

Cordry-Sweetwater Conservancy District
Board of Directors Special Meeting
May 20th, 2025

1. **Board Members Present:** Mike Leavitt, Randy Brumfield, Aaron Parris, Ted Adolay, Greg Harper, Jim Maulden, and Mark Rasdall
2. **Board Members Absent:** None
3. **Also, Present:**
 - a. **Staff:** Brittany Bay
 - b. 7 Freeholders in attendance
4. **Call to order at 6:06 PM**
5. **Proposed Green Rule Book:**
 - a. Mr. Leavitt opened discussion about the proposed Green Rule Book. Mr. Leavitt noted that this was an updated compilation of the rules. Mr. Maulden noted that they had gone over all the minutes and resolutions for the last 20 years and what has been changed but not updated in the rule book. Mr. Leavitt noted they were not going to take public comments during this meeting but would in the Board Meeting to follow. Mr. Leavitt asked if anyone had specific sections to discuss.
 - b. There was discussion over the interpretation for speedboat and fishing boat lengths and if it should be clarified. There was discussion over any fishing boat over 40HP being considered a class 1 power/speed boat and them falling under class 1 watercraft lengths. There was discussion over changing verbiage to state less than 21'.
 - c. Mr. Parris asked who had the electronic version of this document. Mr. Leavitt noted he believed Mrs. Bay had the electronic version. Mr. Brumfield noted that Sheena made the document, and Mrs. Bay had a copy of the electronic version. Mr. Parris noted he believed somebody should be updating changes as it is settled.
 - d. There was discussion over the fishing rules. Mr. Adolay noted the way it is written it is up to one person to modify the fishing rules. Mr. Adolay recited that the head of ecology appointed by the Board gets to determine what size the fish are and noted it did not say anything about requiring Board approval. Mr. Adolay noted that the fishing rules should still be approved by the Board. Mr. Brumfield noted that a 2019 resolution gave the ecology commission the power to modify the fishing rules. Mr. Rasdall noted that there is a state statute that says the Board cannot give a commission the power to change rules. Mr. Brumfield noted that it did give the commission the power in the resolution. Mr. Parris noted this could be modified so that the ecology commission makes the recommendation and then the Board approves it. Mr. Leavitt noted they would need to amend the resolution. Mr. Parris asked if they should just rescind that resolution. Mr. Maulden noted that this proposed rule book will supersede the previous resolutions, because this will be the rule book after being approved. Mr. Leavitt noted that he didn't believe that was true because there are conflicting resolutions so they would need to be brought in conformance to what the rule book states. Mr. Brumfield noted the rule book is just a compilation of Board actions, resolutions and things like that.

