

**Cordry-Sweetwater Conservancy District
Board of Directors Meeting**

July 16th, 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 34 freeholders in attendance & numerous online viewers.
4. **Welcome:** Mr. Leavitt called the meeting to order at 7:05 PM
5. **Agenda Modifications:**
 - a. Mrs. Bay requested to add line items 4a. Approve Cordry Spillway Project, 4b. Consider Additional Appropriations Resolution & Establish Hearing Date, 4c. Establish Date for Hearing on Drawings, Specifications, & Cost Estimates, 4d. Authorize filing of Bond Application w/Indiana Bond Bank and 5. Dr. Sweeten’s Presentation.

MOTION: Mr. Sherman motioned to approve the agenda modifications as requested, seconded by Mr. Rasdall. Motion passed unanimously.

6. **Approval of Minutes:**

MOTION: Mr. Brumfield motioned to approve June 18th, Board Minutes as submitted, seconded by Mr. Adolay. Motion passed unanimously.

7. **Bond Issuance**

- a. Mr. Leavitt gave the floor to Brian Colton with Baker Tilly to discuss the Bond Issuance. Mr. Young noted Brian Colton’s presentation is extremely important, but he first wanted to give freeholders a picture of what the Conservancy is doing and put it into context. Mr. Young noted the District is anticipating the Cordry Spillway Project, and the cost is currently unknown because we have not received construction bids but they need to size the bond issuance large enough to take into account if bids come in higher than expected. Mr. Young noted that the working group, which included: Mr. Sherman, bond counsel, Baker Tilly, and himself, have recommended a bond ordinance authorizing bonds not to exceed \$3.2 million. Mr. Young noted that is the amount not to exceed not the issuance amount. Mr. Young noted he believed the Board wanted to start the project

in autumn, so the project will go out to bid in the next few weeks, and the bid opening is scheduled. Mr. Young noted that if this is fast tracked the soonest the District will have the cash is around September 11th. Mr. Young noted that Mr. Colton will give information on if the bonds are sold in that amount what that is going to do taxes, tax rate impact, and how long it will take to pay back. Mr. Young noted that there would be one special meeting, and that meeting is anticipated to occur on August 5th, and that is something the Board will be setting tonight. Mr. Young noted the official public comment will come for this at the August 5th meeting. Mr. Young noted that if the Board approves the bond issue there will be a notice of determination to issue bonds published, then there will be no further public hearings. Mr. Young noted one thing happening tonight is the project is being reintroduced, the Board will be approving the project, Mr. Young reiterated the Board will not be approving anything tonight just approving moving forward with the next step. Mr. Young noted that the Board will be asked to authorize publication if the notice of additional appropriation for the bond proceeds. Mr. Young noted that the bond proceeds are not in the 2024 budget and the district cannot spend money until it's been appropriated. Mr. Young noted that the additional appropriation hearing is going to appropriate bond proceeds to the project, so they can be spent on the project.

- b. Brian Colton from Baker Tilly passed out an information packet to the Board and noted that what they are showing is the maximum parameters. Mr. Colton noted that when setting a bond resolution, you are setting the financial parameters, and you must set the max because you can always come down from that, but once you go through and approve it, if that number goes up, you have to start the process over again. Mr. Colton noted that they always build in contingencies in case bids come in higher than anticipated. Mr. Colton went over the first page of the packet which reviewed project cost and funding. Mr. Colton reviewed that the \$3.2 million amount included \$2.75 million for the project, a 10% contingency piece, and allowance for an issuance cost. Mr. Colton reviewed the second page of the packet given to the Board and noted that it showed an illustrative amortization for the debt payment, based on a 5% interest rate. Mr. Colton noted at 5% this would be about \$270,000 a year in debt service and that would go out until January of 2044, almost a 20-year bond issuance. Mr. Colton noted that the payments would be level and interest would be at a fixed rate so there would be no variable rate concerns. Mr. Colton noted that the last schedule showed the repayment source. Mr. Colton noted that this is a property tax bond issue, so it will be levied in freeholder property assessed valuation and that is about a 4 ½ cents tax rate and gave an example of a property valued at \$100,000 being a \$45 payment. Mr. Colton noted that this schedule also showed if you opted for collecting the payment via equal assessment instead of through property tax and that would be about \$168 per freehold per year. Mr. Colton noted that the pledge is property taxes but during the budget process the Board has the decision on an annual basis if they want to supplement that with other revenue sources and bring down the property tax amount. Mr. Colton went over a couple methods for the sale, one being local banks, and the other

being the Indiana Bond Bank. Mr. Colton noted that they have a community finance program and that is about a 4% rate and noted that is probably better than what they could get with a local bank, but they have some additional costs. Mr. Colton noted one thing they are asking the Board to approve tonight is to file an application with the bond bank. Mr. Colton noted that there is a deadline of July 24th for filing to get the money by early September. Mr. Colton noted that this application did not mean they would be going with the bond bank, but it would put them in a queue if that was what is decided. There was discussion over this bond being a 10-year call.

- c. Mr. Young noted that at the beginning of discussion with this project there were discussions about doing the bond issue for both Cordry and Sweetwater in one bond issue and issue two series of bonds, which would have saved on administrative costs. Mr. Young explained that would mean approving both series in once proceeding but only issuing series a right now for the Cordry project and not issuing series b until you were ready to go on the Sweetwater project, since they were already approved through the initial process. Mr. Young noted however, there is a threshold for governmental entities on the amount of money they are trying to raise and if they hit that amount then the district would be taking on a controlled project. Mr. Young noted that if this were considered a controlled project it would require petitions, remonstrance, and set the timeline back. Mr. Young noted that the working group felt it was important to the Board that this project starts right away, so the project can wrap up over the winter months and the road can open back up by spring. Mr. Rasdall noted that they do not know what Sweetwater is going to cost either. There was discussion that with the estimated costs for the Cordry project and the information Mr. Johann has received about Sweetwater it would put the project over the threshold and it would be considered a controlled project. Mr. Young noted that he wanted to explain this because there was talk of doing them both at once and this is why it is not recommended this way.

MOTION: Mr. Sherman motioned to approve authorizing Baker Tilly to file an application with Indiana Bond Bank on behalf of Cordry Sweetwater, seconded by Mr. Rasdall. Motion passed unanimously.

MOTION: Mr. Sherman motioned to approve moving forward with the Cordry Spillway Project as recommended and designed by Christopher Burke Engineering, seconded by Mr. Parris. Motion passed unanimously.

MOTION: Mr. Sherman motioned to approve holding the public hearing of the Resolution to appropriate the bond proceeds to the project on August 5th at 6pm at the CSLOA, seconded by Mr. Brumfield. Motion passed unanimously.

MOTION: Mr. Sherman motioned to approve holding the public hearing on drawing specifications and cost estimates on August

5th at 6pm at the CSLOA, seconded by Mr. Rasdall. Motion passed unanimously.

- d. Mr. Sherman thanked Brian from Baker Tilly, Lisa Lee, and Roger Young because this is a big deal, but they worked with the challenging timeframe and got everything done correctly.

8. Wake Study Approval

- a. Mr. Brumfield noted that there had been questions about the proposed study, so he invited Dr. Sweeten and his team here to speak on behalf of the proposed study. Mr. Brumfield introduced Dr. Sweeten and gave him the floor.
 - i. Mr. Sweeten started by mentioning the budget attached to the proposal is for the entire study, not just this year. Mr. Sweeten introduced his colleague Herb Manifold who would be working with him on this study. Mr. Sweeten noted the study they are conducting would see if there is a difference between the size of waves produced from wake boats and ski boats, how long does it take for those waves to dissipate, and what effect do those waves have on the shoreline. Mr. Manifold noted to answer these questions the study will focus on a wave study design, they would place wave buoys, which have a sensor inside to measure the waves, in a couple of locations on the lake, they have read literature on this topic and this study is similar to the ones conducted in that literature. Mr. Manifold noted to do the shoreline assessment they would do lidar and photogrammetry of both lakes' entire boundaries twice once this fall and once in two years to compare the shoreline erosion. Mr. Manifold noted that lastly to look at individual boat waves they would test the boats using a cv wave sensor and pressure transducer that would give information on the wave heights, wave periods/peaks, wave direction, and wave energy/force. Mr. Manifold noted they would conduct a controlled experiment where there would be sites to do a test with 4 boats, 2 wake boats and 2 ski boats and they will do passes of the boats perpendicular to the sensors so the wave will come across and it will calculate to the millisecond wave speed, height, and how long it takes the wave to attenuate. Mr. Sweeten noted that they would like to leave the wave sensor out at a designated location as long as they can so they can get data on natural wave and boat energy to compare to the controlled experiment. Mr. Sweeten noted that for the controlled test the boats would be driven at 10 mph to get the biggest wave, and then at 30 mph for normal waves on a plane but these could be adjusted to what the board specifies, as long as it is consistent. Mr. Sweeten noted for the shoreline study that Mr. Manifold will use a survey grade gps and locate stakes at 20 feet apart from the shore and then 50 feet out to wherever the erosion may be. Mr. Sweeten noted that they may need some assistance from the Board on where their major concerns for erosion are, but they

will pick up some of that when they fly the drone around. Mr. Sweeten noted that this was a simple, straightforward experimental design for the study they feel comfortable with it, it's defensible, and will generate data. Mr. Sweeten opened comment to the Board for any questions.

- ii. Mr. Maulden asked about the costs associated with the different tasks. Mr. Sweeten noted that the budget that was included was from the original proposal that is not the one for the design page. Mr. Maulden noted that the boat weight was raised to 4,000 pounds so it may not just be wake boat versus a ski boat but a 4,000-pound boat versus a 3,000-pound boat; so, size could be a concern. Mr. Sweeten noted that the Board could choose which boats need addressed in the controlled test.
- iii. Mr. Parris asked if this controlled test would be conducted with freeholder boats and if so, are the boats being operated by the freeholders or by them. Mr. Manifold noted that it would be conducted with freeholder boats and the freeholder would be operating the boat, but they would be in the boats making sure that everything is consistent.
- iv. Mr. Rasdall noted that they would be taking the initial readings of the ski boat and the wake boat during the controlled test and then the buoy sensor would go out for a period of time. Mr. Rasdall asked how they would be able to know which boat generated the wave. Mr. Sweeten noted that it won't be able to tell that. Mr. Rasdall then noted on a Saturday when multiple boats are running by the sensor, all the sensor is going to tell is that there are waves that are at a certain height. Mr. Manifold noted that it has no way to tell what boat, it has no way to tell what is doing it, it will just pick up all the wave attributes. Mr. Sweeten noted the controlled experiment will show the wave information for the boats chosen.
- v. Mr. Sherman noted his initial question is if there is not a camera on the buoy how they will know which boats are creating which waves. Mr. Sweeten noted that they won't know when the sensor is out by itself, but what they're after here is the wave energy of all sources of the waves the district is dealing with on the shoreline. Mr. Sweeten noted that even if it were taking a picture of the boat, there would be so much unknown about the boat such as speed, mass inside the boat, and if it is going perpendicular to the sensor, it would be very far away from the experimental design and it would be difficult to draw conclusions from. Mr. Sherman noted that there is now a specific wake surfing course and asked would they be able to out the sensors somewhere on the course so they would know the dissipation of the waves of the wake boats by the time they hit the shore. Mr. Sweeten noted that in some of the other studies the data has helped to determine how big of an area a wake boat needs and how far from the shoreline it should be before the wave attenuated.
- vi. Mr. Rasdall noted that on a busy day there are multiple boats with waves going against each other or building on each other.

Mr. Rasdall asked how do you know which boat is causing them. Mr. Sweeten noted that they would capture that on the wave sensor, so on a busy day they would know that it was busy but there is no way to standardize that. Mr. Sweeten noted that it would be impossible to standardize that to be the parameters. Mr. Sweeten noted what they could do is understand the full wave energy that the shoreline is taking on. Mr. Sweeten noted that if a Saturday was heavier, they would see that on the data. Mr. Rasdall asked about reducing the weight of a boat from 4,000 to 3,200 if that would be a major impact on wave energy. Mr. Manifold noted that is something that they can do in the actual experimental design the Board can help select the boats they are most concerned with. Mr. Rasdall asked about the number of passengers because some boats hold 12 people. Mr. Rasdall noted that is a huge impact on a boat that has 3 people in it opposed to one that has 10 people in it.

- vii. Mr. Maulden asked what can actually be done with the data if you don't know what boat is making the waves other than realizing the lakes are busy on Saturdays. Mr. Sweeten noted that you will get an idea about the amount of wave energy that is relative to where there might be erosion problems. Mr. Sweeten noted that they won't know what the full wave effect is here, but they will know that from the controlled experiment.
- viii. Mr. Brumfield noted that they were going to do some testing on phosphorus and asked Mr. Sweeten to explain some of the effects of suspended phosphorus. Mr. Sweeten noted that phosphorus is a challenge for every lake, a tiny amount is chronic, he noted that one pound of phosphorus can grow 500 pounds of algae. Mr. Sweeten explained that is why being proactive with lakes is much easier to do than to try to restore them. Mr. Sweeten noted this is something that is normally flying under the radar, because people don't think about it until they see green water.

9. Freeholder Concerns:

- a. Jennifer Roll (DF 52A) noted she had been a member of the lake community since 1977 and that over the last 10 years it seems to be a free for all of boats speeding into the idle zone. Mrs. Roll asked the Board to please do something about this. Mrs. Roll noted she knows that people are really frustrated that security is giving more tickets because for the last 10 years they have been able to do what they want. Mr. Maulden noted that they have talked about that at security, and this is one of the issues that boat patrol is looking for this year and they have given tickets for this, but they can't catch everyone.
- b. Alison Randolph noted she is the CSLOA President, and she wanted to publicly thank the Board, the freeholders, the sponsors, and everybody that came to the July 6th event at the beach. Mrs. Randolph noted that they have their meeting the 25th but wanted freeholders to know how supportive the Board, Nick, Brittany, Rebecca, Mike Leavitt and his team were, and to thank them. Mrs. Randolph mentioned Aaron with Sweetwater Realty and a lot of their other sponsors really helped them out. Mrs. Randolph noted she just wanted to thank everyone and mention that it was an amazing event. Mrs. Randolph noted that the CSLOA wanted to mark the date of July 5, 2025 for the event next year. Mrs. Randolph noted they had

quite a few volunteers and she wanted to thank them publicly as well. Mrs. Randolph concluded by thanking everyone especially the Fire Department.

- c. Carrie Vavul (OES 333) asked where they were with redrawing maps or doing a spreadsheet for the district areas and election guidelines. Mr. Maulden asked for this to be added to the agenda. Mrs. Bay noted the map and spreadsheet is completed and it has been sent to the Board. Mr. Leavitt noted to put this on the agenda for approval next month and then they could reach out to the county GIS person and have it added there. Mr. Young noted this may require court approval if any lots are shifting areas. Mr. Young noted that if adopting something that is going to change anything from the way its been done in the past in terms of voter eligibility or candidate eligibility it needs court approval. Mr. Young noted that it would require Board resolution and then he would have to petition the court to have the new map approved. Mr. Young noted he believed he could get a court order to approve this prior to publication of the election notice. Mr. Young requested Mrs. Bay send over the list and other documents so that he could prepare a resolution, and then the Board could adopt this on August 5th. Mr. Maulden noted that there were other election issues. Mr. Leavitt noted that could be added to next month's agenda.
- d. Marcia Harper noted that she did not have a question about the study until Dr. Sweeten discussed the days of general traffic, would the study show the distance of the buoys that we have at 50 feet are an appropriate distance or like at other lakes are 100 or 200 feet. Mr. Leavitt noted that in terms of the buoy you have reporting wave action it would tell you. Mr. Leavitt noted that it will tell how busy it is at 50 feet or if its more appropriate at 100 feet.

10. Management Reports:

a. Director of Finance & Administrative:

1. Mrs. Bay summarized the fund report. The current balance is \$4,217,646.43.

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

2. Mrs. Bay summarized the appropriation report and monthly claims list. The monthly claims total is \$349,332.93. The unexpended remaining balance for 2024 is \$1,303,489.36 or 62.53%.

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

b. Director of Operations

1. Mr. Johann summarized his report.

11. Commission Reports:

a. Building:

1. Mr. Sherman reviewed the building applications.

MOTION: Mr. Sherman motioned to approve building applications 24-052 and 24-053 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. Motion passed unanimously.

2. Mr. Sherman reviewed the dredging requests.

MOTION: Mr. Sherman motioned to approve dredging request D024-007, D024-008, and D024-009 for approval from the CSCD Board contingent upon lot owners meeting all conditions by the Building Commission, seconded by Mr. Rasdall. Motion passed unanimously.

b. Ecology:

1. Mr. Brumfield summarized the ecology minutes.
 - i. Mr. Brumfield discussed the issues with the pickleball/basketball court hours and suggested have set hours and signage for the pickleball/basketball court.

MOTION: Mr. Rasdall motioned to approve Pickleball hours be on Monday/Wednesday/Friday/Saturday: 8am-12pm and Wednesday/Sunday: 6pm-9pm and basketball has priority during non-pickleball hours.

Discussion: There was discussion over other activities and the Board was in agreement there are no assigned hours for other activities; other activities are permissible as long as basketball players or pickle ball players are not already utilizing the facility.

Seconded by Mr. Maulden. Motion passed unanimously.

- ii. Mr. Brumfield noted that with the help of Katie Starr the CSCD was approved for the America the Beautiful Grant.

c. Roads:

1. Mr. Rasdall summarized the roads minutes.

d. Security:

1. Mr. Maulden summarized the security minutes.
 - i. Mr. Maulden discussed purchasing body cameras and cell phones for boat patrol to utilize.
 - ii. Mr. Maulden discussed towing freeholders' watercraft. Mr. Young noted that when towing a freeholder boat, it would be a good idea if you're going to allow boat patrol to tow freeholders boats to have the boat owner sign a release prior to having them tow the boat. There was discussion on whether it would matter if the owner was not the one operating the boat. Mr. Young noted that

he believed if the owner authorizes the person to operate the boat that's authorizing the operation of the boat and doing those things that are necessary to operate, including getting it back to shore. Mr. Leavitt asked that Mr. Young prepare a release form.

- iii. Mr. Maulden noted security discussed changing the verbiage on the patrol boats from CSCD Lake Safety to CSCD Lake Patrol. There was discussion of not knowing when the change to lake safety occurred. The Board was in agreement that the boats have CSCD Lake Patrol on them.
- iv. Mr. Maulden noted at the meeting Cathie Brown asked if since she is Boat Patrol if she is on her dock and sees a violation can, she write them a ticket when she is off duty? Mr. Maulden noted that the security commission unanimously decided yes, she could write a ticket. Mr. Maulden noted that if a freeholder sends us a picture that verifies the time date and infraction, we can write a ticket. Mr. Maulden asked if the Board had a problem with this. Mr. Maulden noted that they're just trying to make the lakes safe and hoping that everybody is feeling safer this year.
 - i. Mr. Young noted that law enforcement is considered on duty 24/7, they may not be on shift, but they are on duty. Mr. Young noted he did not know the protocols for boat patrol, but they may want to consider writing into the boat patrol rules that boat patrol is considered to be on duty 24/7 and shift hours may be assigned from time to time but they're on duty. Mr. Young noted that meant they have the jurisdiction to give a citation any time they observe an infraction.
 - ii. Mr. Maulden asked if we are withing our rights, if a freeholder sends us a picture of an infraction to send that to boat patrol and have them give out a citation. Mr. Young noted that its going to be up to the discretion of the boat patrol person writing the ticket and if they have enough evidence.

MOTION: Mr. Rasdall motioned to approve that lake patrols are on duty 24/7 even if they are not on shift and have the ability to issue a citation to someone who is breaking the rules, at their

discretion, seconded by Mr. Brumfield. Motion passed unanimously.

iii. Mr. Young noted that he is hearing that the lakes are getting busy, and you may have to ask someone to leave. Mr. Young asked if there is a resolution that gives someone the authority to act on behalf of the board to trespass people off the lake. Mr. Rasdall suggested putting this on the agenda for the August 5th meeting and Mr. Young could write a Resolution authorizing Nick, Brittany and each board member to be able to do this.

e. Water:

1. Mr. Parris summarized the water minutes.
 - i. Mr. Parris noted there was an issue with freeholder's water turn on.

12. Old Business:

a. Public Hearing on Additional Appropriations

1. The Public Hearing resumed at 9:10pm.
2. Mr. Sherman asked what the Board's thoughts are on how were going to pay for this. Mr. Sherman discussed the equal assessment as this is from the lakes. Mr. Sherman asked if since this is strictly a lakes issue should be put on the decals and spread over two years? Mr. Sherman noted that they could borrow from the rainy-day fund and pay it back, but the study is going to take more than one year. Mr. Sherman noted that as they move forward with budgets the Board needs to determine how money is going to be raised and who is going to be responsible in the district to pay that. Mr. Sherman noted the other issue is are we getting the information needed from the study and noted his concern is that if we can't determine which boats are making the waves on a regular basis he doesn't know what good that is going to do for them, unless there is some other benefit they can get from the study like make the District eligible for some grants. Mr. Leavitt noted the portion of the study regarding the shorelines and the phosphorus could potentially make the District eligible for Lake/River enhancement types of grants. There was discussion of the cost of the study for the first year.
3. Mr. Adolay noted that the survey that Mr. Parris conducted and what this gentleman is doing for \$61,000 is the same thing. Mr. Adolay noted that this is supposed to decide whether the wake boats cause a problem and he can't tell us if wake boats are causing the problem. Mr. Pariss noted that there a lot of parts of this study that are very from what he and Scott put together and their insights to be gleaned from this study. Mr. Parris noted that the challenge for him is the study of the waves during the day that compounds on itself, to solve that you would limit the number of boats on the lake during

the day, you can't do that. Mr. Rasdall noted it does not further define what boat did it. Mr. Parris noted this study in his opinion solves a handful of problems. Mr. Rasdall noted that they are not approving the study tonight just the money for it, in case they want to do portions of the study.

4. Mr. Leavitt closed the Public Hearing of Additional Appropriations at 9:26pm.

MOTION: Mr. Rasdall motioned to approve Resolution 2024-11 Additional Appropriations, seconded by Mr. Brumfield. Roll Call:

Pat Sherman: Aye
Mark Rasdall: Aye
Jim Maulden: Aye
Ted Adolay: Nay
Randy Brumfield: Aye
Aaron Parris: Nay
Mike Leavitt: Aye

Motion passed 5-2.

13. New Business:

a. Rules Discussion

- i. Mr. Sherman noted that he had spoken with Marica Haper about the training for wake boats with boat patrol staff and one thing he wanted to ask the Board to approve is the ability for a training session to have wake boats on the lake utilizing full wake enhancements followed by boat patrol so they can physically see them being used and take pictures and make a movie or use those still pictures for training purposes. Mr. Sherman noted there were different wake enhancing devices and Mr. Parris volunteered his boat and they could look for other freeholders with different wake boats to volunteer for training purposes. Mr. Sherman noted that they could only utilize their wake enhancing devices during that training.
 - i. Mr. Maulden noted the only problem he had with this was the lake is already busy and now were going to have boat patrol following behind wake surfers seeing what kind of wave they are putting out. Mr. Maulden noted that the Board had already received a picture that said they were deploying wake-enhancing devices and Mr. Parris was adamant the boat had no wake enhancing devices on it. Mr. Parris noted that he was reasonably confident they were not being used and he later found the boat and became fully confident no wake enhancing devices being used because they had been removed/disabled from the boat. Mr.

Parris noted what Mr. Sherman was asking is for a way to educate on what it actually looks like when this rule is being broken as opposed to making the assumption based on the opinion of the individual who sent the email. Mr. Rasdall noted he believed to educate is an excellent idea. Mr. Parris noted this is why he is willing to participate to help educate boat patrol.

MOTION: Mr. Sherman motioned to approve boat patrol training purposes only to allow volunteers with wake boats to utilize their wake enhancing equipment only during the training session and take photos/videos for this training. Motion seconded by Mr. Rasdall.

Discussion: Mr. Brumfield asked during this training have someone behind the boats wake surfing. There was a discussion about wake surfing. Mr. Maulden asked if they allow this and educate boat patrol can they prove someone is using it and give them a ticket from the picture. Mr. Rasdall noted if they see this and believe it being used then the resolution with the affidavit gave boat patrol permission to board the boat and see if their ballast tanks are full. Mr. Young noted that if someone says no to boarding their boat you cannot, however if they say no then you can take their lake privileges. There was discussion about live wells. Mr. Young noted that they can let you board their boat with permission to inspect, but if they say no they can be cited for refusing to allow inspection which carries the same as a failed inspection. There was discussion about disabling devices and what has to be done to disable them.

Motion passed unanimously.

- ii. Mr. Sherman discussed Title 14 of the Indiana Code and noted he believed the Board needed to be very definitive with that because there is a lot in Title 14 that has nothing to do with the district lakes. Mr. Sherman noted that there is the issue of open containers, and the lakes are some people's back yards. Mr. Maulden noted he didn't believe open containers were in there. Mr. Brumfield noted that in Indiana you can have an open container, the driver just cannot be drunk. Mr. Sherman noted that needed to be verified because that talks about another article Indiana Codes that applies too. Mr. Maulden noted that the security commission looked at that when doing the boater safety test.
- iii. Mr. Sherman noted the other issue would be whether personal buoys have to be pulled in every night and if they could revisit that issue. Mr. Sherman noted that if it is a buoy that is lit and no more than 25 feet from the shoreline it could be left out. Mr.

Brumfield noted that these buoys get caught in props and cause damage to boats. Mr. Maulden noted that they already had Mrs. Bay send out alerts and letters on this topic. Mr. Maulden noted that if they are in use they could pull them up and tie them to their docks.

14. Board Member Concerns:

- a. Mr. Sherman appreciated everyone that was there.
- b. Mr. Rasdall noted he thinks this education thing is a big thing and thanked everyone for coming.
- c. Mr. Maulden noted he would like to go back to buoys are they changing the rules, because letters have already been sent out and what they are supposed to be doing. There was discussion and the Board was in agreement they are going to continue to follow the current rule.
- d. Mr. Adolay noted he thought they were discussing touchless boat covers that evening. Mr. Parris noted he didn't believe the representative showed up. Mr. Adolay noted he believed they were bad.
- e. Mr. Parris noted that one question Dr. Sweeten asked from his presentation of the study was what the major concern and he is believes his major concern is the dam and the buoys should be placed near the dams to measure erosion, the wake surfing course is there, and most lake activities go on there. Mr. Parris noted he wanted to give a shout out to the working group for all their efforts with the bond. Mr. Parris concluded by noting he would like to bring up the culture as far a community civility and mentioned that we have all heard about people yelling at boat patrol when breaking the rules and wanted to take a minute to appreciate the fine people like Brittany and Nick who are working at the conservancy and other valuable boat patrol assets. Mr. Parris noted that when they fall short in something they are doing in the office or out in the field they are human and we all mistakes and asked everyone to be gracious.
- f. Mr. Brumfield noted to add to what Mr. Parris mentioned at the end of the day we are all neighbors whether you agree with someone or no, you still have to be someone what civil. Mr. Brumfield noted that he appreciated everyone staying, the boat patrol, and the staff we have. Mr. Brumfield noted that he is aware we are going through a lot of transitions so bear with them, they're just trying to make it better.
- g. Mr. Leavitt thanked everyone for being there and being involved.

15. Adjourn (10:03)

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

Respectfully submitted,



Ted Adolay, Board Secretary

Date Submitted: