

These minutes are not official until approved by the CSCD Board of Directors
Cordry Sweetwater Conservancy District
Board of Directors Meeting
“Minutes”

September 15, 2009
7:00 PM

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

CSCD Attorney: Roger Young

Managers: John Collins, Marty Anderson, Bernie McGaha

Guests: Jane & Tom Smith, Margaret Bruce, Sherry Hannah, Patricia & Bryan Lindberg, Nancy Bowker, Albert Taylor, Linda & Terry Snow, Cully Kinnick Shawn Michel, Gene Lashley, David Stevens, Billy Coapstick, John & Peggy Obergfell, David Grupenhoff, Brian Lucas, Terry West, Stacy Wethington, Pam Collins, Dave Jarrett, Ron Joy

A. Welcome and Pledge of Allegiance:

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

B. Freeholder Concerns:

1. Sam Eggers stated his concerns with the fish survey. He feels this is a waste of tax payer money. Mr. Noe stated this issue was brought to the CSCD Board last month and was voted to proceed with the fish survey.
2. Billy Coapstick asked why the CSCD will not enforce any rules. Mr. Noe stated to Mr. Coapstick that the CSCD Board decided at last month's meeting they would not take any action on this issue.

C. Approval of August Minutes:

Motion: Mr. Fenwick made a motion to approve the August 18, 2009 Minutes, as written, seconded by Mrs. Boyle – motion carried unanimously

Motion: Mrs. Boyle made a motion to approve the August 18, 2009 Executive Board Meeting Minutes as written, seconded by Mr. Moebs – motion carried unanimously

Motion: Mrs. Boyle made a motion to approve the August 24, 2009 Special Board Meeting Minutes as written, seconded by Mr. Kolar – motion carried unanimously

D. Financial and Claims Reports:

1. **Business Manager, Marty Anderson:** Mrs. Anderson gave the Financial Report for the district. Mr. Kolar asked when we expected to receive a tax disbursement from Brown County. Mrs. Anderson stated she had contacted Joe Wray requesting a partial payment and she is waiting to hear from him.

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

2. Approval of Claims:

Motion: Mrs. Boyle made a motion to approve the claims, subject to audit, seconded by Mr. Moebs – motion carried unanimously.

E. Management Reports:

1. Infrastructure Manager, John Collins:

- A. Verizon Wireless has surveyed the area for a cell tower installation. They have staked off the area, there will be a 75' x 75' area that will be fenced in for their use. The survey needs to be signed off on.

Motion: Mrs. Boyle made a motion to allow John Collins, CSCD Infrastructure Manager, to sign off on the Verizon survey. – motion carried unanimously.

2. Security Manager, Bernie McGaha:

- A. Officer Mike Clark is in need of a new bullet proof vest, Officer McGaha asked for approval to purchase vest.

Motion: Mrs. Boyle made a motion to approve the purchase of a new bullet proof vest from Steven R. Jenkins Co., in the amount of \$599.99, seconded by Mr. Fenwick – motion carried unanimously.

- B. The Security Commission is requesting the approval of Gregg Gillentine as the at-large member of the commission.

Motion: Mr. Noe made a motion to approve Gregg Gillentine as the at-large member of the security commission, seconded by Mr. Moebs – Discussion – Mr. Kolar questioned having a second board member serve on a commission – motion passed vote 5-1-1 Kolar voted no, Gillentine abstained.

- C. Officer McGaha discussed the issue of crime in the area. There has been a burglary on Eagle Drive that has been solved and a second burglary reported this week. He is asking the residents to please call in to report anything suspicious for the officers to investigate.

F. Budget Forecast Report: Mr. Moebs gave the 2010 budget forecast. He stated that the Line of Credit previously named 'FEMA Line of Credit' will be changed to 'Emergency Line of Credit'. There was no discussion or questions from the board.

G. Commission Reports:

- 1. **Building – Fenwick:** Mr. Fenwick summarized the minutes from the September 1, 2009 meeting.

- A. **Kinnick Lot L8:** The building commission is asking the board to impose a fine on Mr. Kinnick for disregarding a Stop Work Order and failure to apply for building permit, require him to clean up neighbor's property to their satisfaction and apply for a building permit. Mr.

Fenwick stated that he has checked out the issue of mud in the lake and feels it has resolved itself. Mr. Collins presented a picture he took of the lake to show the mud is washing away from the rocks. Mr. Kolar stated his concern was that Mr. Kinnick, being a contractor, should have known the rules, referencing Resolution 2008-15. Mr. Gillentine asked Mr. Kinnick to explain his reasoning. Mr. Kinnick explained that it was a difference of opinion in the building rules interpretation regarding landscape work –vs- building projects. Mr. Kinnick stated that there were other projects going on in the lake doing the same type of work without a permit. Mr. Collins stated that the differences in the projects are they are lots with residences. Mr. Noe stated that the CSCD Board will not impose a fine for Mr. Kinnick. He suggested that Mr. Kinnick submit application for project approval to the Building Commission. Mrs. Hannah stated that the wave action from boat activity causes the mud to come back up. Mr. Lindberg wanted to state on record that unlike the Hannah's, their property was not affected by the mud due to the depth of the water at their property. Mr. Noe suggested that both neighbors request in writing what they would like to have done to bring their property back to original status. Mr. Noe asked Mr. Kinnick to observe the Stop Work Order until it is brought back before the CSCD Board next month.

- B. Smith Garage Variance:** There was a discussion about the Smith's obtaining a variance for a strip of land that is owned by CSCD between their property and the CSCD road. Mr. Smith was advised to take back to Building Commission for variance approval.

2. Ecology – Mr. Kolar

- A. Commission Vacancy:** Mr. Kolar stated the Ecology Commission would like to recommend Al Taylor as a member of the Ecology Commission.

Motion: Mr. Kolar made a motion to approve Al Taylor as a member of the Ecology Commission, seconded by Mr. Fenwick – motion passed unanimously.

- B. Sweetwater Spillway:** The Sweetwater spillway was repaired by Sub Surface of Indiana (SSI).
- C. Cordry Dam Repair:** The repairs for Cordry Dam have been sent out for bids. Pre-bid meeting will be September 23, 2009 at 2:00 pm. Bid-opening meeting will be Monday October 5, 2009 at 10:00 am. There was a discussion on having a special CSCD Board meeting to review bids. This meeting will be Wednesday October 7, 2009 at 6:00 pm.
- D. Deer Management:** The special deer hunt will be the 1st and 2nd weekends in October.

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

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

- A. Culvert Replacement:** There was a discussion on replacing three culverts

Motion: Quinn Hetherington made a motion to replace three (3) culverts by Central Engineering at a cost of \$68,000, seconded by Mr. Fenwick – motion passed unanimously

B. Paving Bids: Sweetwater Drive and Cordry Dip were discussed.

Motion: Mr. Hetherington made a motion to accept a bid from Wallace Construction for paving Cordry Dip at a cost of \$21,000 and Sweetwater Drive at a cost of \$128,500, seconded by Mr. Moebis – motion carried with a vote of 6-1 Mr. Gillentine opposed.

C. Back Entrance: There was a discussion on paving the back entrance to Sweetwater Dr. (Love land)

D. 2007 Dump Truck bed repair: There was a discussion on repairing the tailgate on the dump truck that had been damaged.

Motion: Mr. Hetherington made a motion to approve the repair to the tailgate for a cost of \$ 1,253.00, seconded by Mrs. Boyle – motion carried unanimously

E. Crack Sealing: The crew will be crack sealing when weather permits.

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

A. The water loss is down again this month to 20.5%

B. The crew has been flushing and painting hydrants.

C. The commission is continuing to look into automatic read meters.

H. Unfinished Business:

- 1. Resolution 2009-5:** Mr. Moebis has revised Resolution 2009-5; this was tabled until next month's meeting.
- 2. Resolution 2009-6:** Resolution authorizing board member compensation was reviewed and signed for approval
- 3. 2010 Proposed Budget:** Mr. Moebis gave the first reading of the 2010 proposed budget totaling \$2,380,804. A second reading will be read at the October 20, 2009 board meeting. Mr. Kolar suggested a special meeting to review line items of budget to be set at a later date.

I. New Business:

- 1. Joint Land Use Study Committee:** Mr. Bill Boyle stated that the report on Joint Land Use Study is at the CSCD Office. He asked for the board to allow him to continue to represent the CSCD on this committee.

Motion: Mr. Fenwick motioned to allow Mr. Bill Boyle to continue to represent Cordry Sweetwater on the Joint Land Use Study Committee, seconded by Mr. Moebis – motion passed unanimously.

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

- 1.** Mr. Kolar has a concern with the drop off on the edge of Nineveh Road and CSCD crew plowing snow with the risk of accident. Mr. Noe asked CSCD Attorney, Mr. Young to write a letter to Brown County Highway Dept. about the unsafe road conditions on Nineveh Road.

K. Wrap Up:

1. Mr. Noe brought up the issue of golf carts use on the roads. Officer McGaha explained that the district would have to go to the county commissioners to have an ordinance written to allow the use of golf carts on CSCD roads.
2. Mr. Hetherington had an issue with the boat patrol boat repairs and the use of the boats by the boat patrol.
3. Officer McGaha is looking into a camera system at the entrances of the lakes.
4. Mr. Collins brought up an issue with a dredge dam at 6535 Chipmunk. The homeowners, Terry and Linda Snow asked that the Conservancy pay half of the cost to repair the dredge dam that is part of Conservancy property.

Motion: Mrs. Boyle made a motion to pay half of the cost of \$6,556, seconded by Mr. Kolar – motion passed unanimously

L. Adjournment:

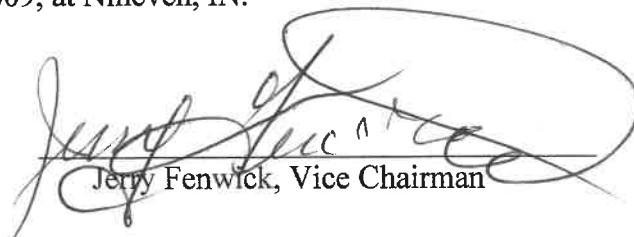
Motion: Mr. Gillentine made a motion to adjourn, seconded by Mr. Kolar – motion carried unanimously.

Continued from page 4 of the September 19, 2009 CSCD Board of Director Meeting Minutes

Approved this 20th day of October 2009, at Nineveh, IN.



Norman Noe, Chairman




Jerry Fenwick, Vice Chairman

David Moebs, Secretary



Larry Kolar



Quinn Hetherington



Cheryl Boyle



Gregg Gillentine