- e. Mr. Maulden asked if everyone had already read the proposed rules, because he was expecting the rest of the Board members to ask questions to Mr. Brumfield and himself because they had already approved all of it. Mr. Brumfield noted that Shena did not change anything, and it was mostly just copied, and noted Shena even left the spelling errors so everything was included.
- f. Mr. Leavitt noted that in the document it isn't defined that CSCD is the acronym for Cordry Sweetwater Conservancy District, and it should be put in parentheses after the first mention. Mr. Parris asked Mrs. Bay if she was taking notes to make the adjustments to the document. Mrs. Bay noted she was taking notes and could make the adjustments if that is what the Board wanted.
- g. Mr. Leavitt noted throughout the document the verbiage of "will" and "should" needed to be changed to "shall".
- h. Mr. Brumfield noted that it's all compiled together, ecology and security have looked at it and now Mrs. Bay can amend the document before it goes to legal counsel and pay Mr. Young to look through it.
- i. Mr. Leavitt noted that under the dredging section there is an approval process so instead of using the verbiage "coordinate" it should be changed to "approved".
- j. A freeholder asked the Board to refer to the section being discussed not the page number.
- k. Mr. Brumfield asked if the Board wanted to keep the fine of \$500 + cost included. Mr. Leavitt noted if something is done that is not approved the Board wants them to restore it. Mr. Parris noted that he didn't see a reason to remove it and asked how many of the items included in the document are not enforceable. Mr. Parris noted he believed it should be left in the document as a potential deterrent.
- l. Mr. Brumfield noted in section 1-1-1-3 the definition of freehold is one person and asked if they should add the freehold definition for voting too. Mr. Leavitt asked if the definition met the Indiana Code and CSCD resolutions because it should be the same definition used through the voting resolution or other processes. Mr. Parris noted that he didn't believe the voting resolution is consistent with the state's definition of freehold. Mr. Parris noted that the voting resolution is based on the number of ditch taxes and per the guidelines there should be a vote for the number of lots that the person has. Mr. Rasdall noted that a person becomes a separate freehold on each property that they pay a ditch tax on and noted that they would still be able to vote by the number of properties. Mr. Rasdall gave an example of if Mr. Parris owned four properties and each were deeded differently. Mr. Parris noted that if someone has two properties in the exact same name it would be one freehold and one ditch tax and mentioned according to the state it would still be considered two freeholds. Mr. Parris noted that property taxes would still have to be paid on both properties regardless of the ditch tax and conservancy fees. Mr. Parris noted that the Board passed a resolution that the one ditch tax equals one vote but doesn't believe that it meets the actual state definition of a freehold. Mr. Rasdall noted that would be a question for Mr. Young. Mr. Maulden asked why Mr. Young wasn't present. Mrs. Bay noted that Mr. Young attends Board Meetings and Executive Sessions not Special Sessions, unless he is asked to attend.
- m. Mr. Brumfield noted under 1-1-4-2 parking and discussed right-of-way easements. Mr. Leavitt noted there were actual easements in some areas. There was discussion over easements by the roads. Mr. Leavitt noted the original plats show all Conservancy property. Mr. Leavitt noted that county roads typically don't have an actual right of way.
- n. Mr. Leavitt noted the acronym DNR should be listed the first time as Department of Natural Resources with DNR in parentheses after it.
- o. Mr. Maulden noted that security changed the off-road vehicles and snowmobiles. Mr. Maulden noted that off-road vehicles used to be allowed across from the beach and no longer

are so that was removed and the Brown County Ordinance regarding this type of vehicles was added. Mr. Parris asked if in the older version of the rule books it was allowed to take a snowmobile on the natural trails. Mr. Maulden noted that there was Conservancy property that snowmobiles could be ridden on if they had a sticker. Mr. Maulden noted that now this type of vehicle can be on the roads not off road on Conservancy property. Mr. Parris asked if this was about safety or tearing up the property. Mr. Maulden noted it was about tearing up the property. Mr. Parris asked if it was about tearing up the property, maybe off-road vehicles should not be allowed but maybe snowmobiles should. Mr. Maulden noted that snowmobiles can now be ridden on the road. There was discussion over snowmobiles and safety. A freeholder noted a possible safety issue of the driving range being out there having markers set out in rebar, being a hazard. There was discussion of off-road vehicles and snowmobiles driving on frozen water. There was discussion over the roads being Conservancy property but public access.

- p. Mr. Brumfield noted that in 1-1-6-2 it says water foul is not permitted and asked if farm animals are allowed. Mr. Brumfield noted that he believed the green rule said no farm animals. Mr. Parris noted that it was not in the rule book, but Mrs. Bay mentioned it might be in the covenants. Mr. Leavitt agreed he believed it was in the covenants. Mr. Rasdall read the farm animal section of the covenants.
- q. Mr. Adolay asked for clarification of what would be considered a state approved sanitary facility under camping. Mr. Maulden noted that it was through the Brown County Board of Health. There was discussion over septic systems and holding tanks.
- r. Mr. Maulden noted under powered watercraft is the resolution approved in the previous year. Mr. Leavitt noted the only thing that he saw in this section was changing the verbiage of “must” to “shall”. Mr. Adolay asked if someone was buying a property with a grandfathered pontoon if they had to sell the pontoon and they couldn’t title it with the house. Mr. Leavitt noted that is correct and mentioned that is the way it is with any grandfathered watercraft.
- s. Mr. Leavitt noted in section 3-1-1-1 where the document references diagram of where decals should be placed that should be defined. Mr. Brumfield noted the intent of having this document as a pdf is so that links could be added for resolutions and documents.
- t. Mr. Leavitt noted that under prerequisites for obtaining decals the insurance requirement was listed twice, and the second one should be stricken as it is redundant.
- u. Mr. Maulden noted under grandfathered decals that it used to say that you had to renew by June 15th and if you didn’t you lost your privileges and then it was changed to three months and security changed it to thirty days. Mr. Parris noted that the grace period would be cut by two-thirds, and he did not agree with that. Mr. Parris asked what the harm was in allowing the extra sixty days. Mr. Maulden noted that the grandfathered boats they don’t want on the lakes, and they are letting freeholders keep them because they are grandfathered but now, they are allowing them three months to get it decaled after they expire. Mr. Parris noted that they do not know what extenuating circumstances someone may have, and he believed thirty days is a tight window. Mr. Maulden noted that decals are available in March. Mr. Parris noted that ninety days was put in the rule to afford people with extenuating circumstances. Mr. Rasdall noted that before when the sticker expired, if the owner of the grandfathered watercraft hadn’t been renewed, they had zero extra days to get decals. Mr. Parris noted that the Board voted on ninety days when the resolution was passed, and now the security commission is wanting to cut that time by two thirds. Mr. Parris noted he believed ninety days the Board voted on should remain, unless there is another vote. Mr. Adolay noted that since the resolution was voted on that resolution would have to be amended, they can’t just change the rule. Mr. Brumfield noted that this should reflect what the rules are. Mr. Rasdall noted technically it should be moved back to ninety days until at such time the Board decides to vote and change

that resolution to thirty days. Mr. Parris noted he believed the whole idea of updating the rule book was to get on board with what the Board has made the rules.

- v. Mr. Leavitt noted under lake traffic it says that watercraft must travel in a counterclockwise pattern, and this is only during green light hours so it should include “except during idle hours”.
- w. Mr. Leavitt noted under power loading he believed it should be worded as “shall not be performed” not just “not recommended”.
- x. Mr. Maulden noted on page 17 it used to say, “competent person as a spotter” and the security commission wanted to have a number there for the competent spotter.
- y. Mr. Maulden discussed the next topic of the red or orange flag. Mr. Maulden noted that there are new automatic flags, and they just pop up. Mr. Maulden noted that the commission wanted to make it to where the driver could not operate the flag. Mr. Maulden noted that boat patrol had issue with the automatic flag, and mentioned last year they made everyone have the flag high, to be seen, because he believed the most dangerous time on the lake is when a skier is down in the water. Mr. Maulden noted that boat patrol relayed to the commission it’s hard to see the automatic flags. Mr. Maulden noted that security did not recommend automatic flags.
- z. Mr. Rasdall noted that the document said all fishing laws are adopted by the CSCD and that is not true. Mr. Rasdall reviewed the different bag limits. Mr. Parris noted it also mentioned more restrictive regulations may be enacted by the CSCD. Mr. Rasdall noted that ecology has reviews this and the lake is overrun with small bass and that is why the CSCD rules are less restrictive. Mr. Rasdall noted he believed it should say all CSCD fishing regulations must be adhered to, and the CSCD should have those published. Mr. Rasdall noted that the CSCD is not bound by state laws because it is a private lake. Mr. Maulden noted regarding fishing in the past, if boat patrol wrote a ticket for fishing it would go to security and now, they would go in front of ecology, because ecology has the right to change the rules for fishing.
- aa. Mr. Maulden noted that security clarified the floating platform rule to include buoys. Mr. Maulden noted security was also recommending freeholders to be able to pull the buoys back to not extend past the dock instead of the ground.
- bb. Mr. Brumfield noted that a freeholder had to appeal a fishing violation withing 30 days of citation issuance and asked if it should be the same for boating. Mr. Parris asked where in the document it showed appeals for boat citations. Mr. Leavitt noted it didn’t discuss that at all.
- cc. Mr. Maulden noted that under enforcement it is now highlighted in bold stating each freeholder is responsible for informing their guests of the rules and will be held accountable for their guests actions.

6. Adjourn (7:01 PM)

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

Respectfully submitted,



Ted Adolay, Board Secretary

Date Submitted: