the new body cameras.
3. Mr. Maulden noted there was a lot of positive feedback on the temporary speed bumps on Grizzly and they are talking with a contractor to look for a more permanent solution for next year.
4. Mr. Maulden discussed the issue with loose dogs and gave Billie Grimes-Watson contact information of [Grimeswatsonb@browncounty-in.gov](mailto:Grimeswatsonb@browncounty-in.gov).

**e. Water:**

1. Mr. Parris summarized the water minutes.
2. Mr. Parris noted the water loss is at an all-time low 32%
3. Mr. Parris reviewed the water issue at 7246 Cordry Drive.

**MOTION: Mr. Parris motioned to approve a settlement of \$11,500 for water damage repairs and a credit of \$250 on the water account for address 7264 Cordry, owner Liz Ann Whiteside contingent on the owner signing a release prepared by CSCD Attorney Roger Young, and this claim can be approved and payment mailed once the release is signed and in agreement. Second, by Mr. Sherman Motion passed unanimously.**

**11. Old Business:**

**a. Election Issues**

1. Mr. Leavitt noted that Mr. Johann sent out a memo from the 2024 election committee with concerns.
  1. Mr. Leavitt noted that one of the big issues is the timeframe for tallying votes.
  2. Mr. Young reviewed statues on the annual meeting times and elections. Mr. Young noted that the Board could hold the annual meeting at the usual date and time, the second Saturday in January at 1 pm, and give the election committee time to tabulate votes, recess the meeting until the following day. Mr. Young noted that there is nothing in the law that says when the annual meeting must end. Mr. Young noted there were two options, one would be to change the time, the other would be to hold the meeting at the usual time, recess, and come back the next day.

3. Mr. Johann asked if the statue spoke about the timeframe of actual voting. Mr. Young noted that the statue says the Board shall determine the election procedure. There was discussion on whether absentee ballots could be counted prior to the election.

**MOTION: Mr. Sherman motioned to approve allowing the election committee to tabulate absentee ballots prior to the annual election, seconded by Mr. Rasdall. Motion passed unanimously.**

4. There was discussion on signing a freeholder list before casting a vote. There was discussion on who verifies the freeholder before casting votes. Mr. Rasdall asked the election committee if when they get mail-in votes do they check their name off a master roster that someone couldn't vote twice. The election committee noted that they did have a master list to check them off.

**MOTION: Mr. Parris motioned to approve Brittany Bay, Nick Johann, Rebecca Fishburn, and Mary Hamilton as secretaries for the District for the 2025 election, seconded by Mr. Brumfield. Motion passed unanimously.**

5. Mr. Maulden noted that he had received feedback from freeholders that during the 2024 election people were campaigning at the election site.

**MOTION: Mr. Maulden motioned to not allow campaigning within 10 feet of the door of the election site, seconded by Mr. Rasdall. Motion passed unanimously.**

## **12. New Business:**

### **a. Public Hearing on 2025 Budget**

1. Mr. Leavitt opened the public hearing for the 2025 budget at 8:17.
2. Mrs. Bay read the proposed 2025 General Fund Budget Total of \$2,444,715.
3. Mr. Leavitt opened the floor to Public Comment:
  - i. There was discussion over the different accounts such as the 300 accounts are for services and 400's capital outlays/infrastructure/equipment.
  - ii. Mr. Leavitt discussed with the dam repairs is the Board delaying some items like the salt barn. There was discussion over the roof panels on the salt barn. Mr. Leavitt discussed the cost of panels. Mr. Sherman noted that they could look at how the budget is coming in and see if they could replace the panels in the current year.
  - iii. Mr. Sherman asked about the \$100,000 for the Sweetwater corrective action water inlet.
  - iv. Brenda Maulden discussed America the Beautiful Grant.
  - v. Cathie Brown expressed her concerns with the weed control application this year, the first time around it helped, the second time did not.

vi. Mr. Leavitt asked if the Board had any changes tonight or if the Board wanted to submit changes to Mrs. Bay prior to the next meeting, so the Board will know the final adjustment.

4. Mr. Leavitt closed the public hearing of the 2025 budget at 8:35.

### 13. Board Member Concerns

- a. Mr. Sherman noted he appreciated everyone here, and the input on the dam project and that they do not want Cordry shut down any longer than it needs to be. Mr. Sherman noted his concern was how long it is going to take Cordry to get back up.
- b. Mr. Rasdall noted the same as Mr. Sherman for his concerns on the dam project. Mr. Rasdall gave a shout out to Nick Johann and his crew on getting the water loss down to 32%. Mr. Rasdall thanked everyone for coming and the election committee.
- c. Mr. Maulden thanked everyone for coming to the meeting. Mr. Maulden noted that they were trying to make the dam repairs as smooth as possible and as soon as they get information, they will relay it.
- d. Mr. Adolay noted he did research on boat weights and lengths and the manufacturers are all over the board.
- e. Mr. Leavitt thanked everyone for staying involved and coming to the meetings and voicing their concerns, Mr. Leavitt noted this is the only way for people to know what is happening.
- f. Mr. Brumfield thanked everyone and noted that he is aware there is confusion on the Cordry dam and the Board is doing the best they can.
- g. Mr.

### 14. Adjourn (8:39)

**MOTION: Mr. Brumfield moved to adjourn, seconded by Mr. Parris. Motion passed unanimously.**

Respectfully submitted,



---

Ted Adolay, Board Secretary

Date Submitted: